

State of Iowa

**JOURNAL  
OF THE HOUSE**

**2016  
REGULAR SESSION  
EIGHTY-SIXTH  
GENERAL ASSEMBLY**

**Convened – January 11, 2016  
Adjourned – April 29, 2016**

**Volume I**

**TERRY E. BRANSTAD, Governor  
LINDA L. UPMEYER, Speaker of the House  
PAM JOCHUM, President of the Senate**

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Des Moines*



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**OFFICERS OF THE HOUSE**

**EIGHTY-SIXTH GENERAL ASSEMBLY  
2016 Regular Session**

UPMEYER, LINDA L.....*Speaker of the House*  
WINDSCHITL, MATT W.....*Speaker Pro Tempore*  
HAGENOW, CHRIS. .... *Majority Leader*  
FRY, JOEL ..... *Majority Whip*  
KLEIN, JARAD..... *Assistant Majority Leader*  
NUNN, ZACH ..... *Assistant Majority Leader*  
ROGERS, WALT.....*Assistant Majority Leader*  
WILLS, JOHN..... *Assistant Majority Leader*  
SMITH, MARK D..... *Minority Leader*  
ABDUL-SAMAD, AKO ..... *Assistant Minority Leader*  
GASKILL, MARY..... *Assistant Minority Leader*  
PRICHARD, TODD..... *Assistant Minority Leader*  
STECKMAN, SHARON S..... *Assistant Minority Leader*  
BOAL, CARMINE..... *Chief Clerk*

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ADAMS, MARK ..... *Doorkeeper*  
BALDERSON, STEVE..... *Assistant Sergeant-at-Arms*  
BENNETT, ROBIN..... *Administrative Services Officer I – Journal*  
BRONSINK, KELLY ..... *Senior Finance Officer III*  
BROWN, CLYDE..... *Doorkeeper*  
BROWN, DARRELL ..... *Chief Doorkeeper*  
BURGET, DIANE ..... *Recording Clerk II*  
CHAPMAN, JASON ..... *Republican Legislative Research Analyst III*  
DALLUGE, ZACH..... *Administrative Assistant I to Majority Leader*  
DOLAN, MOLLY ..... *Administrative Services Officer I*  
EPLEY, DAVID..... *Democratic Senior Legislative Research Analyst*

FIIHR, DEAN .....	<i>Senior Administrative Assistant to Minority Leader II</i>
FREELAND, BILL.....	<i>Democratic Legislative Research Analyst III</i>
FRIEDRICHSEN, JAKE .....	<i>Administrative Assistant to Minority Leader III</i>
FURLONG, ZEKE .....	<i>Democratic Senior Legislative Research Analyst</i>
GIESELMAN, WAYNE .....	<i>Doorkeeper</i>
GILDE, JOE.....	<i>Democratic Legislative Research Analyst I</i>
GUILLAUME, BRIAN.....	<i>Democratic Legislative Research Analyst</i>
HYATT, ANNA .....	<i>Democratic Senior Deputy Caucus Director</i>
JENNINGS, SUE.....	<i>Senior Administrative Services Officer – Journal</i>
KENLINE, KATHERINE.....	<i>Administrative Services Officer – Indexing</i>
KIOUS, KRISTI .....	<i>Republican Legislative Research Analyst II</i>
MALONE, CARRIE .....	<i>Republican Legislative Research Analyst I</i>
MAURO, FRANK.....	<i>Doorkeeper</i>
MITCHELL, JEFFREY .....	<i>Republican Senior Caucus Staff Director</i>
NADING, MACKENZIE.....	<i>Republican Caucus Secretary</i>
NELSON, MEGHAN .....	<i>Assistant Chief Clerk II</i>
OLLER, LIDDY.....	<i>Confidential Secretary to Majority Leader</i>
OLSON, LEWIS.....	<i>Republican Senior Legislative Research Analyst</i>
PHILLIPS, TONY .....	<i>Senior Administrative Assistant to Speaker I</i>
REX, DEB .....	<i>Senior Finance Officer III</i>
RITLAND, JULIE.....	<i>Switchboard Operator</i>
ROMANO, JOE.....	<i>Democratic Senior Caucus Staff Director</i>
ROSS, RANDY.....	<i>Postmaster</i>
SKEFFINGTON, JOAN.....	<i>Bill Clerk</i>
STEINKE, TERRI.....	<i>Confidential Secretary to Speaker</i>
TADLOCK, COLIN.....	<i>Admin. Assist. I to Speaker - Communications Director</i>
TELK, BRITTANY.....	<i>Republican Legislative Research Analyst I</i>
TERRELL, DOREEN.....	<i>Senior Administrative Services Officer – Assist. Legal Counsel</i>
THIEN, KELSEY.....	<i>Democratic Caucus Secretary</i>
THOMAS, RACHELLE .....	<i>Democratic Legislative Research Analyst III</i>

THRASHER, ALVIN.....	<i>Doorkeeper</i>
TROW, BRADLEY.....	<i>Republican Senior Deputy Caucus Staff Director</i>
VANDERPLOEG, SARAH.....	<i>Supervisor of Secretaries II</i>
WEDERQUIST, DONALD.....	<i>Sergeant-at-Arms</i>
WENTZ, KRIS.....	<i>Senior Administrative Services Officer – Indexing</i>
WILLE, AMANDA.....	<i>Republican Legislative Research Analyst I</i>
YOUNG, MONICA.....	<i>Republican Legislative Research Analyst</i>

### JOINT EMPLOYEES OF THE HOUSE AND SENATE

WILLEMSEN, MARK L.....	<i>Senior Facilities Manager</i>
BUNKERS, ZACHARY L.....	<i>Conservation/Restoration Specialist II</i>
McBRIDE, MAC.....	<i>Conservation/Restoration Specialist II</i>
FERGUSON, SHAWNA S.....	<i>Legislative Security Coordinator II</i>
BACUS, KATHLEEN.....	<i>Legislative Security Officer I</i>
CORNWELL, ROBERT.....	<i>Legislative Security Officer I</i>
JODY ELLIOTT.....	<i>Legislative Security Officer</i>
CURTIS HENDERSON.....	<i>Legislative Security Officer</i>
KNAPP, TIM.....	<i>Legislative Security Officer I</i>
MALONE, BARB.....	<i>Legislative Security Officer I</i>
MARCHANT, RANDY.....	<i>Legislative Security Officer I</i>
McCURDY, GERALD.....	<i>Legislative Security Officer I</i>
SCHNELL, KERT.....	<i>Legislative Security Officer I</i>
SCOTT, CURTIS.....	<i>Legislative Security Officer I</i>
SKEFFINGTON, GORDON.....	<i>Legislative Security Officer I</i>
SKEFFINGTON, LEO R.....	<i>Legislative Security Officer I</i>
TAYLOR, RICHARD.....	<i>Legislative Security Officer I</i>
ROACH, SHIRLEY.....	<i>Senior Copy Center Operator</i>
GARDINER, BRANDIE.....	<i>Assistant Copy Center Operator</i>

**ELECTED STATE OFFICIALS**

Official Address: Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i> .....	Des Moines
KIM REYNOLDS, <i>Lieutenant Governor</i> .....	Osceola
PAUL D. PATE, <i>Secretary of State</i> .....	Cedar Rapids
MARY MOSIMAN, <i>Auditor of State</i> .....	Ames
MICHAEL L. FITZGERALD, <i>Treasurer of State</i> .....	Waukee
BILL NORTHEY, <i>Secretary of Agriculture</i> .....	Spirit Lake
TOM MILLER, <i>Attorney General</i> .....	Des Moines

**JUSTICES OF THE IOWA SUPREME COURT**

MARK S. CADY, <i>Chief Justice</i> .....	Fort Dodge
BRENT R. APPEL, <i>Justice</i> .....	Ackworth
DARYL L. HECHT, <i>Justice</i> .....	Sioux City
EDWARD M. MANSFIELD, <i>Justice</i> .....	Des Moines
THOMAS D. WATERMAN, <i>Justice</i> .....	Davenport
DAVID S. WIGGINS, <i>Justice</i> .....	West Des Moines
BRUCE B. ZAGER, <i>Justice</i> .....	Waterloo

**JUDGES OF THE IOWA COURT OF APPEALS**

DAVID DANILSON, <i>Chief Judge</i> .....	Boone
THOMAS N. BOWER, <i>Judge</i> .....	Cedar Falls
RICHARD H. DOYLE, <i>Judge</i> .....	Des Moines
CHRISTOPHER LEE McDONALD, <i>Judge</i> .....	Des Moines
MICHAEL R. MULLINS, <i>Judge</i> .....	Washington
GAYLE NELSON VOGEL, <i>Judge</i> .....	Spirit Lake
AMANDA POTTERFIELD, <i>Judge</i> .....	Tiffin
MARY TABOR, <i>Judge</i> .....	Des Moines
ANURADHA VAITHESWARAN, <i>Judge</i> .....	Des Moines



## MEMBERS OF THE HOUSE

### EIGHTY-SIXTH GENERAL ASSEMBLY 2016 Regular Session

(Italicized county indicates the county of residence.)

#### ABDUL-SAMAD, AKO (D)

Residence.....Des Moines  
Occupation ..... CEO-Creative Visions  
Legislative Service.....2007-2016  
Representative District ..... 35-*Polk*

#### ANDERSON, MARTI (D)

Residence.....Des Moines  
Occupation ..... Social Worker  
Legislative Service.....2013-2016  
Representative District ..... 36-*Polk*

#### BACON, ROBERT (R)

Residence.....Slater  
Occupation ..... Retired Funeral Director  
Legislative Service..... Senate 2011-2012; House 2013-2016  
Representative District ..... 48-Boone, Hamilton, *Story*, Webster

#### BALTIMORE, CHIP (R)

Residence.....Boone  
Occupation ..... Attorney/General Counsel  
Legislative Service.....2011-2016  
Representative District ..... 47-*Boone*, Greene

#### BAUDLER, CLEL E. (R)

Residence.....Greenfield  
Occupation ..... Retired State Trooper/Farmer  
Legislative Service.....1999-2016  
Representative District ..... 20-*Adair*, Cass, Dallas, Guthrie

#### BAXTER, TERRY C. (R)

Residence.....Garner  
Occupation .....  
Legislative Service.....2015-2016  
Representative District ..... 8-*Hancock*, Kossuth, Wright

#### BEARINGER, BRUCE (D)

Residence.....Oelwein  
Occupation .....  
Legislative Service.....2013-2016  
Representative District ..... 64-Buchanan, *Fayette*

#### BENNETT, LIZ (D)

Residence.....Cedar Rapids  
Occupation ..... Internet Sales/Support Consultant  
Legislative Service.....2015-2016  
Representative District ..... 65-*Linn*

#### BERRY, DEBORAH L. (D)

Residence.....Waterloo  
Occupation .....  
Legislative Service.....2003-2016  
Representative District ..... 62-*Black Hawk*

## MEMBERS OF THE HOUSE

**BEST, BRIAN (R)**

Residence..... Glidden  
 Occupation ..... Respiratory Therapist/President of Bestmed Respiratory  
 Legislative Service..... 2015-2016  
 Representative District ..... 12-Audubon, *Carroll*, Crawford

**BRANHAGEN, DARREL (R)**

Residence..... Decorah  
 Occupation .....  
 Legislative Service..... 2015-2016  
 Representative District ..... 55-Clayton, Fayette, *Winneshiak*

**BROWN-POWERS, TIMI (D)**

Residence..... Waterloo  
 Occupation ..... Med Fit Facilitator for persons with physical and mental disabilities  
 Legislative Service..... 2015-2016  
 Representative District ..... 61-*Black Hawk*

**BYRNES, JOSH (R)**

Residence..... Osage  
 Occupation ..... Industrial Division Chair-North Iowa Area Community College  
 Legislative Service..... 2011-2016  
 Representative District ..... 51-Howard, *Mitchell*, *Winneshiak*, Worth

**CARLSON, GARY (R)**

Residence..... Muscatine  
 Occupation ..... Vice President – HNI Corporation  
 Legislative Service..... 2015-2016  
 Representative District ..... 91-*Muscatine*

**COHOON, DENNIS M. (D)**

Residence..... Burlington  
 Occupation ..... Retired Special Education Teacher  
 Legislative Service..... 1987-2016  
 Representative District ..... 87-*Des Moines*

**COWNIE, PETER (R)**

Residence..... West Des Moines  
 Occupation ..... Executive Director-Iowa State Fair Blue Ribbon Foundation  
 Legislative Service..... 2009-2016  
 Representative District ..... 42-*Polk*, Warren

**DAWSON, DAVID (D)**

Residence..... Sioux City  
 Occupation .....  
 Legislative Service..... 2013-2016  
 Representative District ..... 14-*Woodbury*

**DEYOE, DAVE (R)**

Residence..... Nevada  
 Occupation ..... Farmer  
 Legislative Service..... 2007-2016  
 Representative District ..... 49-Hardin, *Story*

**DOLECHECK, CECIL (R)**

Residence..... Mount Ayr  
 Occupation ..... Retired Farmer  
 Legislative Service..... 1997-2016  
 Representative District ..... 24-Montgomery, Page, *Ringgold*, Taylor

**DUNKEL, NANCY A. (D)**

Residence..... Dyersville  
 Occupation .....  
 Legislative Service..... 2013-2016  
 Representative District ..... 57-*Dubuque*

**FINKENAUER, ABBY (D)**

Residence.....Dubuque  
 Occupation ..... Iowa Director-Make it Work  
 Legislative Service.....2015-2016  
 Representative District .....99-Dubuque

**FISHER, DEAN C. (R)**

Residence.....Garwin  
 Occupation ..... Retired Engineering/Farming  
 Legislative Service.....2013-2016  
 Representative District .....72-Black Hawk, Marshall, Tama

**FORBES, JOHN (D)**

Residence.....Urbandale  
 Occupation .....Pharmacist  
 Legislative Service.....2013-2016  
 Representative District .....40-Polk

**FORRISTALL, GREG (R)**

Residence.....Macedonia  
 Occupation ..... Farmer  
 Legislative Service.....2007-2016  
 Representative District .....22-Pottawattamie

**FRY, JOEL (R)**

Residence.....Osceola  
 Occupation .....Therapist/Educator/Consultant/Speaker  
 Legislative Service.....2011-2016  
 Representative District .....27-Clarke, Decatur, Lucas, Wayne

**GAINES, RUTH ANN (D)**

Residence.....Des Moines  
 Occupation .....Teacher  
 Legislative Service.....2011-2016  
 Representative District .....32-Polk

**GASKILL, MARY (D)**

Residence.....Ottumwa  
 Occupation ..... Retired County Auditor  
 Legislative Service.....2003-2016  
 Representative District .....81-Wapello

**GASSMAN, TEDD (R)**

Residence.....Scarville  
 Occupation ..... Insurance Sales/Farmer  
 Legislative Service.....2013-2016  
 Representative District .....7-Emmet, Kossuth, Winnebago

**GRASSLEY, PAT (R)**

Residence.....New Hartford  
 Occupation ..... Farmer  
 Legislative Service.....2007-2016  
 Representative District .....50-Butler, Grundy, Hardin

**GUSTAFSON, STANLEY R. (STAN) (R)**

Residence.....Cumming  
 Occupation ..... Retired Marine/Attorney  
 Legislative Service.....\*2014-2016  
 Representative District .....25-Madison, Warren  
 \*Elected in Special Election January 7, 2014

**HAGENOW, CHRIS (R)**

Residence.....Windsor Heights  
 Occupation ..... Attorney  
 Legislative Service.....2009-2016  
 Representative District .....43-Polk

**HALL, CHRIS (D)**

Residence.....Sioux City  
 Occupation .....  
 Legislative Service.....2011-2016  
 Representative District .....13-Woodbury

**HANSON, CURT (D)**

Residence.....Fairfield  
 Occupation .....Retired Teacher  
 Legislative Service.....\*2009-2016  
 Representative District .....82-Davis, *Jefferson*, Van Buren  
 \*Elected in Special Election September 1, 2009

**HANUSA, MARY ANN (R)**

Residence.....Council Bluffs  
 Occupation .....Elementary School Administrator  
 Legislative Service.....2011-2016  
 Representative District .....16-Pottawattamie

**HEARTSILL, GREG T. (R)**

Residence.....Melcher-Dallas  
 Occupation .....Fence Contractor  
 Legislative Service.....2013-2016  
 Representative District .....28-Jasper, Lucas, *Marion*

**HEATON, DAVID E. (R)**

Residence.....Mount Pleasant  
 Occupation .....Retired Restaurateur  
 Legislative Service.....1995-2016  
 Representative District .....84-*Henry*, Jefferson, Lee, Washington

**HEDDENS, LISA (D)**

Residence.....Ames  
 Occupation .....  
 Legislative Service.....2003-2016  
 Representative District .....46-*Story*

**HEIN, LEE (R)**

Residence.....Monticello  
 Occupation .....Business Owner  
 Legislative Service.....2011-2016  
 Representative District .....96-Delaware, *Jones*

**HIGHFILL, JAKE (R)**

Residence.....Johnston  
 Occupation .....Commercial Real Estate  
 Legislative Service.....2013-2016  
 Representative District .....39-*Polk*

**HOLT, STEVEN (R)**

Residence.....Denison  
 Occupation .....  
 Legislative Service.....2015-2016  
 Representative District .....18-*Crawford*, Harrison, Shelby

**HOLZ, CHUCK (R)**

Residence.....Le Mars  
 Occupation .....  
 Legislative Service.....\*2016  
 Representative District .....5-*Plymouth*, Woodbury  
 \*Elected in Special Election November 3, 2015

**HUNTER, BRUCE L. (D)**

Residence.....Des Moines  
 Occupation .....

Legislative Service.....\*2003-2016  
 Representative District ..... 34-*Polk*  
 \*Elected in Special Election February 11, 2003

**HUSEMAN, DANIEL ADAIR (R)**

Residence.....Aurelia  
 Occupation ..... Farmer  
 Legislative Service.....1995-2016  
 Representative District .....3-*Cherokee, O'Brien, Plymouth, Sioux*

**ISENHART, CHARLES (D)**

Residence.....Dubuque  
 Occupation ..... President-Common Good Services/Sports Official  
 Legislative Service.....2009-2016  
 Representative District .....100-*Dubuque*

**JACOBY, DAVE J. (D)**

Residence.....Coralville  
 Occupation ..... STEM Outreach Coordinator  
 Legislative Service.....\*2003-2016  
 Representative District .....74-*Johnson*  
 \*Elected in Special Election August 26, 2003

**JONES, MEGAN (R)**

Residence.....Sioux Rapids  
 Occupation ..... Attorney  
 Legislative Service.....2013-2016  
 Representative District .....2-*Clay, Dickinson, Palo Alto*

**JORGENSEN, RON (R)**

Residence.....Sioux City  
 Occupation ..... Vice President for Business and Finance-Morningside College  
 Legislative Service.....2011-2016  
 Representative District .....6-*Woodbury*

**KAUFMANN, BOBBY (R)**

Residence.....Wilton  
 Occupation ..... Grain and Livestock Farmer/Small Business Owner  
 Legislative Service.....2013-2016  
 Representative District .....73-*Cedar, Johnson, Muscatine*

**KEARNS, JERRY A. (D)**

Residence.....Keokuk  
 Occupation ..... Staff Representative-United Steelworkers Union  
 Legislative Service.....2009-2016  
 Representative District .....83-*Lee*

**KELLEY, DAN (D)**

Residence.....Newton  
 Occupation ..... Realtor/Small Business Owner-DJ Service  
 Legislative Service.....2011-2016  
 Representative District .....29-*Jasper*

**KLEIN, JARAD (R)**

Residence.....Keota  
 Occupation ..... Family Farmer  
 Legislative Service.....2011-2016  
 Representative District .....78-*Keokuk, Washington*

MEMBERS OF THE HOUSE

**KOESTER, KEVIN (R)**

Residence..... Ankeny  
Occupation ..... Consultant/Retired School Administrator  
Legislative Service..... 2009-2016  
Representative District ..... 38-Polk

**KOOIKER, JOHN (R)**

Residence..... Boyden  
Occupation ..... Farmer/Retired Rural Letter Carrier/Substitute Teacher  
Legislative Service..... \*2015-2016  
Representative District ..... 4-Sioux  
\*Elected in Special Election January 6, 2015

**KRESSIG, BOB M. (D)**

Residence..... Cedar Falls  
Occupation ..... Retired-John Deere  
Legislative Service..... 2005-2016  
Representative District ..... 59-Black Hawk

**LANDON, JOHN (R)**

Residence..... Ankeny  
Occupation ..... Retired from Ag Business  
Legislative Service..... 2013-2016  
Representative District ..... 37-Polk

**LENSING, VICKI S. (D)**

Residence..... Iowa City  
Occupation ..... Funeral Home Owner  
Legislative Service..... 2001-2016  
Representative District ..... 85-Johnson

**LYKAM, JIM (D)**

Residence..... Davenport  
Occupation ..... Legislator  
Legislative Service..... 1989-1990, 2003-2016  
Representative District ..... 89-Scott

**MASCHER, MARY (D)**

Residence..... Iowa City  
Occupation ..... Retired Teacher  
Legislative Service..... 1995-2016  
Representative District ..... 86-Johnson

**MAXWELL, DAVID E. (R)**

Residence..... Gibson  
Occupation ..... Drainage Contractor/Farmer  
Legislative Service..... 2013-2016  
Representative District ..... 76-Iowa, Powsheiek

**McCONKEY, CHARLIE (D)**

Residence..... Council Bluffs  
Occupation ..... Retired Steelworker  
Legislative Service..... 2015-2016  
Representative District ..... 15-Pottawattamie

**MEYER, BRIAN (D)**

Residence..... Des Moines  
Occupation .....  
Legislative Service..... \*2013-2016  
Representative District ..... 33-Polk  
\*Elected in Special Election October 22, 2013

**MILLER, HELEN (D)**

Residence..... Fort Dodge  
 Occupation ..... Attorney/Arts Educator  
 Legislative Service..... 2003-2016  
 Representative District ..... 9-*Webster*

**MILLER, LINDA J. (R)**

Residence..... Bettendorf  
 Occupation ..... Retired Registered Nurse  
 Legislative Service..... 2007-2016  
 Representative District ..... 94-*Scott*

**MOMMSEN, NORLIN (R)**

Residence..... DeWitt  
 Occupation ..... Farmer  
 Legislative Service..... 2015-2016  
 Representative District ..... 97-*Clinton, Scott*

**MOORE, BRIAN (R)**

Residence..... Bellevue  
 Occupation ..... Farmer/Truck Driver  
 Legislative Service..... 2011-2016  
 Representative District ..... 58-*Dubuque, Jackson, Jones*

**MOORE, TOM (R)**

Residence..... Griswold  
 Occupation .....  
 Legislative Service..... \*2016  
 Representative District ..... 21-*Adams, Cass, Pottawattamie, Union*  
 \*Elected in Special Election December 8, 2015

**NUNN, ZACH (R)**

Residence..... Bondurant  
 Occupation ..... Military Officer  
 Legislative Service..... 2015-2016  
 Representative District ..... 30-*Polk*

**OLDSON, JO (D)**

Residence..... Des Moines  
 Occupation .....  
 Legislative Service..... 2003-2016  
 Representative District ..... 41-*Polk*

**OLSON, RICK (D)**

Residence..... Des Moines  
 Occupation ..... Attorney  
 Legislative Service..... 2005-2016  
 Representative District ..... 31-*Polk*

**OURTH, SCOTT D. (D)**

Residence..... Ackworth  
 Occupation ..... Public Affairs Executive/Heavy Equipment Operator  
 Legislative Service..... 2013-2016  
 Representative District ..... 26-*Warren*

**PAULSEN, KRAIG (R)**

Residence..... Hiawatha  
 Occupation ..... Attorney  
 Legislative Service..... 2003-2016  
 Representative District ..... 67-*Linn*

**PAUSTIAN, ROSS (R)**

Residence.....Walcott  
Occupation ..... Farmer  
Legislative Service.....2011-2012, 2015-2016  
Representative District ..... 92-*Scott*

**PETTENGILL, DAWN E. (R)**

Residence.....Mount Auburn  
Occupation ..... Legislator  
Legislative Service.....2005-2016  
Representative District ..... 75-*Benton, Iowa*

**PRICHARD, TODD (D)**

Residence.....Charles City  
Occupation ..... Attorney  
Legislative Service.....\*2013-2016  
Representative District ..... 52-*Chickasaw, Cerro Gordo, Floyd*

\*Elected in Special Election January 22, 2013

**RIZER, KEN (R)**

Residence.....Cedar Rapids  
Occupation .....  
Legislative Service.....2015-2016  
Representative District ..... 68-*Linn*

**ROGERS, WALT (R)**

Residence.....Cedar Falls  
Occupation .....  
Legislative Service.....2011-2016  
Representative District ..... 60-*Black Hawk*

**RUFF, PATTI (D)**

Residence.....McGregor  
Occupation .....  
Legislative Service.....2013-2016  
Representative District ..... 56-*Allamakee, Clayton*

**RUNNING-MARQUARDT, KIRSTEN (D)**

Residence.....Cedar Rapids  
Occupation .....  
Legislative Service.....\*2009-2016  
Representative District ..... 69-*Linn*

\*Elected in Special Election November 24, 2009

**SALMON, SANDY (R)**

Residence.....Janesville  
Occupation ..... Retired Home Educator  
Legislative Service.....2013-2016  
Representative District ..... 63-*Black Hawk, Bremer*

**SANDS, THOMAS R. (R)**

Residence.....Wapello  
Occupation ..... Real Estate Appraiser/Farmer  
Legislative Service.....2003-2016  
Representative District ..... 88-*Des Moines, Louisa, Muscatine*

**SEXTON, MIKE (R)**

Residence.....Rockwell City  
Occupation ..... Environmental Consultant/Farmer/Entrepreneur  
Legislative Service.....2015-2016  
Representative District ..... 10-*Calhoun, Humboldt, Pocahontas, Webster*



**SHEETS, LARRY (R)**

Residence..... Moulton  
 Occupation .....  
 Legislative Service..... 2013-2016  
 Representative District ..... 80-Appanoose, Mahaska, Monroe, Wapello

**SIECK, DAVID (R)**

Residence..... Glenwood  
 Occupation .....  
 Legislative Service..... \*2015-2016  
 Representative District ..... 23-Fremont, Mills, Montgomery  
 \*Elected in Special Election February 10, 2015

**SMITH, MARK D. (D)**

Residence..... Marshalltown  
 Occupation ..... Licensed Independent Social Worker  
 Legislative Service..... 2001-2016  
 Representative District ..... 71-Marshall

**STAED, ART (D)**

Residence..... Cedar Rapids  
 Occupation .....  
 Legislative Service..... 2007-2008, 2013-2016  
 Representative District ..... 66-Linn

**STANERSON, QUENTIN (R)**

Residence..... Center Point  
 Occupation ..... Teacher  
 Legislative Service..... 2013-2016  
 Representative District ..... 95-Buchanan, Linn

**STECKMAN, SHARON S. (D)**

Residence..... Mason City  
 Occupation ..... Retired Educator  
 Legislative Service..... 2009-2016  
 Representative District ..... 53-Cerro Gordo

**STUTSMAN, SALLY (D)**

Residence..... Riverside  
 Occupation ..... Former Johnson County Supervisor  
 Legislative Service..... 2013-2016  
 Representative District ..... 77-Johnson

**TAYLOR, ROB (R)**

Residence..... West Des Moines  
 Occupation ..... Small Business Owner/Consultant/Educator  
 Legislative Service..... 2013-2016  
 Representative District ..... 44-Dallas

**TAYLOR, TODD E. (D)**

Residence..... Cedar Rapids  
 Occupation ..... AFSCME Representative  
 Legislative Service..... \*1995-2016  
 Representative District ..... 70-Linn  
 \*Elected in Special Election June 27, 1995

**THEDE, PHYLLIS (D)**

Residence..... Bettendorf  
 Occupation .....  
 Legislative Service..... 2009-2016  
 Representative District ..... 93-Scott

**UPMEYER, LINDA L. (R)**

Residence..... Clear Lake  
Occupation ..... Nurse Practitioner  
Legislative Service..... 2003-2016  
Representative District ..... 54-Butler, *Cerro Gordo*, Franklin

**VANDER LINDEN, GUY (R)**

Residence..... Oskaloosa  
Occupation ..... Retired Marine  
Legislative Service..... 2011-2016  
Representative District ..... 79-*Mahaska*, Marion

**WATTS, RALPH C. (R)**

Residence..... Adel  
Occupation ..... Retired Engineer  
Legislative Service..... 2003-2016  
Representative District ..... 19-*Dallas*, Polk

**WESSEL-KROESCHELL, BETH (D)**

Residence..... Ames  
Occupation ..... Legislator  
Legislative Service..... 2005-2016  
Representative District ..... 45-*Story*

**WILLS, JOHN H. (R)**

Residence..... Spirit Lake  
Occupation ..... Environmental Coordinator  
Legislative Service..... 2015-2016  
Representative District ..... 1-*Dickinson*, Lyon, Osceola

**WINCKLER, CINDY L. (D)**

Residence..... Davenport  
Occupation ..... Retired Educator  
Legislative Service..... 2001-2016  
Representative District ..... 90-*Scott*

**WINDSCHITL, MATT W. (R)**

Residence..... Missouri Valley  
Occupation ..... Gunsmith/Conductor-Union Pacific Railroad  
Legislative Service..... 2007-2016  
Representative District ..... 17-*Harrison*, Ida, Monona, Woodbury

**WOLFE, MARY (D)**

Residence..... Clinton  
Occupation .....  
Legislative Service..... 2011-2016  
Representative District ..... 98-*Clinton*

**WORTHAN, GARY (R)**

Residence..... Storm Lake  
Occupation ..... Farmer  
Legislative Service..... \*2007-2016  
Representative District ..... 11-*Buena Vista*, Sac

\*Elected in Special Election December 12, 2006

# JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 11, 2016

Pursuant to chapter two (2), section two point one (2.1), Code of Iowa, the House of Representatives of the Eighty-sixth General Assembly of Iowa, 2016 Regular Session, convened at 10:00 a.m., Monday, January 11, 2016.

The House was called to order by the Honorable Matt Windschitl, Speaker Pro Tempore of the House.

Prayer was offered by Jon DeWitt. He is a family member of Representative Upmeyer of Cerro Gordo.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Colin, Carter and Cooper. They are the grandchildren of Representative Upmeyer of Cerro Gordo.

The Journal of Friday, June 5, 2015, was approved.

## LEADERSHIP REVISIONS

The Speaker announced the following changes to leadership:

Effective August 20, 2015:

**Majority Leader**

Hagenow of Polk (replaced Upmeyer of Cerro Gordo)

**Majority Whip**

Fry of Clarke (replaced Hagenow of Polk)

**Assistant Majority Leader**

Nunn of Polk (replaced Fry of Clarke)

Effective October 21, 2015:

**Assistant Majority Leader**

Wills of Dickinson (replaced Hein of Jones)

RESIGNATION OF MEMBER

September 14, 2015

Governor Terry Branstad  
State Capitol  
Des Moines, IA 50319

Dear Governor Branstad,

Due to my acceptance of new employment outside of my district, I am unable to continue as the state representative for House District 5. I hereby tender my resignation as state representative, effective immediately.

Sincerely,

Chuck Soderberg  
House District 5

SEAT REVISIONS

Seat revisions are as follows:

Name .....	Seat Assignment
Fry, Joel .....	from 34 to 46
Grassley, Pat .....	from 16 to 60
Hagenow, Chris.....	from 66 to 100
Nunn, Zach.....	from 40 to 34
Paulsen, Kraig .....	from 14 to 66
Upmeyer, Linda .....	from 100 to 14
Wills, John .....	from 20 to 16

SUPPLEMENTAL REPORTS OF  
THE COMMITTEE ON CREDENTIALS

MR. SPEAKER: We, your committee on credentials, respectfully report that we find the following named person duly elected to and entitled to a seat in the House of Representatives of the Eighty-sixth General Assembly as show by this duplicate copy of the certificate of election on file in the office of the Secretary of State:

Charles Holz, House District 5

In accordance with Iowa Code Section 2.5, the Committee on Credentials has reviewed the certification of the November 3, 2015 Special Election from Iowa

Secretary of State Paul D. Pate, which is attached hereto and incorporated by this reference.

Guy Vander Linden, Chair  
Greg Forristall  
John Wills  
Chuck Isenhardt  
Cindy Winckler

**Office of the Secretary of State  
CERTIFICATION**

To the Honorable Chief Clerk of the House:

**I, PAUL D. PATE, Secretary of State of the State of Iowa**, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at a Special Election held on November 3, 2015, the following named person was duly elected to the office of State Representative to represent the district 5 for the residue of the term ending on December 31, 2016:

**Fifth** Charles Holz

(Seal)

In testimony whereof, I have hereunto set my hand and affixed the seal of the Secretary of State at the Statehouse in Des Moines this sixteenth day of November, 2015.

**PAUL D. PATE, Secretary of State**

I hereby acknowledge receipt of the original copy of this document on this sixteenth day of November, 2015.

**CARMINE BOAL, Chief Clerk of the House**

**SUPPLEMENTAL REPORTS OF  
THE COMMITTEE ON CREDENTIALS**

**MR. SPEAKER:** We, your committee on credentials, respectfully report that we find the following named person duly elected to and entitled to a seat in the House of Representatives of the Eighty-sixth General Assembly as show by this duplicate copy of the certificate of election on file in the office of the Secretary of State:

Tom Moore, House District 21

In accordance with Iowa Code Section 2.5, the Committee on Credentials has reviewed the certification of the December 8, 2015 Special Election from Iowa

Secretary of State Paul D. Pate, which is attached hereto and incorporated by this reference.

Guy Vander Linden, Chair  
 Greg Forristall  
 John Wills  
 Chuck Isenhardt  
 Cindy Winckler

**Office of the Secretary of State  
 CERTIFICATION**

To the Honorable Chief Clerk of the House:

**I, PAUL PATE, Secretary of State of the State of Iowa**, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at a Special Election held on December 8, 2015, the following named person was duly elected to the office of State Representative to represent the district 21 for the residue of the term ending on December 31, 2016:

**Twenty-first**      Tom Moore

(Seal)

In testimony whereof, I have hereunto set my hand and affixed the seal of the Secretary of State at the Statehouse in Des Moines this twenty-first day of December, 2015.

**PAUL D. PATE, Secretary of State**

I hereby acknowledge receipt of the original copy of this document on this twenty-first day of December, 2015.

**CARMINE BOAL, Chief Clerk of the House**

Vander Linden of Mahaska moved that the supplemental reports of the committee on credentials be adopted.

The motion prevailed and the supplemental reports were adopted.

**MEMBER OATH OF OFFICE**

The following oath of office was administered to Representative Chuck Holz of Plymouth County by the Chief Clerk on December 2, 2015 and to Representative Tom Moore of Cass by the Chief Clerk on January 11, 2016:

"I do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully discharge the duties of Representative, according to the best of my ability, so help me God."

CHARLES HOLZ  
TOM MOORE

SEAT ASSIGNMENTS

Name .....	Seat Assignment
Chuck Holz .....	20
Tom Moore.....	40

RESIGNATION OF SPEAKER

January 11, 2016

Speaker Pro-Tem Windschitl  
Iowa House of Representatives  
Des Moines, IA 50309

Dear Mr. Speaker and Members of the Iowa House of Representatives,

It has been an honor to serve as your Speaker for the past five legislative sessions. We have accomplished a great deal together, and I am proud of the work we have done on behalf of Iowans. Every one of you has contributed to the greatness of our state. Thank you for your service.

It is with utmost respect for the office and institution that I tender my resignation effective upon the reading of this letter.

I will continue serving out my term as State Representative for District 67.

Very Respectfully,

Kraig Paulsen  
State Representative

ELECTION OF SPEAKER

Dolecheck of Ringgold presented the name of the Honorable Linda Upmeyer of Cerro Gordo County as candidate for Speaker of the House of Representatives of the second year of the Eighty-sixth General Assembly.

Pettengill of Benton seconded the nomination of Linda Upmeyer for Speaker of the House.

Smith of Marshall seconded the nomination of Linda Upmeyer for Speaker of the House and moved that the Chief Clerk be authorized to cast the votes of all the members of the House of Representatives of the second year of the Eighty-sixth General Assembly.

In accordance with the foregoing motion, the Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Linda Upmeyer of Cerro Gordo County as the Speaker of the House of Representatives of the second year of the Eighty-sixth General Assembly, and was declared duly elected to that office.

Dolecheck of Ringgold moved that a committee of two be appointed to escort the Speaker to the Speaker's chair.

The motion prevailed and the following committee was appointed: Dolecheck of Ringgold and Olson of Polk.

#### PRESENTATION OF SPEAKER

The Honorable Linda Upmeyer was escorted to the Speaker's station and Chief Clerk Carmine Boal administered the oath of office. Windschitl of Harrison presented Speaker Upmeyer with the gavel and congratulated her on her unanimous election.

Speaker Upmeyer thanked the House for the honor bestowed upon her and offered the following remarks:

#### REMARKS BY SPEAKER UPMEYER

To my colleagues, our friends and families, and to all Iowans here or watching at home, welcome back to the Iowa House of Representatives.

To my husband Doug, our children, and grandchildren; you sacrifice the most. Thank you for understanding when I am away, thank you for supporting me when things get bumpy.

This is such a special personal moment for our family. I think it will really take some time for me to fully appreciate following my father's footsteps into this chair. I am so thankful for the way my mother, who is here today, partnered with my father to instill us kids with good values.

Many have remarked to me over the years how good my father was at working with anyone in this building. That has always stuck with me and I know that while times have changed, the value of working together has not.



It is humbling to be the first woman to preside over this prestigious chamber. It is exciting that we are making history, in a room that has experienced so much of it.

I want to thank my caucus for selecting me to lead this chamber and thank you all for your support today.

I hope my election as Speaker shows all young women, and Iowans who come from diverse backgrounds, that opportunities abound. For a long time, we have told children they can be whatever they want when they grow up. Today, better than ever, we are showing them that is a reality.

Like many of you, I left here last session with certain expectations for how this session would start. Expectations however, rarely predict future realities.

Settling for what is expected would be a very disappointing habit for this body to get into. If we settled for expectations, how many of our greatest achievements would have been left on the shelf, unrealized?

The press and pundits have low expectations for this session. These are not the expectations we should concern ourselves with. Instead, we should focus on the expectations of the Iowans we have been elected to represent.

Our constituents expect us to listen to them. To bring their ideas and concerns into this building, share them, and use them to do what is right for the future of this state.

Those who arrived here today intending to use disagreements between us to drive us further apart are doing so to the detriment of the people we serve. The perpetual campaign and gridlock are the failures of Washington, D.C. It is a miscalculation to think using that disastrous approach will be an advantage inside this building.

We have chosen a different approach in the past and I am optimistic we will do so again.

In each of the last five years, we have found agreement on budgets that fund priorities without spending more than we take in. Iowans have come to expect this kind of common sense budgeting. This has served us well and with available revenue anticipated to grow by \$153 million this year, we should welcome the opportunity to once again pass a sustainable budget.

In each of the last five years, we have found a way to increase funding for schools. We will increase funding for schools again this year. However, we should recognize that the needs of our schools and students extend beyond the amount we increase their funding each year.

If we are to improve the opportunities provided by an education in Iowa's public schools, the expectation should be that we can broaden the conversation to ways to provide for flexibility and innovation while retaining a focus on the students.

In three weeks, Iowa will host the first-in-the-nation presidential caucuses. You might have noticed that those hoping to be our next president are currently spending even more of their time in Iowa. A common message Iowans are sharing with candidates is

that they are unhappy with the status quo and they do not believe there is the will to change it. I share their concern.

With confidence at an all-time low, we need leadership. I am not only talking about our next president. I am talking about us. Iowans should expect the state to showcase how government, for the people, by the people, is supposed to work.

The founders of this nation feared an overreaching and stifling federal government. They trusted the states to be the laboratories of innovation who could prevent the realities we now face.

It is not our job to protect the status quo. In a fast-moving and ever-changing world, the status quo means being left behind. We should strive for better. We should welcome disruptive ideas. We should pursue policies that increase opportunities, use technology to remove barriers, help us make this the best state in the nation to grow a business and raise a family.

My expectations are high because I believe in the good will and the talent of the people in this room and of Iowans. I look forward to what lies ahead for the Iowa House of Representatives and the great State of Iowa.

May God bless our work.

#### COMMITTEE TO NOTIFY THE GOVERNOR

Vander Linden of Mahaska moved that a committee of three be appointed to notify the Governor that the House was duly organized and ready to receive any communication that he may desire to transmit.

The motion prevailed and the following committee was appointed: Vander Linden of Mahaska, Chair; Jones of Clay and Brown-Powers of Black Hawk.

#### COMMITTEE TO NOTIFY THE SENATE

Hanusa of Pottawattamie moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication that the Senate may desire to transmit.

The motion prevailed and the following committee was appointed: Hanusa of Pottawattamie, Chair; Rizer of Linn and Stutsman of Johnson.

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 101

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 101**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 101  
BY UPMEYER and SMITH

1 A Concurrent Resolution providing for a joint  
2 convention.  
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
4 SENATE CONCURRING, That a joint convention of the two  
5 houses of the 2016 session of the Eighty-sixth General  
6 Assembly be held on Tuesday, January 12, 2016, at 10:00  
7 a.m.; and  
8 BE IT FURTHER RESOLVED, That Governor Terry E.  
9 Branstad be invited to deliver his condition of the  
10 state message at this joint convention of the two  
11 houses of the General Assembly, and that the Speaker of  
12 the House of Representatives and the President of the  
13 Senate be designated to extend the invitation to him.

The motion prevailed and the resolution was adopted.

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 102

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 102**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 102  
BY UPMEYER and SMITH

1 A Concurrent Resolution to provide for a joint  
2 convention.  
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
4 SENATE CONCURRING, That a joint convention of the two  
5 houses of the 2016 session of the Eighty-sixth General  
6 Assembly be held on Wednesday, January 13, 2016, at  
7 10:00 a.m.; and  
8 BE IT FURTHER RESOLVED, That Chief Justice Mark  
9 S. Cady be invited to present his message of the  
10 condition of the judicial branch at this convention,  
11 and recommend such matters as the Chief Justice deems  
12 expedient, pursuant to section 602.1207 of the Code.

The motion prevailed and the resolution was adopted.

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 103

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 103**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 103  
BY UPMEYER and SMITH

- 1 A Concurrent Resolution to provide for a joint
- 2 convention.
- 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
- 4 SENATE CONCURRING, That a joint convention of the two
- 5 houses of the 2016 session of the Eighty-sixth General
- 6 Assembly be held on Wednesday, January 27, 2016, at
- 7 10:00 a.m.; and
- 8 BE IT FURTHER RESOLVED, That Major General Timothy
- 9 Orr be invited to present his message of the condition
- 10 of the Iowa National Guard at this convention.

The motion prevailed and the resolution was adopted.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolutions 101, 102 and 103**.

## REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Vander Linden of Mahaska, Chair of the committee to notify the Governor that the House was duly organized and ready to receive any communication he might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

## REMARKS BY MINORITY LEADER SMITH

Smith of Marshall addressed the House as follows:

Welcome back to all of you. And let me first say congratulations to you Madam Speaker and Leader Hagenow. I look forward to working with both of you this session.

Last year, a member of this body used a quote from George Santayana that was attributed to someone else. Santayana said, “Those who cannot remember the past are condemned to repeat it.” The preamble to what Santayana said is also very important: “Progress, far from consisting in change, depends on retentiveness.”

We have made great changes by being the people of Iowa. We were the first to rule against the enslavement of our brothers and sisters of African descent. We barely broke Iowa’s sod for farming when we built country schools. We were the first state to allow people of color to own land and therefore it was legal for the first people of our land to purchase 80 acres in Tama County and to bring their people together.

One of the few amendments to our constitution added two words wherever the term “men” appeared by adding “and women.” The strength of our constitution on equal protection allowed us to recognize the love between two people that results in marriage is not limited to just people of the opposite sex.

Will we be consistent with the progressive history of our great state? To do so, we must bridge the gap between liberty and rights through laws that honor both. We must make this a state worthy of its children.

House Democrats believe every family and every child in Iowa deserves a fair shot to achieve the American Dream.

Today, too many families are working hard with one, two, or even three jobs, but still not getting ahead. Their wages simply aren’t keeping up with rising costs for food, medicine, and child care.

Our challenge this year is to ease the burden on working families in Iowa.

We can start by renewing of our commitment to public education. It means we make the top priority of Iowans – our public schools – the top priority of this body again.

No more delays.

No more vetoes.

No more schemes.

No more games.

Public schools must come first again.

We can also help working families by making college and job training more affordable. Iowans should be able to get the skills necessary to land a good job without being in massive debt after graduation. With a workforce shortage on the horizon, the reality is we need every Iowan to get some skills or training after high school to make sure we have enough workers to fill the jobs in our growing economy. We should also work together to provide continuing education and job retraining when needed.

House Democrats will work this year to expand early childhood education, protect kids from bullying, raise the minimum wage, and make sure women earn equal pay for equal work. We pledge our cooperation with the majority party to encourage more

investment in small businesses and entrepreneurs, create good jobs, and expand renewable energy. All of those ideas will give working families a boost and help us rebuild the middle class.

Finally, this body cannot ignore the Governor's Medicaid mess.

Since the Governor announced his privatization effort last year, there has been confusion, misinformation, scandals, and too many lawsuits. The rush to privatize Medicaid has caused outright fear among the most vulnerable Iowans. These are people who count on us to have their best interests at heart.

As lawmakers, we have an obligation to oversee this transition and make sure no Iowan falls through the cracks. I know each of you has received letters, emails, and phone calls with questions about Medicaid. I also know the Governor has not been able to provide many answers to those questions.

I ask that we work together in a bi-partisan manner, like we've done on other health care issues, to resolve this mess that is filling our providers with uncertainty and putting too many vulnerable Iowans at risk

So, the 2016 session begins, Madam Speaker. We commit to move bi-partisan legislation as quickly as possible. We also commit to our responsibility as the minority party: to fight strongly and intelligently for the things we feel are correct and beneficial for the good, hard-working people of Iowa, to remember the past, to retain and expand the gains we have made for Iowans and above all to honor liberty and the rights of people.

Thank you, Madam Speaker.

## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Hanusa of Pottawattamie, Chair of the committee to notify the Senate that the House was duly organized and ready to receive any communication that the Senate might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

## COMMITTEE FROM THE SENATE

Senator Peterson of Polk appeared and notified the House that the Senate was duly organized and ready to receive any communication that the House might desire to transmit.

## REMARKS BY MAJORITY LEADER HAGENOW

Hagenow of Polk addressed the House as follows:

Thank you Madam Speaker.

Madam Speaker, Ladies and Gentlemen of the House. It is my honor to welcome you, your families and your guests back to the Iowa House of Representatives for the 2016 legislative session.

I am greatly humbled by the responsibility my caucus has entrusted to me in electing me to the office of House Majority Leader. Thank you for the faith you have placed in me to serve you in this role.

My greatest appreciation is to my wife Amanda for her steadfast support, and also to Owen, Noah and Sophia for the sacrifices they have made to allow me to serve. All of us know exactly what our families give to send us here and to do our work.

I am asked from time to time how I balance my responsibilities as husband and father with the work of being a legislative leader. While it certainly has its challenges, this job would be impossible without their love and support.

To Speaker Paulsen, thank you for your hard work and dedication to this great state. The people of Iowa have been well-served by your leadership, and the House Republican Caucus owes you a debt of gratitude.

To Speaker Upmeyer, congratulations. It is an honor to serve with you. I am excited about what we will accomplish together and I am proud to call you my friend. It is already very clear to me that we have made a wise decision in selecting you as our Speaker and I have no doubt that you will serve this body and the state of Iowa very well. Your work ethic and commitment to our state is unparalleled. Once again, Republicans in this state have proven that capable women are able to rise to the highest levels of political office.

I've also greatly enjoyed working with many House Democrats in a constructive and positive way to craft public policy with the best interests of Iowans in mind. I look forward to continuing to build those relationships wherever possible.

Over the past five years, House Republicans have committed to passing a balanced budget while not using one-time money for ongoing obligations. Our common sense budgeting principles are what the taxpayers of this state expect from their government. While it is not always easy, it is the responsible thing to do. House Republicans will continue to insist on passing a budget that does not spend more than the state collects in revenue. We will continue to make sure that we fund the priority needs of Iowans within the revenue they have provided.

There is no question that this will require difficult decisions of this body, but the reason that we will be successful and we will be able to meet these challenges is because of our fiscal responsibility. Setting budget priorities is never an easy task, but the responsibility we have shown in the past will make it much less difficult this year

to meet these challenges. So let us continue down that path. Let us not just meet the needs of today but leave this state on solid ground for tomorrow.

We will have other challenges as well. House Republicans have heard loud and clear that school funding needs to be set early and that is exactly what we plan to do. Not only do our schools need to plan their budgets, but they need to know that the commitment we make is one upon which they can depend.

House Republicans will continue to work toward policies that lead to greater economic prosperity. Let us continue our work to build a highly-skilled workforce, and to foster a business climate in which high-paying career jobs are plentiful. The economy of tomorrow depends on our work today to streamline government and create an environment that makes it easier to do business and grow jobs in the state.

I'm a sixth-generation Iowan. My great-great-great grandfather Hagenow came here to work the land and make a better life for his family. My own parents, who are sitting behind me today, chose to bring their family back to Iowa because of what this state had to offer. I am now blessed to have that same opportunity for my family. My prayer is that our work here will help to secure those same opportunities and that same great Iowa for my own children and the next generation of Iowans.

Let's continue to show Iowans that we are able to work together. House Republicans will hold ourselves to the same high standards that Iowans have for us: To work diligently, to work together, and get to the job done.

Thank you Madam Speaker.

## RULE 57 SUSPENDED

Hagenow of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for the committees on Administration and Rules, Appropriations, Economic Growth, Public Safety, State Government and Ways and Means to meet today.

## COMMITTEE REVISIONS

The Speaker announced the following changes to committee assignments effective January 11, 2016:

### Administration and Rules

Nunn and Wills replaced Hein and Paulsen

### Agriculture

Holz and Wills replaced Drake and Grassley  
Hein, Chair



Appropriations

Grassley and Mommsen replaced Drake and Soderberg  
Grassley, Chair

Commerce

Holz and Nunn replaced Hagenow and Soderberg

Economic Growth

Holz replaced Grassley  
Taylor, R., Vice Chair

Education

Moore, T. replaced Mommsen

Environmental Protection

Moore, T. replaced Soderberg  
Paustian, Vice Chair

Government Oversight

Highfill replaced Cownie

Human Resources

Moore, T. replaced Wills

Judiciary

Paulsen replaced Hagenow

State Government

Moore, T. replaced Drake

Transportation

Holz and Paulsen replaced Mommsen and Pettengill

Ways and Means

Pettengill and Stanerson replaced Grassley and Hagenow

Agriculture and Natural Resources Appropriations Subcommittee

Holz replaced Drake  
Mommsen, Chair  
Holz, Vice Chair

## Education Appropriations Subcommittee

Moore, T. replace Nunn

Moore, T., Vice Chair

## 2016 COMMITTEE ASSIGNMENTS

The Speaker announced the following appointments to the standing committees of the House:

\* – Vice Chair

\*\* – Ranking Member

**ADMINISTRATION AND RULES – 15 Members**

Rogers, Chair	Klein*	Anderson**
Abdul-Samad	Berry	Fry
Gaskill	Hagenow	Nunn
Prichard	Smith	Steckman
Upmeyer	Wills	Windschitl

**AGRICULTURE – 23 Members**

Hein, Chair	Paustian*	Miller, H.**
Bearinger	Byrnes	Cownie
Deyoe	Dolecheck	Dunkel
Hanson	Holz	Kearns
Kelley	Klein	Maxwell
Mommsen	Moore, B.	Ourth
Prichard	Ruff	Sexton
Stutsman	Wills	

**APPROPRIATIONS – 25 Members**

Grassley, Chair	Rizer*	Hall**
Bacon	Bearinger	Deyoe
Dolecheck	Dunkel	Fisher
Forbes	Heaton	Heddens
Huseman	Landon	Mascher
Mommsen	Oldson	Rogers
Running-Marquardt	Sexton	Stutsman
Taylor, R.	Taylor, T.	Thede
Worthan		

**COMMERCE – 23 Members**

Cownie, Chair	Carlson*	Oldson**
Baltimore	Dawson	Forbes
Grassley	Hall	Holt
Holz	Jacoby	Kaufmann
Kressig	Landon	Lykam
Meyer	Nunn	Ourth
Pettengill	Rizer	Sands
Vander Linden	Watts	

**ECONOMIC GROWTH – 21 Members**

Hanusa, Chair	Taylor, R.*	Dunkel**
Bearinger	Bennett	Best
Carlson	Deyoe	Finkenauer
Gaskill	Gustafson	Holz
Isenhardt	Jorgensen	McConkey
Miller, H.	Nunn	Paustian
Rogers	Running-Marquardt	Sheets

**EDUCATION – 23 Members**

Jorgensen, Chair	Gassman*	Ruff**
Abdul-Samad	Brown-Powers	Byrnes
Cohoon	Dolecheck	Forristall
Fry	Gaines	Hanson
Hanusa	Highfill	Koester
Mascher	Moore, T.	Salmon
Sieck	Staed	Stanerson
Steckman	Winckler	

**ENVIRONMENTAL PROTECTION – 21 Members**

Jones, Chair	Paustian*	Isenhardt**
Anderson	Baudler	Baxter
Bennett	Deyoe	Gassman
Hanson	Heartsill	Kelley
Klein	Kressig	Lensing
Moore, T.	Sheets	Sieck
Steckman	Wessel-Kroeschell	Wills

**ETHICS – 6 Members**

Taylor, R., Chair	Jorgensen*	Thede**
Berry	Dawson	Sands

**GOVERNMENT OVERSIGHT – 9 Members**

Kaufmann, Chair	Heartsill*	Gaines**
Baudler	Highfill	Lensing
Pettengill	Thede	Wolfe

**HUMAN RESOURCES – 21 Members**

Miller, L., Chair	Bacon*	Wessel-Kroeschell**
Abdul-Samad	Anderson	Best
Brown-Powers	Dawson	Forristall
Fry	Gaines	Gustafson
Heaton	Heddens	McConkey
Moore, T.	Rizer	Salmon
Sieck	Taylor, R.	Winckler

**JUDICIARY – 21 Members**

Baltimore, Chair	Gustafson*	Wolfe**
Anderson	Baxter	Berry
Branhagen	Dawson	Heartsill
Heaton	Jones	Kaufmann
Meyer	Nunn	Oldson
Olson	Paulsen	Prichard
Rizer	Rogers	Windschitl

**LABOR – 17 Members**

Forristall, Chair	Sheets*	Hunter**
Finkenauer	Fry	Gassman
Hanusa	Holt	Jorgensen
Kearns	Kooiker	McConkey
Running-Marquardt	Sexton	Steckman
Taylor, T.	Watts	

**LOCAL GOVERNMENT – 21 Members**

Koester, Chair	Heartsill*	Staed**
Baxter	Branhagen	Carlson
Forbes	Gaskill	Gassman
Highfill	Hunter	Jones
Kaufmann	Kooiker	Kressig
Lensing	Mascher	Meyer
Rogers	Sheets	Thede

**NATURAL RESOURCES – 21 Members**

Moore, B., Chair	Fisher*	Hanson**
Bacon	Baudler	Bennett
Best	Hall	Heddens
Huseman	Klein	Koester
Lykam	Maxwell	Miller, H.
Mommsen	Ourth	Paustian
Ruff	Thede	Wills

**PUBLIC SAFETY – 21 Members**

Baudler, Chair	Holt*	Kressig**
Abdul-Samad	Anderson	Baxter
Brown-Powers	Fisher	Fry
Gaines	Heartsill	Klein
Kooiker	Moore, B.	Olson
Salmon	Sieck	Staed
Wessel-Kroeschell	Wolfe	Worthan

**STATE GOVERNMENT – 23 Members**

Vander Linden, Chair	Sexton*	Lensing**
Bacon	Berry	Branhagen
Cohoon	Hein	Highfill
Hunter	Kelley	Koester
Mascher	Miller, L.	Moore, T.
Pettengill	Prichard	Stanerson
Stutsman	Taylor, T.	Watts
Wills	Winckler	

**TRANSPORTATION – 21 Members**

Byrnes, Chair	Best*	Lykam**
Carlson	Cohoon	Dawson
Finkenauer	Hanusa	Hein
Holz	Huseman	Jacoby
Landon	Maxwell	Moore, B.
Oldson	Olson	Paulsen
Stutsman	Wolfe	Worthan

**VETERANS AFFAIRS – 17 Members**

Stanerson, Chair	Salmon*	Kearns**
Bearinger	Branhagen	Dunkel
Gaines	Gustafson	Holt
Kaufmann	Kooker	Meyer
Nunn	Prichard	Staed
Watts	Windschitl	

**WAYS AND MEANS – 25 Members**

Sands, Chair	Maxwell*	Jacoby**
Baltimore	Brown-Powers	Byrnes
Cownie	Finkenauer	Forristall
Gaskill	Hein	Isenhardt
Kearns	Kelley	McConkey
Miller, L.	Moore, B.	Nunn
Pettengill	Prichard	Ruff
Stanerson	Steckman	Vander Linden
Windschitl		

**HOUSE APPROPRIATIONS SUBCOMMITTEES****ADMINISTRATION AND REGULATION – 9 Members**

Landon, Chair	Sieck*	Kelley**
Berry	Brown-Powers	Gassman
Hunter	Salmon	Vander Linden

**AGRICULTURE AND NATURAL RESOURCES – 9 Members**

Mommsen, Chair	Holz*	Ourth**
Isenhardt	Jones	Miller, H.
Paustian	Ruff	Wills

**ECONOMIC DEVELOPMENT – 9 Members**

Deyoe, Chair	Baxter*	Running-Marquardt**
Bennett	Carlson	Finkenauer
Hanusa	Kressig	Sheets

**EDUCATION – 9 Members**

Dolecheck, Chair	Moore, T.*	Winckler**
Fisher	Hanson	McConkey
Sexton	Staed	Taylor, R.

**HEALTH AND HUMAN SERVICES – 9 Members**

Heaton, Chair	Best*	Heddens**
Bacon	Forbes	Miller, L.
Rizer	Stutsman	Wessel-Kroeschell

**JUSTICE SYSTEM – 9 Members**

Worthan, Chair	Branhagen*	Taylor, T.**
Anderson	Baltimore	Gustafson
Holt	Kearns	Meyer

**TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS – 9 Members**

Huseman, Chair	Kooiker*	Cphoon**
Dawson	Dunkel	Highfill
Lykam	Maxwell	Stanerson

**HOUSE COMMITTEE ASSIGNMENTS**

Abdul-Samad, Ako  
 Administration and Rules  
 Education  
 Human Resources  
 Public Safety

Anderson, Marti  
 Administration and Rules, Ranking Member  
 Environmental Protection  
 Human Resources  
 Judiciary  
 Public Safety  
 Justice System Appropriations Subcommittee

Bacon, Robert

Appropriations  
Human Resources, Vice Chair  
Natural Resources  
State Government  
Health and Human Services Appropriations Subcommittee

Baltimore, Chip

Commerce  
Judiciary, Chair  
Ways and Means  
Justice System Appropriations Subcommittee

Baudler, Clel E.

Environmental Protection  
Government Oversight  
Natural Resources  
Public Safety, Chair

Baxter, Terry C.

Environmental Protection  
Judiciary  
Local Government  
Public Safety  
Economic Development Appropriations Subcommittee, Vice Chair

Bearinger, Bruce

Agriculture  
Appropriations  
Economic Growth  
Veterans Affairs

Bennett, Liz

Economic Growth  
Environmental Protection  
Natural Resources  
Economic Development Appropriations Subcommittee

Berry, Deborah L.

Administration and Rules  
Ethics  
Judiciary  
State Government  
Administration and Regulation Appropriations Subcommittee

Best, Brian

Economic Growth  
Human Resources  
Natural Resources  
Transportation, Vice Chair  
Health and Human Services Appropriations Subcommittee, Vice Chair

Branhagen, Darrel

Judiciary  
Local Government  
State Government  
Veterans Affairs  
Justice System Appropriations Subcommittee, Vice Chair

Brown-Powers, Timi

Education  
Human Resources  
Public Safety  
Ways and Means  
Administration and Regulation Appropriations Subcommittee

Byrnes, Josh

Agriculture  
Education  
Transportation, Chair  
Ways and Means

Carlson, Gary

Commerce, Vice Chair  
Economic Growth  
Local Government  
Transportation  
Economic Development Appropriations Subcommittee

Cohoon, Dennis M.

Education  
State Government  
Transportation  
Transportation, Infrastructure and Capitals Appropriations Subcommittee, Ranking Member

Cownie, Peter

Agriculture  
Commerce, Chair  
Ways and Means

Dawson, David

Commerce  
Ethics  
Human Resources  
Judiciary  
Transportation  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Deyoe, Dave

Agriculture  
Appropriations  
Economic Growth  
Environmental Protection  
Economic Development Appropriations Subcommittee, Chair



Dolecheck, Cecil  
Agriculture  
Appropriations  
Education  
Education Appropriations Subcommittee, Chair

Dunkel, Nancy A.  
Agriculture  
Appropriations  
Economic Growth, Ranking Member  
Veterans Affairs  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Finkenauer, Abby  
Economic Growth  
Labor  
Transportation  
Ways and Means  
Economic Development Appropriations Subcommittee

Fisher, Dean C.  
Appropriations  
Natural Resources, Vice Chair  
Public Safety  
Education Appropriations Subcommittee

Forbes, John  
Appropriations  
Commerce  
Local Government  
Health and Human Services Appropriations Subcommittee

Forristall, Greg  
Education  
Human Resources  
Labor, Chair  
Ways and Means

Fry, N. Joel  
Administration and Rules  
Education  
Human Resources  
Labor  
Public Safety

Gaines, Ruth Ann  
Education  
Government Oversight, Ranking Member  
Human Resources  
Public Safety  
Veterans Affairs

Gaskill, Mary

Administration and Rules  
Economic Growth  
Local Government  
Ways and Means

Gassman, Tedd

Education, Vice Chair  
Environmental Protection  
Labor  
Local Government  
Administration and Regulation Appropriations Subcommittee

Grassley, Pat

Appropriations, Chair  
Commerce

Gustafson, Stanley R.

Economic Growth  
Human Resources  
Judiciary, Vice Chair  
Veterans Affairs  
Justice System Appropriations Subcommittee

Hagenow, Chris

Administration and Rules

Hall, Chris

Appropriations, Ranking Member  
Commerce  
Natural Resources

Hanson, Curt

Agriculture  
Education  
Environmental Protection  
Natural Resources, Ranking Member  
Education Appropriations Subcommittee

Hanusa, Mary Ann

Economic Growth, Chair  
Education  
Labor  
Transportation  
Economic Development Appropriations Subcommittee

Heartsill, Greg T.

Environmental Protection  
Government Oversight, Vice Chair  
Judiciary  
Local Government, Vice Chair  
Public Safety

Heaton, David E.

Appropriations  
Human Resources  
Judiciary  
Health and Human Services Appropriations Subcommittee, Chair

Heddens, Lisa

Appropriations  
Human Resources  
Natural Resources  
Health and Human Services Appropriations Subcommittee, Ranking Member

Hein, Lee

Agriculture, Chair  
State Government  
Transportation  
Ways and Means

Highfill, Jake

Education  
Government Oversight  
Local Government  
State Government  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Holt, Steven

Commerce  
Labor  
Public Safety, Vice Chair  
Veterans Affairs  
Justice System Appropriations Subcommittee

Holz, Charles

Agriculture  
Commerce  
Economic Growth  
Transportation  
Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair

Hunter, Bruce L.

Labor, Ranking Member  
Local Government  
State Government  
Administration and Regulation Appropriations Subcommittee

Huseman, Daniel Adair

Appropriations  
Natural Resources  
Transportation  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair

Isenhart, Charles

Economic Growth  
Environmental Protection, Ranking Member  
Ways and Means  
Agriculture and Natural Resources Appropriations Subcommittee

Jacoby, Dave J.

Commerce  
Transportation  
Ways and Means, Ranking Member

Jones, Megan

Environmental Protection, Chair  
Judiciary  
Local Government  
Agriculture and Natural Resources Appropriations Subcommittee

Jorgensen, Ron

Economic Growth  
Education, Chair  
Ethics, Vice Chair  
Labor

Kaufmann, Bobby

Commerce  
Government Oversight, Chair  
Judiciary  
Local Government  
Veterans Affairs

Kearns, Jerry A.

Agriculture  
Labor  
Veterans Affairs, Ranking Member  
Ways and Means  
Justice System Appropriations Subcommittee

Kelley, Dan

Agriculture  
Environmental Protection  
State Government  
Ways and Means  
Administration and Regulation Appropriations Subcommittee, Ranking Member

Klein, Jarad

Administration and Rules, Vice Chair  
Agriculture  
Environmental Protection  
Natural Resources  
Public Safety

Koester, Kevin

Education  
Local Government, Chair  
Natural Resources  
State Government

Kooiker, John

Labor  
Local Government  
Public Safety  
Veteran Affairs  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair

Kressig, Bob M.

Commerce  
Environmental Protection  
Local Government  
Public Safety, Ranking Member  
Economic Development Appropriations Subcommittee

Landon, John

Appropriations  
Commerce  
Transportation  
Administration and Regulation Appropriations Subcommittee, Chair

Lensing, Vicki S.

Environmental Protection  
Government Oversight  
Local Government  
State Government, Ranking Member

Lykam, Jim

Commerce  
Natural Resources  
Transportation, Ranking Member  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Mascher, Mary

Appropriations  
Education  
Local Government  
State Government

Maxwell, David E.

Agriculture  
Natural Resources  
Transportation  
Ways and Means, Vice Chair  
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

McConkey, Charlie

Economic Growth  
Human Resources  
Labor  
Ways and Means  
Education Appropriations Subcommittee

Meyer, Brian

Commerce  
Judiciary  
Local Government  
Veterans Affairs  
Justice System Appropriations Subcommittee

Miller, Helen

Agriculture, Ranking Member  
Economic Growth  
Natural Resources  
Agriculture and Natural Resources Appropriations Subcommittee

Miller, Linda J.

Human Resources, Chair  
State Government  
Ways and Means  
Health and Human Services Appropriations Subcommittee

Mommsen, Norlin

Agriculture  
Appropriations  
Natural Resources  
Agriculture and Natural Resources Appropriations Subcommittee, Chair

Moore, Brian

Agriculture  
Natural Resources, Chair  
Public Safety  
Transportation  
Ways and Means

Moore, Tom

Education  
Environmental Protection  
Human Resources  
State Government  
Education Appropriations Subcommittee, Vice Chair

Nunn, Zach

Administration and Rules  
Commerce  
Economic Growth  
Judiciary  
Veterans Affairs  
Ways and Means

Oldson, Jo

Appropriations  
Commerce, Ranking Member  
Judiciary  
Transportation

Olson, Rick

Judiciary  
Public Safety  
Transportation

Ourth, Scott D.

Agriculture  
Commerce  
Natural Resources  
Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member

Paulsen, Kraig

Judiciary  
Transportation

Paustian, Ross

Agriculture, Vice Chair  
Economic Growth  
Environmental Protection, Vice Chair  
Natural Resources  
Agriculture and Natural Resources Appropriations Subcommittee

Pettengill, Dawn E.

Commerce  
Government Oversight  
State Government  
Ways and Means

Prichard, Todd

Administration and Rules  
Agriculture  
Judiciary  
State Government  
Veterans Affairs  
Way and Means

Rizer, Ken

Appropriations, Vice Chair  
Commerce  
Human Resources  
Judiciary  
Health and Human Services Appropriations Subcommittee

Rogers, Walt

Administration and Rules, Chair  
Appropriations  
Economic Growth  
Judiciary  
Local Government

Ruff, Patti

Agriculture  
Education, Ranking Member  
Natural Resources  
Ways and Means  
Agriculture and Natural Resources Appropriations Subcommittee

Running-Marquardt, Kirsten

Appropriations  
Economic Growth  
Labor  
Economic Development Appropriations Subcommittee, Ranking Member

Salmon, Sandy

Education  
Human Resources  
Public Safety  
Veterans Affairs, Vice Chair  
Administration and Regulation Appropriations Subcommittee

Sands, Thomas R.

Commerce  
Ethics  
Ways and Means, Chair

Sexton, Mike

Agriculture  
Appropriations  
Labor  
State Government, Vice Chair  
Education Appropriations Subcommittee

Sheets, Larry

Economic Growth  
Environmental Protection  
Labor, Vice Chair  
Local Government  
Economic Development Appropriations Subcommittee

Sieck, David

Education  
Environmental Protection  
Human Resources  
Public Safety  
Administration and Regulation Appropriations Subcommittee, Vice Chair



Smith, Mark D.

Administration and Rules

Staed, Art

Education

Local Government, Ranking Member

Public Safety

Veterans Affairs

Education Appropriations Subcommittee

Stanerson, Quentin

Education

State Government

Veterans Affairs, Chair

Ways and Means

Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Steckman, Sharon S.

Administration and Rules

Education

Environmental Protection

Labor

Ways and Means

Stutsman, Sally

Agriculture

Appropriations

State Government

Transportation

Health and Human Services Appropriations Subcommittee

Taylor, Rob

Appropriations

Economic Growth, Vice Chair

Ethics, Chair

Human Resources

Education Appropriations Subcommittee

Taylor, Todd E.

Appropriations

Labor

State Government

Justice System Appropriations Subcommittee, Ranking Member

Thede, Phyllis

Appropriations

Ethics, Ranking Member

Government Oversight

Local Government

Natural Resources

Upmeyer, Linda L.

Administration and Rules

Vander Linden, Guy

Commerce

State Government, Chair

Ways and Means

Administration and Regulation Appropriations Subcommittee

Watts, Ralph C.

Commerce

Labor

State Government

Veterans Affairs

Wessel-Kroeschell, Beth

Environmental Protection

Human Resources, Ranking Member

Public Safety

Health and Human Services Appropriations Subcommittee

Wills, John H.

Administration and Rules

Agriculture

Environmental Protection

Natural Resources

State Government

Agriculture and Natural Resources Appropriations Subcommittee

Winckler, Cindy L.

Education

Human Resources

State Government

Education Appropriations Subcommittee, Ranking Member

Windschitl, Matt W.

Administration and Rules

Judiciary

Veterans Affairs

Ways and Means

Wolfe, Mary

Government Oversight

Judiciary, Ranking Member

Public Safety

Transportation

Worthan, Gary

Appropriations

Public Safety

Transportation

Justice System Appropriations Subcommittee, Chair

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on January 11, 2016, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 101, a Concurrent Resolution providing for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Tuesday, January 12, 2016, at 10:00 a.m.

MICHAEL E. MARSHALL, Secretary

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### ASSOCIATION OF IOWA FAIRS

State Funding for County Fairs and Economic Impact and Statistic Reports, pursuant to Iowa Code section 174.10.

### ASSOCIATION OF SCHOOL BOARDS

Annual Financial Report, pursuant to Iowa Code section 12B.10A.

### AUDITOR OF STATE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

Reports for the Iowa Centennial Memorial Foundation, Iowa State Fair Authority, Computer Systems Operated by DOC, DAS, DOR and IPERS, Institutions under the Control of the Iowa Department of Human Services and Institutions under the Control of the Iowa Department of Corrections, pursuant to Iowa Code section 11.2.

Reports on Reviews of the ISU Kuali Financial System, UI MAUI Student Financial Aid System, UNI Facility Administration and Maintenance Information System, UNI College of Education-Curriculum and Instruction Department, Honey Creek Resort Operations Account and an Addendum to the Review of the Sixth Judicial District Department of Correctional Services, pursuant to Iowa Code section 11.24.

Reports of Recommendations to the Departments of Justice, Public Safety, Education, Public Health, Commerce, Natural Resources, Transportation, Human Rights, Inspection and Appeals, Iowa Economic Development Authority, Iowa Workforce Development, the Department for the Blind and Department on Aging, pursuant to Iowa Code section 11.4.

Reports of Recommendations to the Iowa School for the Deaf, Iowa State University of Science and Technology, Iowa Braille and Sight Saving School and the University of Northern Iowa, pursuant to Iowa Code section 11.4.

Reports of Recommendations to the Iowa Judicial Branch-County Clerks of District Court, Iowa Judicial Branch, Iowa College Student Aid Commission, DHS Central Distribution Center, DHS Targeted Case Management System, DHS Kindertrack System, DHS Collection and Reporting System, Iowa Law Enforcement Academy, Civil Rights Commission, Iowa Public Information Board, Iowa Communications Network, Iowa Veterans Home and the Office of Drug Control Policy, pursuant to Iowa Code section 11.4.

Reports on Special Investigations of the City of Defiance, City of Moorland, City of Garwin, City of Neola, City of Casey, City of Hornick, Dunkerton Police Department, Shenandoah Community School District, WDM Community School District-Western Hills Elementary School, Nutrition Department of Northeast Hamilton Community School District and UIHC Department of Orthopedics and Rehabilitation, pursuant to Iowa Code section 11.6.

Reports on Reviews of the Clean Water Program and Drinking Water Program, the Eighth Judicial District Department of Correctional Services and the Department of Administrative Service, pursuant to Iowa Code section 11.6.

Audit Reports for Iowa Public Television and Iowa Corn Promotion Board, pursuant to Iowa Code section 11.6.

#### BOARD OF EDUCATIONAL EXAMINERS

Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

Detailed Financial Licensing Fees Report, pursuant to Iowa Code section 272.10.

Administrative Rules Review-Triennial Report, pursuant to Iowa Code section 272.29.

#### BOARD OF PAROLE

Objectives or Agency Annual Report, pursuant to Iowa Code section 7E.3.

#### BOARD OF REGENTS

Cooperative Purchasing Plan Report, pursuant to Iowa Code section 262.9B(5).

Gifts and Grants Reports, pursuant to Iowa Code section 8.44.

Financial Reports, pursuant to Chapter 141.27, 2013 Iowa Acts.

Iran Divestment Report, pursuant to Iowa Code section 12H.5.

Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2).

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9(35).

Local Food and Farm Program Report, pursuant to Iowa Code section 267A.7.

Grow Iowa Values Fund Report, pursuant to Chapter 141.54, 2013 Iowa Acts.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3(3).

Technology Commercialization, Marketing and Business Development Report, pursuant to Chapter 141.30, 2013 Iowa Acts.

Technology Transfer and Economic Development Report, pursuant to Chapter 141.53, 2013 Iowa Acts.

Educational Credits Awarded to Veterans Report, pursuant to Chapter 1116.33, 2014 Iowa Acts.

#### CHIEF INFORMATION OFFICER

Internal Service Fund Report, pursuant to Iowa Code section 8B.13.

#### COLLEGE STUDENT AID COMMISSION

Skilled Workforce Shortage Tuition Grant Program Report, pursuant to Iowa Code section 261.130.

Tuition Grant Report, pursuant to Iowa Code section 261.15.

Barber and Cosmetology Arts and Sciences Tuition Grant Program Report, pursuant to Iowa Code section 261.18.

Iowa Vocational-Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17.

Scholarship and Tuition Grant Reserve Fund Report, pursuant to Iowa Code section 261.20.

Iowa Grant Program Report, pursuant to Iowa Code section 261.96.

Annual Report, pursuant to Iowa Code section 261.2(8).

Registered Nurse and Nurse Educator Loan Forgiveness Program Report, pursuant to Iowa Code section 261.23.

#### DEPARTMENT FOR THE BLIND

Performance Report, pursuant to Iowa Code section 216B.7.

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

Internal Service Fund Expenditure Report, pursuant to Iowa Code section 8A.123.

State Employee Retirement Incentive Program (SERIP) Report, pursuant to Chapter 1005.1, 2010 Iowa Acts.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

#### Capitol Planning Commission

Annual Report, pursuant to Iowa Code section 8A.373.

## Human Resource Enterprise

Condition of Affirmative Action, Diversity, and Multicultural Programs Report, pursuant to Iowa Code section 19B.5(2).

## DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Southern Iowa Development and Conservation Authority Report, pursuant to Iowa Code section 161D.13.

Loess Hills Development and Conservation Authority Report, pursuant to Iowa Code section 161D.8(1).

Watershed Planning Advisory Council Report, pursuant to Iowa Code section 466B.31(3).

## DEPARTMENT OF COMMERCE

## Banking Division

Financial Literacy Education Expenditures Report, pursuant to Chapter 143.9, 2013 Iowa Acts.

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20.

Superintendent of Banking Annual Report, pursuant to Iowa Code section 524.216.

## Insurance Division

Commerce Revolving Fund Revenues and Expenditures Report, pursuant to Iowa Code section 546.12.

Medical Malpractice Report, pursuant to Iowa Code section 505.27.

Cemetery and Funeral Report, pursuant to Iowa Code section 523A.801(3).

Health Spending Costs Report, pursuant to Iowa Code section 505.18(2).

## Utilities Division

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66(6).

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

## DEPARTMENT OF CORRECTIONS

Monthly Reports, pursuant to Iowa Code section 904.116.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Technology Reinvestment Fund Report, pursuant to Iowa Code section 8.57C.

Revenue Bonds Capitals Fund Report, pursuant to Iowa Code section 12.88(4).

Tobacco Settlement Trust Fund Report, pursuant to Iowa Code section 12E.12(9).

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

DEPARTMENT OF EDUCATION

Iowa Community Colleges ACE Report, pursuant to Iowa Code section 260G.

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15.

Division of Community Colleges

Secondary Career and Technical Programming Task Force Final Report, pursuant to House File 604, 2013.

Adult Education and Literacy Program Report, pursuant to Iowa Code section 260C.50.

Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256H.1(10).

Statewide Work Based Intermediary Network Report, pursuant to Iowa Code section 256.40.

Pathways for Academic Career and Employment Program Report, pursuant to Iowa Code section 260H.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260L.

Division of Learning and Results

English Language Learner Legislative Report, pursuant to Iowa Code section 256.9.

Iowa Reading Research Center Report, pursuant to Iowa Code section 256.9.

Early ACCESS Council

Governor's Report, pursuant to Iowa Code section 303.604

Iowa Autism Council

Priorities and Recommendations Report, pursuant to Iowa Code section 256.35A(4).

Vocational Rehabilitation Division

Job Placement of Individual with Disabilities Report, pursuant to Chapter 140.6, 2015 Iowa Acts.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Flood Mitigation Board Report, pursuant to Iowa Code section 418.8.

Technology Reinvestment Fund Report, pursuant to Iowa Code section 8.57C.

Enhanced E911 Emergency Communications System Report, pursuant to Chapter 120.10, 2013 Iowa Acts.

DEPARTMENT OF HUMAN RIGHTS

Family Development and Self-Sufficiency Grant Program Report, pursuant to Iowa Code section 216A.107(4)(e).

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139(5).

Annual Report, pursuant to Iowa Code section 216A.2(4)(h).

Individual Development Accounts Report, pursuant to Chapter 143.9, 2013 Iowa Acts.

Public Safety Advisory Board Report, pursuant to Iowa Code section 216A.133A(5).

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Community Action Agencies

Annual Report, pursuant to Iowa Code section 216A.92(2)(d).

Division of Criminal and Juvenile Justice Planning

Twenty-year and Five-year Criminal and Juvenile Justice Plan Report, pursuant to Iowa Code section 216A.135.

DEPARTMENT OF HUMAN SERVICES

Drug Utilization Report, pursuant to Iowa Code section 249A.24.

Child Welfare Advisory Committee Study Report, pursuant to Chapter 137.100, 2015 Iowa Acts.

Autism Pilot Project Progress Report, pursuant to Chapter 137.13, 2015 Iowa Acts.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4.

Independent Living Services Report, pursuant to Iowa Code section 234.35(4).

Child Abuse Registry Report, pursuant to Iowa Code section 235A.23.



Autism Support Program Fund Report, pursuant to Chapter 138.83, 2013 Iowa Acts.

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13.

Iowa Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A(5).

Hawk-I Report, pursuant to Iowa Code section 514I.5(7)(g).

Home Modification Assistance Program Report, pursuant to Senate File 505, 2015 Iowa Acts.

Children's Mental Health and Well Being Workgroup Report, pursuant to Chapter 137.102, 2015 Iowa Acts.

Transition to Managed Care Report, pursuant to Chapter 137.115, 2015 Iowa Acts.

Mental Health and Disability Services

Family Support Subsidy and Children at Home Program Report, pursuant to Iowa Code section 225C.42.

Psychiatric Medical Institutes for Children Report, pursuant to Chapter 121.9, 2011 Iowa Acts.

DEPARTMENT OF INSPECTION AND APPEALS

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

Investigations Division

Fraud in Public Assistance Programs Report, pursuant to Chapter 1134.10, 2014 Iowa Acts.

Racing and Gaming Commission

Exchange Wagering Study Report, pursuant to Chapter 64, 2015 Iowa Acts.

State Public Defenders

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

DEPARTMENT OF JUSTICE

Attorney General

False Claims Act Annual Report, pursuant to Chapter 1031.345, 2010 Iowa Acts.

Prosecutor Intern Program Report, pursuant to Iowa Code section 13.2(1)(m).

Consumer Protection Division

Iowa Consumer Credit Code Annual Report, pursuant to Iowa Code section 537.6104.

## DEPARTMENT OF MANAGEMENT

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

Technology Reinvestment Fund Report, pursuant to Iowa Code section 8.57C.

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

## DEPARTMENT OF NATURAL RESOURCES

Water Quality Protection Fund Report, pursuant to Iowa Code section 455B.183A.

Hazardous Substance Remedial Fund Report, pursuant to Iowa Code section 455B.425.

Household Hazardous Waste Account Report, pursuant to Iowa Code section 455E.11(2)(c).

Mercury-Added Thermostats Report, pursuant to Iowa Code section 455D.16(7)(c).

Greenhouse Gas Emissions Report, pursuant to Iowa Code section 455B.104(4).

Lake Restoration Report, pursuant to Iowa Code section 456A.33B(1).

## DEPARTMENT OF PUBLIC DEFENSE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

Infrastructure Status Report, pursuant to Iowa Code section 8.57.

Offenses Reported to Civilian Law Enforcement Authorities Report, pursuant to Chapter 1069.5, 2014 Iowa Acts.

Annual Report, pursuant to Iowa Code section 7E.3.

## DEPARTMENT OF PUBLIC HEALTH

Technology Reinvestment Fund Report, pursuant to Iowa Code section 8.57C.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17.

Child Death Review Team Report, pursuant to Iowa Code section 135.43(3)(a).

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

## DEPARTMENT OF PUBLIC SAFETY

Annual Report, pursuant to Iowa Code section 7E.3.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

DCI Report of Activities at Racetrack Enclosures, pursuant to Iowa Code section 99D.14.

DEPARTMENT OF REVENUE

Property Taxation of Telecommunications Companies Report, pursuant to Chapter 123.36, 2013 Iowa Acts.

Streamlined Sales Tax Advisory Council Report, pursuant to Iowa Code section 423.9A.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

State Board of Tax Review Report, pursuant to Iowa Code section 421.1(4)(f).

Central Collections Unit Debt Collection Report, pursuant to Iowa Code section 421.17.

Health Insurance for Dependent Children Report, pursuant to Iowa Code section 422.12M.

Solar Energy System Tax Credits Report, pursuant to Iowa Code section 422.11L.

Iowa Collection Enterprise Report, pursuant to Iowa Code section 421.17.

DEPARTMENT OF TRANSPORTATION

Use of Reversions Report, pursuant to Iowa Code section 307.46(2).

Plates or Validation Sticker Furnished-Retained by Owner-Special Plates Report, pursuant to Iowa Code section 321.34.

Road Use Tax Fund Efficiency Measures Report, pursuant to Chapter 1123.21, 2014 Iowa Acts.

DEPARTMENT OF VETERANS AFFAIRS

Performance Report, pursuant to Iowa Code section 7E.3.

DEPARTMENT ON AGING

Substitute Decision Maker's Report, pursuant to Iowa Code section 231E.4(3)(i).

Interagency Dementia Proficient Workforce Task Force Report, pursuant to Chapter 137.73, 2015 Iowa Acts.

Office of State Long-Term Care Ombudsman

Proposal for a Health Consumer Ombudsman Alliance Report, pursuant to Chapter 137.66, 2015 Iowa Acts.

ECONOMIC DEVELOPMENT AUTHORITY

Commission on Volunteer Services Report, pursuant to Iowa Code section 15H.2.

GOVERNOR'S OFFICE  
Office of Drug Control Policy

Drug Control Strategy Report, pursuant to Iowa Code section 80E.1(2)(b).

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND  
STORAGE TANK FUND BOARD

Fund Progress and Activities Report, pursuant to Iowa Code section 455G.4(6).

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2).

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5.

Annual Financial Report, pursuant to Iowa Code section 97B.4.

IOWA PUBLIC INFORMATION BOARD

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

IOWA PUBLIC TELEVISION

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

JUDICIAL BRANCH

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

ICIS Collection of Fines, Surcharges and Court Costs Report, pursuant to Chapter 1137, 2012 Iowa Acts.

Court Debt Report, pursuant to Iowa Code section 602.8107(7).

Court Technology and Modernization Fund Report, pursuant to Chapter 133.1, 2013 Iowa Acts.

Enhanced Court Collections Fund Report, pursuant to Chapter 133.1, 2013 Iowa Acts.

LOTTERY AUTHORITY

Quarterly Reports, pursuant to Iowa Code section 99G.7.

Government Oversight Report, pursuant to Iowa Code section 99G.7.

Annual Report, pursuant to Iowa Code section 99G.7.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual Report, pursuant to Iowa Code section 7E.3.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

SECRETARY OF STATE

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

TREASURER OF STATE

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2).

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5.

Educational Savings Plan Trust Report, pursuant to Iowa Code section 12D.8(1)(a).

On motion by Hagenow of Polk, the House adjourned at 10:49 a.m., until 8:30 a.m., Tuesday, January 12, 2016.

# JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 12, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Craig Wininger, Senior Pastor of the Missouri Valley Christian Church, Missouri Valley. He was the guest of Representative Windschitl of Harrison.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alex Byrnes, Speaker’s Page from Osage.

The Journal of Monday, January 11, 2016, was approved.

## SUPPLEMENTAL REPORT OF COMMITTEE ON MILEAGE

Madam Speaker: Your committee appointed to determine the mileage for the members of the House submits the following supplemental:

Name .....	Round Trip Miles
Dennis M. Cohoon.....	346
Abby L. Finkenauer.....	400
Charles C. Holz.....	444
Thomas J. Moore.....	201

Respectfully submitted,  
Greg T. Heartsill, Chair  
Norlin G. Mommsen  
David A. Dawson

Heartsill of Marion moved that the supplemental report of the committee on mileage be accepted.

The motion prevailed and the supplemental report was accepted.

SUPPLEMENTAL REPORT OF  
THE COMMITTEE ON ADMINISTRATION AND RULES

January 11, 2016

To: Administration and Rules Committee  
From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Admin. Asst. III to Ldr.	Jake D. Friedrichsen	35-4 to 35-5	P-FT	07-03-15
Legis. Res. Analyst	Brian E. Guillaume	27-1 to 27-2	P-FT	07-03-15
Caucus Sec.	Kelsey A. Thien	21-1 to 21-2	P-FT	07-03-15
Caucus Sec.	Colin M. Tadlock	21-4 to 29-3	P-FT	07-17-15
Admin. Asst. I to Spkr.	Anna M. Hyatt-Crozier	38-8 to 39-8	P-FT	08-28-15
Sr. Legis. Res. Analyst	Bradley A. Trow	38-8 to 39-8	P-FT	08-28-15
Sr. Deputy Caucus Director	Louis A. Vander Streek	35-7 to 35-8	P-FT	08-28-15
Admin. Asst. III to Spkr.	Carrie L. Malone	29-3 to 29-4	P-FT	09-11-15
Legis. Res. Analyst I	Brittany L. Telk	27-4 to 29-3	P-FT	09-25-15
Legis. Res. Analyst I	Colin M. Tadlock	29-3 to 29-5	P-FT	09-25-15
Admin. Asst. I to Ldr.	Zachary C. Dalluge	29-3	P-FT	10-06-15
Conf. Sec. to Ldr.	Elizabeth A. Oller	27-2	P-FT	10-06-15
Chief Clerk	Carmine R. Boal	44-5 to 44-6	P-FT	11-06-15
Sr. Admin. Asst. to Ldr. I	Anthony D. Phillips	38-7 to 38-8	P-FT	11-20-15
Caucus Sec.	Mackenzie J. Nading	21-3	P-FT	12-07-15
Legis. Res. Analyst	Monica E. Young	27-4	P-FT	12-08-15
Legis. Res. Analyst II	Jason M. Chapman	32-7 to 35-5	P-FT	12-04-15
Legis. Res. Analyst III	David L. Epley	38-6 to 38-7	P-FT	12-04-15
Sr. Legis. Res. Analyst	D. Dean Fiihr, Jr.	41-7 to 41-8	P-FT	12-04-15
Sr. Admin. Asst. to Ldr. II	William T.D. Freeland	35-4 to 35-5	P-FT	12-04-15
Legis. Res. Analyst III	Ezekiel L. Furlong	38-3 to 38-4	P-FT	12-04-15
Sr. Legis. Res. Analyst	Joseph M. Gilde	29-5 to 29-6	P-FT	12-04-15

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legis. Res. Analyst II	Rachelle D. Thomas	32-4 to	P-FT	12-04-15
Legis. Res. Analyst III		35-2		
Legis. Res. Analyst I	Amanda J. Wille	29-5 to	P-FT	12-18-15
		29-6		
Legis. Res. Analyst I	Kristi L. Kiouss	29-8 to	P-FT	12-18-15
Legis. Res. Analyst II		32-6		
Conf. Sec. to Spkr.	Terri P. Steinke	27-4 to	P-FT	12-18-15
		27-5		
Admin. Serv. Officer I	Robin L. Bennett	26-4 to	P-FT	01-01-16
		26-5		
Admin. Serv. Officer I	Molly M. Dolan	26-1 to	P-FT	01-01-16
		26-2		
Sr. Admin. Serv. Officer	Susan K. Jennings	35-6 to	P-FT	01-01-16
		35-7		
Asst. Chief Clerk II	Meghan JVW Nelson	35-5 to	P-FT	01-01-16
		35-6		
Supervisor of Sec. II	Sarah E. Vanderploeg	27-2 to	P-FT	01-01-16
		27-3		
Doorkeeper	Wayne W. Gieselman	11-1	S-O	01-11-16
Legis. Sec.	Donald L. Bailey	16-1	S-O	01-11-16
Legis. Comm. Sec.	Aaron D. Britt	17-1	S-O	01-11-16
Legis. Comm. Sec.	Nolan C. Bursch	18-1	S-O	01-11-16
Legis. Sec.	Carla J. Cain	16-1	S-O	01-11-16
Legis. Sec.	Deana M. Carfrae	16-1	S-O	01-11-16
Legis. Sec.	Kasey D. Clary	17-1	S-O	01-11-16
Legis. Sec.	Brayton M. Deprey	16-1	S-O	01-11-16
Legis. Comm. Sec.	Anna E. Determann	17-1 to	S-O	01-11-16
Legis. Sec.		17-1		
Legis. Sec.	Ben Dirks	15-1	S-O	01-11-16
Legis. Sec.	Patricia L. Dornacker	16-1	S-O	01-11-16
Legis. Sec.	Joanna D. Drake	15-1	S-O	01-11-16
Legis. Sec.	MacKenzie S. Dreeszen	16-1	S-O	01-11-16
Legis. Sec.	Khayree A. Fitten	16-1	S-O	01-11-16
Legis. Sec.	Bonnie L. Forburger	17-1	S-O	01-11-16
Legis. Comm. Sec.	Alex R. Freeman	17-1	S-O	01-11-16
Legis. Sec.	Priscilla A. Gammon	16-1 to	S-O	01-11-16
		16-2		
Legis. Sec.	Tyler W. Granger	16-1	S-O	01-11-16
Legis. Sec.	Mackenzie S. Gulbranson	16-1	S-O	01-11-16
Legis. Sec.	Joshua P. Hicks	15-1	S-O	01-11-16
Legis. Sec.	Tiffanee L. Hokel	16-2	S-O	01-11-16
Legis. Sec.	Joshua D. Hughes	16-1	S-O	01-11-16
Legis. Comm. Sec.	Victoria B. Johnson	17-1 to	S-O	01-11-16
Legis. Sec.		16-7		
Legis. Sec.	Sandra M. Kelaher	15-1	S-O	01-11-16
Legis. Comm. Sec.	Nicholas R. Laning	17-1	S-O	01-11-16
Legis. Sec.	Diane Y. Leigh	16-1	S-O	01-11-16
Legis. Sec.	Nicholas J. Lindberg	15-1	S-O	01-11-16
Legis. Sec.	Susan M. Mahedy-Ridgway	16-3 to	S-O	01-11-16
Legis. Comm. Sec.		18-8		
Legis. Comm. Sec.	Emily K. Massie	18-2	S-O	01-11-16
Legis. Comm. Sec.	Broderick M. Moore	17-1	S-O	01-11-16
Legis. Sec.	Gavin J. Mumm	15-1	S-O	01-11-16
Legis. Sec.	Chad Norris	16-1	S-O	01-11-16
Legis. Sec.	Brenda R. Olson	16-3 to	S-O	01-11-16
		15-3		



<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legis. Sec.	Cathleen L. Paulsen	15-1	S-O	01-11-16
Legis. Sec.	Jordan T. Peterson	16-1	S-O	01-11-16
Legis. Sec.	Katherine M. Ramsey	16-1	S-O	01-11-16
Legis. Sec.	Cassidy A. Riley	16-1	S-O	01-11-16
Legis. Sec.	Liam Ruff	16-1	S-O	01-11-16
Legis. Sec.	Virginia A. Rowen	16-8	S-O	01-11-16
Legis. Sec.	Jenna L. Sheldon	17-1	S-O	01-11-16
Legis. Sec.	Maddison MJ Shrader	15-1	S-O	01-11-16
Legis. Comm. Sec.	Julia A. Smith	17-1	S-O	01-11-16
Legis. Sec.	Kathryn M. Smith	16-1	S-O	01-11-16
Legis. Sec.	Sidney A. Snyder	15-1	S-O	01-11-16
Legis. Sec.	Samantha R. Stearns	16-1	S-O	01-11-16
Legis. Sec.	Kelvey Vander Hart	16-2 to	S-O	01-11-16
Legis. Comm. Sec.		17-2		
Legis. Comm. Sec.	Lauren E. Wendl	17-1	S-O	01-11-16
Legis. Sec.	Susan L. Wengert	16-1	S-O	01-11-16
Legis. Sec.	Natalie M. Williams	16-1	S-O	01-11-16
Legis. Sec.	Riley P. Willman	15-1	S-O	01-11-16
Legis. Comm. Sec.	Carla J. Wood	17-2 to	S-O	01-11-16
		18-8		
Legis. Comm. Sec.	Devon G. Wood	17-1	S-O	01-11-16

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Chief Clerk's Page	Delaney J. Schwarte	9-1	S-O
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Page	Reagan F. Brown	9-1	S-O
Page	Wyatt M. English	9-1	S-O
Page	Casey M. Jergens	9-1	S-O
Page	Trevor L. Johnson	9-1	S-O
Page	Benjamin C. Lanham	9-1	S-O
Page	Stefani A. Metzger	9-1	S-O
Page	Kai A. Newell	9-1	S-O
Page	Amanda H. Ryner	9-1	S-O
Page	Payton E. Sash	9-1	S-O
Page	Devon G. Severson	9-1	S-O
Page	Natalie L. Shoultz	9-1	S-O
Page	Natalie B. Steinke	9-1	S-O
Page	Zara L. Trigg	9-1	S-O

The following are resignations from the officers and employees of the House:

Admin. Asst. I to Ldr.	Angela M. Hughes	07-22-15
Legis. Res. Analyst	Dane J. Schumann	08-28-15
Admin. Asst. III to Spkr.	Josie L. Albrecht	09-18-15

January 11, 2016

To: Administration and Rules Comm.  
From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legis. Security Officer I	Randy H. Marchant	20-1 to 20-2	P-FT	05-22-15
Legis. Security Officer I	Gerald L. McCurdy, Jr.	20-4 to 20-5	P-FT	06-19-15
Legis. Security Officer I	Timothy P. Knapp	20-2 to 20-3	P-FT	07-03-15
Conserv./Restor. Spec. II	Arthur A. McBride IV	31-2 to 31-3	P-FT	09-25-15
Conserv./Restor. Spec. II	Zachary L. Bunkers	31-6 to 31-7	P-FT	12-05-15

Rogers of Black Hawk moved that the supplemental report of the committee on Administration and Rules be accepted.

The motion prevailed and the supplemental report was adopted.

#### COMMITTEE TO NOTIFY THE SENATE

Wills of Dickinson moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Wills of Dickinson, Chair; Sexton of Calhoun and Kearns of Lee.

The House stood at ease at 8:34 a.m., until the fall of the gavel.

The House resumed session at 9:44 a.m., Speaker Upmeyer in the chair.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on January 12, 2016, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 102, a Concurrent Resolution for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Wednesday, January 13, 2016, at 10:00 a.m.

Also: That the Senate has on January 12, 2016, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 103, a Concurrent Resolution for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Wednesday, January 27, 2016, at 10:00 a.m.

MICHAEL E. MARSHALL, Secretary

## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Wills of Dickinson, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable members of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

## JOINT CONVENTION

In accordance with law and House Concurrent Resolution 101, duly adopted, the Joint Convention was called to order at 9:46 a.m., President Jochum presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present, which motion prevailed.

President Jochum announced a quorum present and the Joint Convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to notify Governor Terry E. Branstad that the Joint Convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Brase of Muscatine, Mathis of Linn, and Behn of Boone, on the part of the Senate, and Representatives Grassley of Butler, Sands of Louisa and Miller, H. of Webster, on the part of the House.

Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor, Mary Mosiman; Treasurer of State, Michael Fitzgerald and Attorney General, Tom Miller were escorted into the House chamber.

The Supreme Court Justice, the Justices of the Supreme Court, the Chief Judge and Judges of the Appellate Court were escorted into the House chamber.

Lieutenant Governor Kim Reynolds and her husband, Kevin were escorted into the House chamber.

First Lady Chris Branstad, Eric, Adrienne, Mackenzie and Marcus Branstad were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Jochum presented Governor Terry E. Branstad, who delivered the following condition of the state message:

#### GOVERNOR'S CONDITION OF THE STATE MESSAGE

It gives me great honor to commence the 2016 Condition of the State for the first time in Iowa's history by beginning with:

Madam Lieutenant Governor, Madam President, Madam Speaker, Legislative leaders, justices, judges, legislators, elected officials, distinguished guests, family, friends and fellow Iowans, good morning.

To Rep. Tom Moore and Rep. Charles Holz--welcome to your first legislative session.

I look forward to working with you as you represent your constituents back home.

I want to welcome all returning legislators as well.

We return this session without an esteemed colleague and friend who was respected by both sides of the aisle, Jack Drake.

Jack was a personal friend of mine and many of you as well.

He served his constituents with passion and I know we all will miss him this session.

Ladies and Gentlemen, over the past 5 years the State of Iowa has made significant progress.

Progress which has put Iowa in a position of strength and opportunity for a bright future.

Sound budgeting practices and fiscal discipline now have us ranked as the 3rd best managed state in the nation.

Our cash reserve and economic emergency accounts are full.

The Iowa Economy has created 214,000 new jobs; surpassing our 2010 goal.

Today, Iowa's unemployment rate has been cut nearly in half to 3.4%.

Which is down from 6.1% five years ago.

Iowa has the lowest unemployment rate since 2001.

More Iowans are now employed than ever in our state's history.

Iowa family incomes have grown 18.3% from 2010.

We have seen over \$12 billion in private capital investment.

We worked in a bi-partisan fashion last session to improve both Iowa's physical and digital infrastructure.

And state K-12 education funding is up 35% since 2010.

When we look back at this progress, it is important to reflect on how we got here.

We did it by restoring fiscal discipline.

We did it by focusing on economic growth.

We did it by investing in our children.

But the key to igniting this engine of success has truly been a willingness to work together.

When we work together, challenges are overcome, results are delivered and Iowans have a government that works for them.

When we fail to work together, challenges become steeper, results are fleeting and the government fails the very people we should be serving.

There is no doubt this upcoming legislative session will present us with unique issues and opportunities to address.

It is my sincere desire to work with all of you to address the challenges we have before us.

We must come together again to tackle the challenges looming on our path toward a more prosperous future.

Last year's devastating avian influenza, lower commodity prices and an increasingly competitive world economy have reduced the growth of our state's revenue.

While we still see some growth, it is not as robust as we had hoped and expected.

In the budget I propose today, the two items where I propose spending the most money are on schools, and on Medicaid.

Simply put, Medicaid is costing more than ever.

It is stretching our budget too thin.

In order to improve patient health and increase the coordination of services--as well as control Medicaid costs--the state of Iowa is implementing a modern approach toward Medicaid through managed care, as most other states have already done.

If the state fails to implement managed care, the growth of Medicaid spending will consume virtually all of our revenue growth.

Working families and job creating businesses across this state want a government that is stable, predictable and delivers what it promises.

The budget I propose today was crafted the same way hardworking Iowans do, with a cautious eye and optimism for the future.

It is a tight budget.

It is a budget that will keep our state stable.

The budget is balanced today and fits within our five-year projections.

We should not over-promise and under-deliver.

This budget provides schools the stability, predictability and funding they need and deserve.

Today, I am proposing to increase pre K-12 funding by over \$145 million.

This includes the third installment of our extraordinary commitment to teacher leadership and compensation.

This additional investment would bring total pre K-12 education spending in the state budget to over \$3.2 billion dollars.

To make this level of funding possible, we have made tough decisions in other budget areas.

It is my sincere hope the General Assembly will move quickly to approve supplemental state aid early this session.

Ensuring our children's future is bright also means addressing other challenges our state faces.

Education officials have expressed to me a strong desire for extending a critical source of funding for school infrastructure.

Iowans have also expressed a strong desire to improve our state's water quality.

Unfortunately, too often we are presented with a false choice -- raise taxes on hardworking taxpayers or do nothing.

I submit to you there is a different path to chart.

That is why last week, Lt. Gov. Kim Reynolds and I were pleased to announce with U.S. Secretary of Agriculture Tom Vilsack a substantial investment through a bold framework for school infrastructure and water quality.

We made this announcement while being joined by:

- Sioux City Superintendent Paul Gausman
- Waukee Superintendent Dave Wilkerson
- and Southeast Polk Superintendent Dirk Halupnik

These education leaders are partners in supporting our innovative plan and we were also joined by:

- Iowa farmer Bob Hemesath
- Iowa Corn Grower's leader Craig Floss
- Iowa Soybean Association leader and Boone school board President Kirk Leeds • and co-chair of Iowa's Water Future Task Force, Larry James

The Lt. Gov. and I are continuing to meet with education, agriculture and business leaders to build support for a solution that helps schools, improves water quality and protects Iowa taxpayers.

Today, our schools rely on the Secure Advanced Vision for Education or SAVE fund for school infrastructure.

The current law expires in 2029.

Since its inception in 2009, schools have already received \$3.2 billion in infrastructure funding.

Our proposal will increase annual funding from \$458 million this year, to \$788 million by 2049—providing a total of \$20.7 billion for school infrastructure.

At the same time, by sharing the portion of the growth over \$10 million annually, this plan will provide nearly \$4.7 billion for water quality over the same period of time.

Schools will receive guaranteed growth of \$10 million each year or \$100 million in additional funding for school infrastructure every decade on top of what they are already getting.

This is a monumental investment in both education funding and water quality and does it without raising taxes.

From our rich soil to abundant water, Iowans are blessed with resources that are the envy of the world.

Over the years, positive steps have been taken to improve our state's water quality--including our innovative nutrient reduction strategy.

However, it is clear we need a stable long-term source of funding to more significantly improve water quality from both point and non-point sources of pollution.

Unfortunately, the issue of protecting our state's water quality risks tearing apart the fabric of Iowa, pitting Des Moines against rural Iowa.

Simply put, we must significantly accelerate our water quality efforts in order to avoid eroding our path to prosperity.

As we provide certainty for our schools, and a reliable long-term source of funding for protecting our water resources, we must also offer certainty to the engines of economic progress--hardworking Iowa families.

As Lt. Gov. Reynolds and I travel the state, we see help wanted signs.

Good jobs are available here in Iowa.

Some of those jobs go unfilled because of the skills gap in our workforce.

Our Regents institutions, community colleges, private colleges, unions and employers are working to help close this skills gap.

We recently established a Future Ready Iowa goal that 70% of Iowa's workforce will have education and training beyond high school by the year 2025.

The Future Ready Iowa initiative can help focus and better align our education, workforce, and economic development efforts.

From the Home Base Iowa initiative to Skilled Iowa to promoting registered apprenticeships, we are enhancing Iowa's workforce.

In 19 months, the Home Base Iowa initiative has already led to 1,700 veterans who have been hired across Iowa.

Also, thanks to bipartisan support, Iowa is a national leader in registered apprenticeships.



Apprenticeships allow individuals to “earn while they learn” and that is exactly what Joe Gomez did through Eastern Iowa Community College’s Registered Apprenticeship Culinary Arts Program.

While completing his apprenticeship, he also earned credit through the community college.

Joe has leveraged those skills into becoming an owner and operator of his own restaurant in Davenport.

Joe, and his wife Michelle are here today.

Joe, please stand and be recognized.

Thank you for being an example of the power of apprenticeships to grow our state’s talent pipeline.

Last year, thanks to generous public and private-sector support, more than 100,000 Iowa students participated in quality STEM programs through the work of the Governor’s STEM Advisory Council.

I want to be sure to recognize the students with us today from ADM High School, Norwalk Middle School, Carver Elementary School in Des Moines and Iowa Christian Academy in West Des Moines.

I want to thank the STEM Council’s co-chairs, Lt. Gov. Kim Reynolds and Dr. Chris Nelson of Kemin Industries for their leadership, passion and vision.

With support from the General Assembly, Iowa can continue to be a national leader in STEM and empower more students with STEM skills.

In fact, a STEM Council recommendation inspired our proposal to move students into the 21st century by requiring high schools to offer at least one high-quality computer science course by 2018-19, and for middle school students to have the opportunity to take an exploratory unit on coding.

This General Assembly also has a tremendous opportunity to advance more effective career guidance within our K-12 system.

This is about teachers, counselors and other school leaders infusing career information and career-related skills into local curriculum.

It is about employers leading conversations in every community in the state to advance productive partnerships with educators.

It is about the business and non-profit communities better articulating key needs for Iowa’s educators.

We must prioritize policies on industries that are poised to grow like bio-renewable chemicals.

A state bio-renewable tax credit, which is revenue neutral, will create more high-quality jobs, building on our state's leadership in renewable energy.

I know we can do this because we've already done it by becoming the nation's leader in renewable energy.

In the 1980's, Iowa began investing in renewable energies like ethanol, biodiesel and wind.

We were the first state to implement a renewable electric standard which I signed it into law in 1983.

At the time, we were almost entirely dependent on coal for electricity and foreign oil for motor fuel.

But look at us today:

We produce significantly more ethanol than we consume in gasoline which offers consumers more choices at the pump.

We are the leading biodiesel producing state in the nation.

We are seeing significant investments in other technologies like cellulosic ethanol; with two new plants in Emmetsburg and Nevada.

Today wind generates nearly 30% of Iowa's electric generation; more than any other state in the country.

And solar power generation is a growing and attractive renewable resource that an increasing number of Iowans are utilizing.

All of these accomplishments show the growing diversity in Iowa's economy.

But we must keep looking to the future, working to understand our needs and pushing for more renewable, reliable, and low-cost clean energy to meet our needs.

Lt. Governor Kim Reynolds is chairing our statewide effort—and working with the Iowa Partnership for Economic Progress--to develop a State Energy Plan.

This plan will include input from the public, the business community and a variety of state and federal partners and help us set our priorities for the future.

It includes an assessment of current and future energy capacities that will benefit the state and outline clear goals and strategies to keep energy costs low and facilitate economic development.

Companies who have invested and located in Iowa have cited our low cost of energy and growing use of renewables as major reasons for locating here.

Iowa could be the first state in the nation to meet 40% of our energy needs from wind power by 2020; far ahead of any other state.

The extension of the Federal Wind Energy Tax Credit will also help us grow wind investments and jobs in Iowa.

Our leadership in green energy not only makes us a leader in renewables but also powers job growth.

Every wind turbine you see while driving across our state means income for farmers, revenue for local governments and jobs for Iowa families.

Let's build on that foundation for a greener Iowa future.

Our state flag is emblazoned with Iowa's motto, "OUR LIBERTIES WE PRIZE AND OUR RIGHTS WE WILL MAINTAIN."

Maintaining our rights means we must maintain those rights for all.

It is time for a fresh look at the criminal justice system in Iowa to ensure that we are doing the right thing for all of our citizens.

Last year, I was invited to participate on a panel at the NAACP's Iowa Summit on Justice and Disparities.

I was invited by my friend, Betty Andrews, who joins us today.

Betty is the President of the NAACP chapter for Iowa and Nebraska.

Betty, thank you for being here--please stand and be recognized.

At the Summit, I announced the formation of a bi-partisan working group on justice policy reform tasked with researching and making policy recommendations.

The working group consisted of representatives from state and local government and the NAACP.

The efforts of the Working Group, and the advocacy of Betty Andrews and others, convinced me that we all need to work together to address justice in Iowa.

Ensuring the fundamental fairness of our system is a worthy goal.

But a fairer and more equitable criminal justice system also aligns with the long-term interests of taxpayers who fund our criminal justice system.

For example, in many cases, tax dollars may be better spent on rehabilitation rather than incarceration.

We can protect the public while rehabilitating those who have committed crimes.

We can take steps to ensure that the most serious of crimes are punished with the most serious of penalties.

And we can take steps to make sure that when our criminal justice system does impose punishment, that we are punishing the right person and that race does not play a role.

Let's take action this year, in all three branches of government, to improve our criminal justice system.

In the executive branch, our State Public Defender Adam Gregg recently established a new Wrongful Conviction Division to investigate wrongful convictions of innocent people.

These efforts will not only bring justice for those who have been wrongfully incarcerated, but will protect public safety by ensuring the right person is held responsible when a crime is committed.

We are already seeing a decline in our prison population and simultaneously a reduction in the rate of recidivism because of the collaboration between the Parole Board and the Department of Corrections.

We are more focused on providing individuals in the corrections system with skills they need to have rewarding careers upon release, including apprenticeships within the institutions.

The Department of Corrections has dramatically reduced phone fees as recommended by the Governor's Working Group.

Increased communications between inmates and their families while incarcerated can lead to a lower rate of reoffending when released.

The executive branch is not the only one taking action.

As you know, Chief Justice Mark Cady has become a leader in seeking to address the significant racial disparities which have become evident in the Iowa criminal justice system.

I applaud his efforts.

In addition, the courts are working to implement some of the Working Group recommendations, such as improving the jury selection process to ensure racial diversity of jury panels, which in turn helps assure a fair trial for all.

I look forward to working with all of you in the General Assembly to improve our criminal justice system by examining how we can:

- Protect our children and family members from human trafficking;
- Combat domestic violence;
- And examine the funding model for Drug and Mental Health Courts.

A significant recommendation of the Governor's Working Group included the confidentiality of juvenile delinquency records.

Currently, in most circumstances juvenile delinquency records are public records.

That means that a juvenile with even a minor theft or minor drug possession can be haunted by that mistake for the rest of their life - when they apply for college, for a job, for an apartment or for the military.

Some of our friends and neighbors, who have made poor decisions when they were young, continue to face significant roadblocks to success throughout their entire life.

We must examine whether these policies are truly protecting the public, or simply blocking a path to future career success for impacted Iowans.

A minor crime should not be a lifelong barrier to a successful career.

Juvenile records should remain confidential unless a judge specifically finds that disclosure is in the best interest of the child and the public.

This would allow for public disclosure in serious cases, while giving judges discretion to allow confidentiality in cases involving minor offenses.

Friends, this is the 86th General Assembly of the State of Iowa.

And the question before us is this: what can we do to provide certainty and opportunities for all Iowa families?

Together we can forge a new path that will lead us to stable and predictable funding for school infrastructure and historic long-term protection for water quality.

A path which connects Iowans to rewarding careers.

A path that leads to exponential growth in our energy sector.

And a path that provides for a more fair and equitable society for all Iowans.

Let us be bold.

Let us be courageous.

Let us set our path toward the future, and seize the opportunities before us.

Thank you. God Bless you, and God bless the people of Iowa.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

On motion by Hagenow of Polk, the Joint Convention was dissolved at 10:32 a.m.

The House resumed session at 10:38 a.m., Speaker Upmeyer in the chair.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 500 State Government**

Relating to the practice of optometry.

**H.S.B. 501 Human Resources**

Relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

**H.S.B. 502 Human Resources**

Requiring coverage of telehealth under a group health insurance plan for employees of the state, and including applicability provisions.

**SUBCOMMITTEE ASSIGNMENT****House File 296**

Administration and Rules: Klein, Chair; Anderson and Fry.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 500**

State Government: L. Miller, Chair; T. Taylor and Wills.

On motion by Hagenow of Polk, the House adjourned at 10:38 a.m., until 8:30 a.m., Wednesday, January 13, 2016.

# JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 13, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Terry Amann, Walnut Creek Church, Windsor Heights. He was the guest of Representative Hagenow of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Owen Hagenow. He is the son of Representative Hagenow of Polk.

The Journal of Tuesday, January 12, 2016, was approved.

## COMMITTEE TO NOTIFY THE SENATE

R. Taylor of Dallas moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee R. Taylor of Dallas, Chair; Holt of Crawford and Dawson of Woodbury.

The House stood at ease at 8:34 a.m., until the fall of the gavel.

The House resumed session at 9:52 a.m., Speaker Upmeyer in the chair.

## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

R. Taylor of Dallas, Chair of the committee to notify the Senate that the House was ready to receive it in Joint Convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable members of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

### JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the Joint Convention was called to order at 9:54 a.m., President Jochum presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present, which motion prevailed.

President Jochum announced a quorum present and the Joint Convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to escort Governor Terry E. Branstad to the House chamber for the Condition of the Judicial Branch Message.

The motion prevailed and the President appointed as such committee Senators Danielson of Black Hawk, Schoenjahn of Fayette and Zumbach of Delaware, on the part of the Senate, and Representatives Pettengill of Benton, Baltimore of Boone and Ourth of Warren, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to notify Chief Justice Mark S. Cady that the Joint Convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Wilhelm of Howard, Soddors of Marshall and Shipley of Adams, on the part of the Senate, and Representatives



Branhagen of Winneshiek, Nunn of Polk and Anderson of Polk, on the part of the House.

Secretary of State, Paul Pate; Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor, Mary Mosiman and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and Chief Judges of the Court of Appeals and the Chief Judges of the state's judicial districts were escorted into the House chamber.

The Chief Justice's wife, Rebecca, of Fort Dodge, his son and daughter-in-law, Spencer and Reilly Cady and his daughter, Kelsi Fraser were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

The committee waited upon Chief Justice Mark S. Cady and escorted him to the Speaker's station.

President Jochum presented Chief Justice Mark S. Cady who delivered the following Condition of the Judicial Branch Message:

### CONDITION OF THE JUDICIAL BRANCH MESSAGE

Madam president, madam speaker, distinguished members of the Iowa General Assembly, Governor Branstad, Lieutenant Governor Reynolds, state officials, colleagues, family, friends, and all Iowans.

I have been honored to present the Condition of the Judiciary message to this assembly on five occasions. It is an honor again today. Each time I have described the efforts of the Iowa Judicial Branch to build Iowa's justice system consistent with the priorities and needs of all Iowans. Justice is important to every Iowan, and the condition of justice is vital to the overall health and prosperity of this state. We celebrate justice when it prevails. We strengthen justice when it is unequal. We fight for justice when it is absent. Justice is the core value that inspired our founders when we became a nation, and it remains today our common bond as Iowans.

Justice is within us at this moment and is seen across this state in the everyday actions of Iowans. It is seen in the actions of judges. It is seen in the actions of legislators. It is seen in the actions of the governor, state officials, and all Iowans who see justice as a goal to achieve. It is seen in the actions of community leaders such as

Kellie Markey in Des Moines, teachers such as Pete Dammel from Audubon, clerks of court such as Ruth Godfrey from Council Bluffs, and countless other Iowans. The actions of these Iowans, and others, capture the best of us as a people. Their actions are Iowa's stories of justice.

Their stories speak to the priorities for Iowa's justice system. We have expressed these priorities to you in the past, and we remain committed to fulfilling them today. The six priorities are:

- Protect Iowa's children
- Provide full-time access to justice
- Operate an efficient full-service court system
- Provide faster and less costly resolution of legal disputes
- Operate in an open and transparent way
- Provide fair and impartial justice for all

These are priorities given to the Iowa Judicial Branch by Iowans. We are accountable to all Iowans and the constitution for making progress each year towards achieving each priority. Today, I will describe the progress made by the justice system during the past year and share the stories of the efforts of Iowans who seek justice every day.

#### I. Protecting Iowa's Children and Families

Let me begin by sharing Sydney's story. When Sydney was seventeen years old, she was referred to juvenile court services on a possession of alcohol charge. In Iowa, juvenile court services are a part of the judicial branch. Juvenile court officers use a risk-assessment analysis to determine if youthful offenders should be referred to juvenile court or diverted to informal probation for services to address their needs. In speaking with Sydney, her juvenile court officer learned the possession of alcohol charge was only a symptom of larger problems. He discovered Sydney had been drinking heavily and was making poor choices in her life. The juvenile court officer placed Sydney on informal probation and found substance-abuse treatment services for Sydney and her mom. Sydney successfully completed substance-abuse treatment and has not returned to court. Today, Sydney is sober, a high school graduate, and a college student.

Stories similar to Sydney's are repeated across this state every day. They illustrate the value of our evidence-based, risk-assessment tool used to divert youthful offenders from juvenile court. As a result, fewer children are being referred to juvenile court. Instead, the needs of low-risk youthful offenders are met by services offered through juvenile court services, law enforcement, schools, and community service providers. In 2014, more than seventy-two percent of children diverted from juvenile court as low-risk offenders did not return to court. That means there were 5,392 children who, like Sydney, successfully completed treatment and avoided a criminal record. With successful diversion of low-risk youthful offenders, our highly skilled juvenile court officers have more time to work with the high-risk youthful offenders. These outcomes represent the progress we seek, and the justice our children deserve. When all children are provided the tools and opportunities for success, justice is achieved.

The governor, legislature, and the judicial branch have worked together during the past two years to pass legislation to give troubled young Iowans the same opportunities for success provided to Sydney. The legislation increased the confidentiality of eligible juvenile records, including dismissed complaints and informal probations. This new

approach harmonizes the common goals of public safety and the best interests of our children. It has given greater meaning to juvenile justice.

Together, we are making our communities safer, protecting more children, and allowing more children opportunities to climb the ladder of success without the heavy weight of a criminal record.

In my past two reports on the condition of the judiciary, I have shared stories of families torn apart by substance abuse who were reunited by family treatment courts. With your help, we have established family treatment courts in all eight judicial districts. Now, more parents in Iowa have the opportunity to participate in family treatment courts and graduate with their children at their side. As of October 2015, thirteen family treatment courts across this state have served 823 parents with 1,345 children. I encourage all of you to attend a family treatment court graduation in your area. You will discover, better than I can describe with words, what it really means for a parent to reach a point in life never thought possible, with the support of a community team who never stopped believing it was possible.

When we provide broken families the tools and opportunities for success, justice is achieved.

## II. Impartial Justice for All and Racial Disparity

Last year I raised the issue of racial disparity in the criminal justice system. The positive responses that followed from you and other Iowans have increased awareness of this complex issue. Let me tell you about the efforts of the judicial branch to address this issue.

One response has been to seek better understanding of the many causes of racial disparity. Last year, the judicial branch trained 716 judges, magistrates, and other judicial branch staff to recognize implicit biases that may contribute to racial disparities. We will continue this training this year.

Another response involves the juvenile justice system. Three counties—Johnson, Linn, and Scott—are collaborating with Georgetown University on juvenile court pilot projects. These projects seek to eliminate racial disparity in the juvenile justice system and its adverse consequences to our state. The Georgetown pilot project in Johnson County has reduced school referrals to juvenile court by sixty-one percent. The reduced number of juvenile referrals is encouraging, but the racial disparity remains too high. We know we have more work to do and will continue to work with communities to develop broad-based solutions to this complex issue.

Finally, in the adult criminal justice system, judges working on the front lines share with me that the existing standards and conditions for pretrial release in criminal cases can be improved. Research and new programs in other states reveal that standards for pretrial release can be modified to increase the opportunity for release without compromising public safety. As you know, people who are arrested suffer significant adverse consequences when they are unable to meet the standards for release from jail. Examples include the loss of a job, separation from family, additional debt, and an increased likelihood of future incarceration. We will work with our partners, including the Iowa Department of Corrections, the District Department of

Corrections, county attorneys, and criminal defense attorneys to find ways to improve the pretrial release system.

Racial disparity is a community problem requiring community solutions. The journey to identify and eliminate racial disparity continues for all of us. When racial disparity and all of its causes are eliminated, justice is achieved.

### III. Faster and Less Costly Resolution of Legal Disputes

Progress in our justice system has been made by providing faster, less-costly resolution of legal disputes. During the past several years, the Iowa Judicial Branch has introduced problem-solving courts, business courts, and a process to expedite and lower costs of civil litigation. In addition, we are identifying better practices to resolve family law cases and cases involving guardianships and conservatorships. All of these innovations are designed to better deliver justice for all. Our regular review of these programs confirms we are making progress.

Last summer the judicial branch conducted its second comprehensive evaluation of the business court pilot project. According to the evaluation, the business court has been successful because it provides attorneys and litigants with specific judicial expertise in complex cases. The results of the evaluation can best be summarized by a post on The Iowa State Bar Association Facebook page. It reads: "Both the bench and the bar are highly satisfied with the program." The evaluation found that attorneys who have had cases in the pilot project strongly support the business court and want it to become a permanent part of the Iowa civil litigation system. Based on our review, the supreme court is pleased to announce that business courts will continue as part of Iowa's justice system.

We are also pleased to announce that close to 400 expedited civil action cases were filed within the first year of implementing this innovative process. This exceeded my expectations. The expedited civil action track is designed to provide Iowans a faster, less-costly process for resolving civil complaints. We will continue to monitor the results of this innovation to ensure it best serves the needs of Iowans.

A successful justice system serving the needs of Iowans must conduct trials on schedule and render timely decisions. Last year, the chief judges and court administrators of each judicial district came together to find new and more efficient ways to utilize our judges and court staff to give all litigants and attorneys the greatest possible confidence in the timely administration of cases. These early efforts show encouraging results. Our new case management techniques are improving the delivery of timely justice to Iowans.

Justice must be found in the way courts operate. We are committed to providing the best customer service to every person who enters our courthouses. It is part of a culture we are working to strengthen in every courthouse every day. Let me share with you the story of Ruth Godfrey, Pottawattamie County Clerk of Court. When the Pottawattamie County courthouse was renovated, Ruth was involved with the planning. She ensured that the reconfigured clerk of court office was designed so that customers came first and had easy access to her clerk's staff. The professionalism and care for customers that Ruth and her staff exhibit are found in courthouses and court staff throughout the state.

The Iowa Judicial Branch is deeply committed in every way to our promise of justice for all. When the timely, fair, and efficient administration of justice is consistently delivered to all Iowans, justice is achieved.

#### IV. Modernizing the Jury System

Part of the judicial branch's effort to deliver justice to all Iowans includes a modernization of the jury system. We are doing this in three ways. First, we provide training for judges on implicit bias and identify ways for judges to help jurors recognize the impact of implicit bias. Second, we have started planning to modernize our jury management software to give greater assurance that randomly selected jury pools represent a fair cross-section of each community. Third, we will begin to collect and maintain data on the racial composition of juries. This internal data will help us determine if the jury selection process we use could be further improved. The jury system holds a time-honored place in our system of justice, and it must be carefully maintained by us today. When all Iowans have full confidence in the fairness of our jury system, justice is achieved.

#### V. Operating with Openness and Transparency

For Iowans to have full confidence in our justice system, it is important for the judicial branch to operate with openness and transparency. The supreme court visits communities across Iowa to show Iowans how we operate. Last year, we heard oral arguments in four communities and visited thirty high schools and colleges. In the past four years, we have held court in twenty communities and visited 123 high schools and colleges. For more and more students, a high school education in Iowa now includes an opportunity to watch a court session of the Iowa Supreme Court in their school and an opportunity to meet and interact with a justice from the supreme court in their classrooms. It is an opportunity that government teachers across the state have used to help our next generation understand the court system and its important role in administering justice equally to all.

Let me share with you the story of Pete Dammel. I met Pete in October when I visited his students at Audubon High School after the supreme court's visit to Harlan. The respectful and insightful questions his students asked left an impression on me and revealed as much about Pete as about his students. Pete teaches his students about the role of fair and impartial courts in our government and the importance of civil discourse between citizens. His teaching also reminds all of us that an open and transparent justice system enhances the public's understanding of the justice system.

The judicial branch is also working towards expanding access to court documents. With statewide electronic filing, court users and the public have more access than ever before to their court documents. Attorneys and parties to a case can access their documents at any time, even when the courthouse is closed. The public and the media can access electronic court documents from public computers in the courthouse where the case is filed. While electronic filing has expanded access for all people by eliminating the need to share paper files, the public and media do not have access from their own computers. The judicial branch is committed to being open and transparent, but access to court records is not just a matter of public convenience. Court records must remain safe and secure, and confidential information about Iowans contained in court records must remain private. It is expensive and time-consuming to expand

online access to our secure court records, but we are working to find solutions that balance necessary security and convenience.

Like Pete Dammel, the judicial branch is committed to listening and providing Iowans with information about their justice system. This commitment benefits us all. When the judicial branch is open and responsive to the needs of Iowans, justice is achieved.

#### VI. The Injustice of Human Trafficking

As we strive to achieve justice, the injustice of human trafficking in Iowa has been brought to the forefront. Let me share with you the story of what Kellie Markey is doing to bring awareness to the problem and to help victims. Last July, Representative Zach Nunn invited me to visit Kellie at a shelter she established to care for children victimized by sex traffickers. The shelter is called Dorothy's House. The shelter provides a safe place for these young victims to heal.

We can no longer view human trafficking as a problem reserved for major cities in America. It exists as a dark underworld in many communities across Iowa and is associated with some of Iowa's most iconic places and events. There is no justice when children are abused and exploited. A prompt, comprehensive, and coordinated effort is needed to identify victims of human trafficking and provide the services and protection they need.

Last month, the judicial branch provided training on human trafficking to judges, juvenile court officers, law enforcement, and others. This training will allow our judges and juvenile court officers to better address the human trafficking cases that are emerging in our courts. We are also exploring how best to enable judges and juvenile court officers to work with the victims of human trafficking. We are encouraged and grateful for the response to this problem from the governor, members of this assembly, Commissioner Roxann Ryan and the department of public safety, local law enforcement, and many others. When we all stand up to join in the compassionate efforts of Iowans like Kellie Markey to address human trafficking, justice is achieved.

#### VII. The Importance of Fair and Impartial Courts

We hear the call from Iowans for our courts to remain fair and impartial, independent, and insulated from all political influences. It is a call we continue to answer as we have in the past. Fair and impartial courts are the foundation of Iowa's justice system. Fair and impartial courts have helped to give Iowa its proud history and has strengthened us as a state today. With a future of fair and impartial courts, justice is achieved.

#### VIII. Conclusion

I began today by reminding us of the important position justice occupied in the lives of our founders and in our lives today. I have spoken of progress and the need for more. But, as with our founders, our efforts to achieve justice will not be measured only by the actions we take to administer justice. The value of our efforts today will be measured by how our actions advance the values and virtues of justice. These values are identified in our six priorities. Iowans want to protect more children. Iowans want greater access to justice. Iowans want more efficient resolution of legal disputes. Iowans want an open and transparent justice system. Iowans want racial disparity

eliminated. Iowans want fair and impartial justice for all. These are the values and virtues advanced by the actions of Kellie Markey, Pete Dammel, Ruth Godfrey, and countless other Iowans. They are the values and virtues that we must continue to advance. We will always face challenges in delivering on our promise of justice for all, challenges that are overcome when our values and virtues guide the actions we take and the decisions we make. So, let us work together to advance Iowa's system of justice to make ours the best court system in the nation.

Thank you.

Chief Justice Mark S. Cady was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

On motion by Hagenow of Polk, the Joint Convention was dissolved at 10:42 a.m.

The House resumed session at 10:55 a.m., Speaker Upmeyer in the chair.

#### INTRODUCTION OF BILLS

**House Joint Resolution 2001**, by Wills, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to term limits for members of the general assembly.

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

**House Joint Resolution 2002**, by Paulsen, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide home rule for school districts.

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

**House File 2001**, by Wills, a bill for an act concerning the state employee suggestion system.

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

**House File 2002**, by Paulsen, a bill for an act requiring that county treasurers be elected on a nonpartisan basis.

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

**House File 2003**, by Paulsen, a bill for an act requiring that county sheriffs be elected on a nonpartisan basis and including effective date provisions.

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

**House File 2004**, by Paulsen, a bill for an act requiring that county recorders be elected on a nonpartisan basis.

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

**House File 2005**, by Paulsen, a bill for an act requiring that county attorneys be elected on a nonpartisan basis.

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

**House File 2006**, by Paulsen, a bill for an act requiring that county auditors be elected on a nonpartisan basis and including effective date provisions.

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

**House File 2007**, by Paulsen, a bill for an act prohibiting persons from opening a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing a criminal penalty.

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

**House File 2008**, by Paulsen, a bill for an act relating to the exercise, by school districts, of any broad and implied powers not inconsistent with the laws of the general assembly, and to the construction of statutes related to school district boards and school districts.

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

**House File 2009**, by Wills, a bill for an act requiring the department of education to distribute a handbook of educational options.

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



**House File 2010**, by Gassman, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

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

**House File 2011**, by Jones, a bill for an act relating to the criminal offense of sexual exploitation by a school employee.

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

**House File 2012**, by Kooiker, a bill for an act relating to the limitation of action for the criminal offense of accessory after the fact, and making penalties applicable.

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

**House File 2013**, by Wills, a bill for an act relating to procurement procedures for state agencies.

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

**House File 2014**, by Wills, a bill for an act relating to rafting safety regulations and including penalties.

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

**House File 2015**, by Wills, a bill for an act providing education scholarships for children of military parents attending a nonpublic school, creating a military family scholarship fund, making appropriations, providing penalties, and including applicability provisions.

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

**House File 2016**, by Wills, a bill for an act to allow a student to participate in an interscholastic athletic activity sponsored or administered by a statewide organization in an adjoining state.

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

**House File 2017**, by Jones, a bill for an act relating to coaching endorsements and authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

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

**House File 2018**, by Kooiker, a bill for an act establishing a cold case investigation unit within the department of public safety.

Read first time and referred to committee on **Public Safety**.

**House File 2019**, by Ruff, a bill for an act requiring the use of headlamps and other lighting devices on vehicles at all times during inclement weather, and making a penalty applicable.

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

**House File 2020**, by Jones, a bill for an act enhancing the penalty for certain assaults against a sports official.

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

**House File 2021**, by Meyer, a bill for an act relating to the management and operations of certain common interest communities.

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

**House File 2022**, by Wolfe, a bill for an act modifying the criminal offense of accommodation, and providing penalties.

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

**House File 2023**, by Wolfe, a bill for an act repealing the criminal offenses of intoxication and simulated intoxication in public places.

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

**House File 2024**, by Wolfe, a bill for an act relating to the expungement of the criminal record for a simple misdemeanor interference of official acts.

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

**House File 2025**, by Heddens and Deyoe, a bill for an act relating to the payment of fees and expenses of county medical examiners who perform autopsies or conduct investigations of decedents who are out-of-state residents.

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

**House File 2026**, by Wolfe, a bill for an act relating to modifying the sex offender registry requirements.

Read first time and referred to committee on **Public Safety**.

**House File 2027**, by Paulsen, a bill for an act relating to the displacement and relocation of a business or farm and including effective date and applicability provisions.

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

**House File 2028**, by Jones, a bill for an act relating to contractual relationships between licensed athletic trainers and school districts and accredited nonpublic schools and including effective date and applicability provisions.

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

**House File 2029**, by Lykam, a bill for an act making an appropriation to the department of public defense for the Iowa junior reserve officers' training corps cadet leadership challenge and including effective date provisions.

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

**House File 2030**, by Wolfe, a bill for an act relating to the revocation of driver's licenses for drug-related criminal convictions.

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

**House File 2031**, by Kooiker, a bill for an act relating to the limitation of actions for the offense of accessory after the fact involving a kidnapping, and providing penalties.

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

**House File 2032**, by Wills, a bill for an act relating to the preservation of religious freedom.

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

**House File 2033**, by Kooiker, a bill for an act relating to the criminal offense of accessory after the fact if the public offense involves a murder, and providing penalties.

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

**House File 2034**, by Grassley, a bill for an act relating to permissible uses of supplemental aid for professional development paid to school districts and area education agencies under the state school foundation program.

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

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

#### **H.S.B. 503 Human Resources**

Relating to prescription authority for certain psychologists and making penalties applicable.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House Joint Resolution 2002**

Education: Byrnes, Chair; Highfill and Steckman.

##### **House File 34 Reassigned**

Transportation: Best, Chair; Finkenauer and B. Moore.

##### **House File 155 Reassigned**

Transportation: Carlson, Chair; Best and Wolfe.

##### **House File 540**

Transportation: Paulsen, Chair; Landon and Oldson.

**House File 2008**

Education: Byrnes, Chair; Highfill and Mascher.

**House File 2009**

Education: Sieck, Chair; Byrnes and Hanson.

**House File 2015**

Education: Dolecheck, Chair; Sieck and Winckler.

**House File 2016**

Education: Stanerson, Chair; Cohoon and T. Moore.

**House File 2017**

Education: Koester, Chair; Abdul-Samad and T. Moore.

**House File 2019**

Transportation: Holz, Chair; Maxwell and Stutsman.

**House File 2028**

Education: Koester, Chair; Brown-Powers and T. Moore.

**House File 2034**

Education: Gassman, Chair; Dolecheck and Staed.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 501**

Human Resources: Heaton, Chair; Heddens and Rizer.

**House Study Bill 502**

Human Resources: L. Miller, Chair; R. Taylor and Wessel-Kroeschell.

**House Study Bill 503**

Human Resources: L. Miller, Chair; Brown-Powers and Fry.

On motion by Fry of Clarke, the House adjourned at 11:03 a.m., until 8:30 a.m., Thursday, January 14, 2016.

# JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 14, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Bernie Grady, formerly of St. Mary's Catholic Church, Marshalltown. He was the guest of Representative Smith of Marshall.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Devon Severson, Minority Leader's Page from Ottumwa.

The Journal of Wednesday, January 13, 2016, was approved.

## SUBCOMMITTEE ASSIGNMENTS

### House File 2010

Human Resources: Heaton, Chair; Best and Gaines.

### House File 2011

Judiciary: Jones, Chair; Kaufmann and Prichard.

### House File 2012

Judiciary: Branhagen, Chair; Baxter and Dawson.

### House File 2020

Judiciary: Jones, Chair; Gustafson and Olson.

### House File 2025

Human Resources: Bacon, Chair; Heddens and T. Moore.

### House File 2031

Judiciary: Branhagen, Chair; Baxter and Dawson.

**House File 2033**

Judiciary: Branhagen, Chair; Baxter and Dawson.

On motion by Hagenow of Polk, the House adjourned at 8:37 a.m., until 10:00 a.m., Friday, January 15, 2016.

# JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 15, 2016

The House met pursuant to adjournment at 10:00 a.m., Hagenow of Polk in the chair.

Prayer was offered by Dustin Graber, Ankeny. He was the guest of Representative Hagenow of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Noah Graber, Ankeny. He was the guest Representative Hagenow of Polk.

The Journal of Thursday, January 14, 2016, was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2003**, by Rizer, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

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

**House File 2035**, by Carlson, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

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

**House File 2036**, by Paulsen, a bill for an act providing for the licensure of applicants with relevant professional employment experience as teachers for secondary level science, technology, engineering, or mathematics courses.

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



**House File 2037**, by Ruff, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including applicability provisions.

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

**House File 2038**, by Wills, a bill for an act requiring Iowa state university to develop a database of water quality measurements within watersheds.

Read first time and referred to committee on **Environmental Protection**.

**House File 2039**, by Rizer, a bill for an act relating to the mandatory disclosure of certain mental health information by a health care provider.

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

**House File 2040**, by Heaton, a bill for an act relating to the exercise of a mental health advocate's duties.

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

**House File 2041**, by Pettengill, Vander Linden, and L. Miller, a bill for an act regarding the supervision of physician assistants by physicians and providing for emergency rulemaking authority, and including effective date provisions.

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

**House File 2042**, by Windschitl, a bill for an act relating to the possession of a pistol, revolver, or ammunition by persons under fourteen years of age, and including effective date provisions.

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

**House File 2043**, by Windschitl, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

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

**House File 2044**, by Windschitl, a bill for an act relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy.

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

**House File 2045**, by Wolfe, a bill for an act modifying the threshold damage dollar amounts which constitute the crimes of criminal mischief in the second, third, and fourth degrees.

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

**House File 2046**, by Paulsen, a bill for an act allowing fishing without a license on certain private lakes and ponds and providing a penalty.

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

**House File 2047**, by Baxter, Ourth, Vander Linden, Baudler, Kaufmann, Salmon, Watts, Holt, Heartsill, Carlson, Gassman, Sieck, Sheets, Gustafson, Kressig, Prichard, Best, Forbes, Rogers, Klein, Windschitl, Wills, Rizer, and Fisher, a bill for an act relating to the use of a straight wall cartridge rifle to hunt deer and including penalties.

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

**House File 2048**, by Hunter, a bill for an act requiring certain peace officers, including tribal law enforcement officers, to wear and use a body camera and providing remedies.

Read first time and referred to committee on **Public Safety**.

**House File 2049**, by Rizer, Baudler, Holt, Baxter, Fisher, Sieck, Koester, Salmon, Kooiker, Klein, Fry, Heartsill, B. Moore, Deyoe, Hein, Worthan, Kressig, Abdul-Samad, Brown-Powers, Gaines, and Staed, a bill for an act relating to controlled substances, including by modifying the penalties for controlled substances containing cocaine base, enhancing the penalties for imitation controlled substances, modifying the controlled substances listed in schedules I, III, and IV,

and temporarily designating substances as controlled substances, and providing penalties.

Read first time and referred to committee on **Public Safety**.

**House File 2050**, by Paulsen, a bill for an act concerning notice of drug tests conducted by the department of human services and establishing a criminal penalty.

Read first time and referred to committee on **Public Safety**.

**House File 2051**, by McConkey, Gassman, Ruff, Branhagen, Steckman, Kressig, Jorgensen, Byrnes, and Anderson, a bill for an act relating to Iowa community college special registration plates for motor vehicles.

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

**House File 2052**, by Kressig, McConkey, Meyer, Baxter, Ourth, Salmon, Brown-Powers, Ruff, Dunkel, and Bearinger, a bill for an act concerning veterans eligible to take holiday time off for Veterans Day.

Read first time and referred to committee on **Veterans Affairs**.

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### AUDITOR OF STATE

Municipal Oversight Report, pursuant to Iowa Code section 11.6.

### BOARD OF REGENTS

Activities, Projects and Programs Funded with Innovation Fund Report, pursuant to Chapter 1136.17, 2012 Iowa Acts.

Development School Advisory Council Report, pursuant to Iowa Code section 256G.4.

Articulation Report, pursuant to Iowa Code section 262.9(33)(i).

College Bound and IMAGES Report, pursuant to Iowa Code section 262.93.

Continuous Improvement Plan Report, pursuant to Iowa Code section 262.9.

## COLLEGE STUDENT AID COMMISSION

Guaranteed Student Loan Program Report, pursuant to Iowa Code section 261.37(10).

## DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Loess Hills Alliance Board of Directors Report, pursuant to Iowa Code section 161D.6(6).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

Watershed Improvement Review Board Report, pursuant to Iowa Code section 466A(3).

DEPARTMENT OF COMMERCE  
Banking Division

Review of Qualified Student Loan Bond Issuer Report, pursuant to Iowa Code section 7C.13.

Mortgage Servicing Settlement Fund Report, pursuant to Chapter 1138.7, 2012 Iowa Acts.

## DEPARTMENT OF CORRECTIONS

Annual Report, pursuant to Iowa Code section 904.115.

## DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment Report, pursuant to Iowa Code section 279.60.

Workforce Training and Economic Development Fund Report, pursuant to Iowa Code section 260C.18A.

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10(2).

## DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Enhanced 911 Status Report, pursuant to Iowa Code section 34A.7A(3)(a).

## DEPARTMENT OF NATURAL RESOURCES

Natural Resources and Outdoor Recreations Trust Fund Report, pursuant to Iowa Code section 461.22.

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

Tobacco Settlement Trust Fund Report, pursuant to Iowa Code section 12E.12(9).

Revenue Bonds and Capitals Fund Report, pursuant to Iowa Code section 12.88(4).

Revenue Bonds Capitals II Fund Report, pursuant to Iowa Code section 12.88A(4).

Natural Resource Commission Report, pursuant to Iowa Code section 455A(5).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

DEPARTMENT OF REVENUE

New Jobs Tax Credit Evaluation Study report, pursuant to Iowa Code section 2.48.

Alternative Minimum Tax Credit Evaluation Study Report, pursuant to Iowa Code section 2.48.

Beginning Farmer Tax Credit Program Evaluation Study Report, pursuant to Iowa Code section 2.48.

Charitable Conservation Contribution Tax Credit Evaluation Study Report, pursuant to Iowa Code section 2.48.

Claim of Right Tax Credit Evaluation Study Report, pursuant to Iowa Code section 2.48.

DEPARTMENT OF VETERANS AFFAIRS

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13(8).

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE  
TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4(6).

IOWA VETERANS HOME

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

Tobacco Settlement Trust Fund Report, pursuant to Iowa Code section 12E.12(9).

Annual Report, pursuant to Iowa Code section 35D.17.

Revenue Bonds Capitals Fund Report, pursuant to Iowa Code section 12.88(4).

Revenue Bonds Capitals II Fund Report, pursuant to Iowa Code section 12.88A(4).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

On motion by Highfill of Polk, the House adjourned at 10:05 a.m., until 10:00 a.m., Tuesday, January 19, 2016.

# JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 19, 2016

The House met pursuant to adjournment at 10:00 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Mike Maddick, Trinity Lutheran Church, State Center. He was the guest of Representative Fisher of Tama.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Natalie Steinke, Chief Clerk's Page from Gibson.

The Journal of Friday, January 15, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2053**, by Salmon, Gustafson, Heartsill, Holt, Kooiker, Kaufmann, Watts, Baxter, Gassman, Sheets, Landon, Fisher, Nunn, Branhagen, Klein, and Rogers, a bill for an act relating to statewide student assessments and to student data collection by the department of education, school districts, and accredited nonpublic schools.

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

**House File 2054**, by Salmon, Watts, Fisher, Holt, Sheets, Heartsill, Gustafson, Kooiker, Baxter, Gassman, Branhagen, Klein, Dolecheck, and Rogers, a bill for an act relating to core science standards adopted by the state board of education.

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

**House File 2055**, by Meyer, a bill for an act relating to the waiting period for a decree of change of name.

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

**House File 2056**, by Lykam, a bill for an act relating to an exemption from jury service for persons at least seventy-three years of age and making penalties applicable.

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

**House File 2057**, by Salmon, Gustafson, Wills, Holt, Heartsill, Kooiker, Watts, Sheets, Fisher, Branhagen, Klein, Gassman, Huseman, Dolecheck, and Baxter, a bill for an act relating to the carrying and possession of weapons and providing penalties.

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

**House File 2058**, by Pettengill, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring a public hall.

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

On motion by Hagenow of Polk, the House was recessed at 10:06 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:19 p.m., Speaker Upmeyer in the chair.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 504 Commerce**

Authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

##### **H.S.B. 505 Commerce**

Eliminating civil liability provisions for alcoholic beverage licensees or permittees.

**H.S.B. 506 Commerce**

Relating to utility facilities of electric transmission owners within public road rights-of-way.

**H.S.B. 507 Environmental Protection**

Relating to the refund values paid upon return of beverage containers and making penalties applicable.

**H.S.B. 508 Environmental Protection**

Requiring consumers to redeem beverage container deposits at redemption centers.

**H.S.B. 509 Environmental Protection**

To include containers for water, juice, and sports drinks in the beverage containers control program.

**H.S.B. 510 Environmental Protection**

Repealing the beverage containers control program.

**H.S.B. 511 Human Resources**

Relating to the certificate of need process including procedures for contested applications and applications relating to institutional health facilities in rural areas.

**H.S.B. 512 State Government**

Relating to permissible gifts from restricted donors to public officials, public employees, candidates, and immediate family members of such persons.

**H.S.B. 513 State Government**

Relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections.



**H.S.B. 514 State Government**

Relating to absentee voting by uniformed and overseas citizens.

**H.S.B. 515 State Government**

Concerning reports of financial irregularities filed by the state auditor with a county attorney.

**H.S.B. 516 State Government**

Relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

**H.S.B. 517 State Government**

Relating to the use of public resources for political purposes.

**SUBCOMMITTEE ASSIGNMENTS**

**House Joint Resolution 2001**

State Government: Watts, Chair; Mascher and Vander Linden.

**House Joint Resolution 2003**

Judiciary: Rizer, Chair; Anderson and Nunn.

**House File 2001**

State Government: Branhagen, Chair; Berry and Stanerson.

**House File 2013**

State Government: Wills, Chair; Koester and Winckler.

**House File 2042**

Judiciary: Windschitl, Chair; Oldson and Paulsen.

**House File 2043**

Judiciary: Baxter, Chair; Oldson and Windschitl.

**House File 2044**

Judiciary: Heartsill, Chair; Oldson and Windschitl.

**House File 2055**

Judiciary: Rizer, Chair; Baxter and Meyer.

**House File 2057**

Judiciary: Baxter, Chair; Dawson and Gustafson.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 504**

Commerce: Carlson, Chair; Dawson and Kaufmann.

**House Study Bill 505**

Commerce: Carlson, Chair; Dawson and Rizer.

**House Study Bill 506**

Commerce: Watts, Chair; Holz and Ourth.

**House Study Bill 511**

Human Resources: L. Miller, Chair; Abdul-Samad and Fry.

**House Study Bill 512**

State Government: Highfill, Chair; Kelley and Watts.

**House Study Bill 513**

State Government: Hein, Chair; Cohoon and T. Moore.

**House Study Bill 514**

State Government: Wills, Chair; Stanerson and Stutsman.

**House Study Bill 515**

State Government: Bacon, Chair; Branhagen and T. Taylor.

**House Study Bill 516**

State Government: Koester, Chair; Berry and Sexton.

**House Study Bill 517**

State Government: Sexton, Chair; Bacon and Hunter.

On motion by Fry of Clarke, the House adjourned at 4:20 p.m., until 8:30 a.m., Wednesday, January 20, 2016.

# JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 20, 2016

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Ourth of Warren. He serves as a Missionary Elder with the Community of Christ Church, Indianola.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Stefani Metzger, Page from Davenport.

The Journal of Tuesday, January 19, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2059**, by Isenhart, a bill for an act requiring an environmental impact assessment under specified circumstances prior to the granting of a permit to construct, maintain, or operate a hazardous liquid pipeline, and including effective date and retroactive applicability provisions.

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

**House File 2060**, by Isenhart, a bill for an act relating to utility cost disclosures in connection with rental properties, providing penalties, and including applicability provisions.

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

**House File 2061**, by Heartsill, a bill for an act relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education.

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

**House File 2062**, by Oldson and Anderson, a bill for an act providing for additional weighting for eligible students identified as limited English proficient who are enrolled in the statewide preschool program for four-year-old children.

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

**House File 2063**, by Isenhart, a bill for an act providing for benefit corporations, and providing for fees.

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

**House File 2064**, by Rizer and Dawson, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

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

**House File 2065**, by Byrnes, a bill for an act providing for a statewide collective bargaining contract for teachers and including effective date and applicability provisions.

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

**House File 2066**, by Klein, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

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

**House File 2067**, by Pettengill, a bill for an act relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

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

## RULE 57 SUSPENDED

Hagenow of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on Agriculture to meet at 1:00 p.m. today.

On motion by Hagenow of Polk, the House was recessed at 8:39 a.m., until 5:00 p.m.

## AFTERNOON SESSION

The House reconvened at 5:02 p.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on January 20, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2022, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2068**, by Isenhart, a bill for an act relating to energy efficiency efforts by state agencies and including effective date provisions.

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

**House File 2069**, by Isenhart, a bill for an act providing a property tax exemption for land used to produce food within the limits of a city.

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

**House File 2070**, by Winckler, Hunter, Mascher, Hanson, Wolfe, Anderson, Kearns, Beringer, Berry, Ourth, Steckman, Abdul-Samad, Gaskill, Ruff, Wessel-Kroeschell, Lensing, Forbes, Dawson,

McConkey, Dunkel, and Stutsman, a bill for an act relating to the concurrent enrollment program between school districts and community colleges.

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

**House File 2071**, by Winckler, Staed, Hunter, Thede, H. Miller, Mascher, Hanson, Wolfe, Anderson, Kearns, Beringer, Berry, Ourth, Smith, Abdul-Samad, Gaskill, Cohoon, Wessel-Kroeschell, Lensing, Forbes, Dawson, McConkey, Dunkel, and Stutsman, a bill for an act relating to the determination of the regular program state cost per pupil and the regular program district cost per pupil and including effective date provisions.

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

**House File 2072**, by Winckler, Hunter, Mascher, Kearns, Berry, Steckman, Abdul-Samad, Gaskill, and Wessel-Kroeschell, a bill for an act relating to school district funding by establishing a district cost per pupil equity budget adjustment for certain budget years and including effective date provisions.

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

**House File 2073**, by Wills, a bill for an act relating to the establishment of an asset, income, and identity verification system for certain public assistance programs, and including effective date provisions.

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

**House File 2074**, by Fisher and Anderson, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings.

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

**House File 2075**, by Wills, a bill for an act providing for publication of and public hearings regarding proposed public employee collective bargaining agreements and including applicability provisions.

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

**House File 2076**, by Fisher, a bill for an act modifying sex offender registry requirements by requiring certain sex offenders from out-of-state whose registration requirements have expired to reregister, and providing penalties.

Read first time and referred to committee on **Public Safety**.

**House File 2077**, by Rizer, a bill for an act relating to the unauthorized placement of a global positioning device and providing a penalty.

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

**House File 2078**, by Paulsen, a bill for an act relating to the issuance and display of one registration plate on motor vehicles.

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

**House File 2079**, by Gassman, a bill for an act to designate July 16 of each year as Atomic Veterans Day.

Read first time and referred to committee on **Veterans Affairs**.

**House File 2080**, by committee on Human Resources, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

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

**House File 2081**, by Best, a bill for an act relating to school district transportation assistance aid, making appropriations, and including effective date and applicability provisions.

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

#### SENATE MESSAGE CONSIDERED

**Senate File 2022**, by committee on Judiciary, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement.

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



## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 518 Economic Growth**

Relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

### **H.S.B. 519 Agriculture**

Providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

### **H.S.B. 520 Judiciary**

Relating to the time period during which a vacation or appeal of a termination of parental rights order may be requested.

### **H.S.B. 521 Judiciary**

Relating to consent decrees in juvenile delinquency proceedings.

### **H.S.B. 522 Judiciary**

Relating to the appointment of a guardian ad litem in an adoption proceeding.

### **H.S.B. 523 Judiciary**

Relating to the criminal offense of identity theft, and providing penalties.

### **H.S.B. 524 Judiciary**

Relating to the assessment of fees and court costs in certain criminal cases, and providing for a fee.

**H.S.B. 525 Judiciary**

Relating to child support payment processing, and including effective date and applicability provisions.

**H.S.B. 526 Judiciary**

Relating to criminal jurisdiction on the Sac and Fox Indian settlement.

**H.S.B. 527 Judiciary**

Relating to annual salary rates for justices, judges, and magistrates, and making appropriations.

**H.S.B. 528 Judiciary**

Relating to methods of notice and document delivery under the Iowa trust code, and including applicability provisions.

**H.S.B. 529 Judiciary**

Relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

**H.S.B. 530 Judiciary**

Including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

**H.S.B. 531 Judiciary**

Relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions.

**H.S.B. 532 Human Resources**

Requiring the dental board to offer an alternative examination for licensure.

**H.S.B. 533 Human Resources**

Appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

**H.S.B. 534 Human Resources**

Relating to food assistance eligibility and work requirements.

**H.S.B. 535 Ways and Means**

Temporarily updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions.

**H.S.B. 536 Public Safety**

Relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****House File 2002**

State Government: Pettengill, Chair; Mascher and T. Moore.

**House File 2003**

State Government: Pettengill, Chair; Mascher and T. Moore.

**House File 2004**

State Government: Pettengill, Chair; Mascher and T. Moore.

**House File 2005**

State Government: Pettengill, Chair; Mascher and T. Moore.

**House File 2006**

State Government: Pettengill, Chair; Mascher and T. Moore.

**House File 2036**

Education: Byrnes, Chair; Fry and Winckler.

**House File 2037**

Education: Highfill, Chair; Forristall and Mascher.

**House File 2039**

Human Resources: Rizer, Chair; Bacon and Dawson.

**House File 2040**

Human Resources: Heaton, Chair; Best and Winckler.

**House File 2041**

Human Resources: L. Miller, Chair; R. Taylor and Winckler.

**House File 2053**

Education: Highfill, Chair; Hanusa and Staed.

**House File 2054**

Education: Highfill, Chair; Brown-Powers and Hanusa.

**House File 2067**

State Government: Pettengill, Chair; Highfill and Winckler.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 507**

Environmental Protection: Jones, Chair; Isenhart, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 507 Reassigned**

Environmental Protection: Jones, Chair; Lensing, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 508**

Environmental Protection: Jones, Chair; Isenhart, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 508 Reassigned**

Environmental Protection: Jones, Chair; Lensing, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 509**

Environmental Protection: Jones, Chair; Isenhardt, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 509 Reassigned**

Environmental Protection: Jones, Chair; Lensing, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 510**

Environmental Protection: Jones, Chair; Isenhardt, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 510 Reassigned**

Environmental Protection: Jones, Chair; Lensing, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 520**

Judiciary: Jones, Chair; Baltimore and Dawson.

**House Study Bill 521**

Judiciary: Gustafson, Chair; Berry and Rizer.

**House Study Bill 522**

Judiciary: Jones, Chair; Baltimore and Dawson.

**House Study Bill 523**

Judiciary: Nunn, Chair; Berry and Rizer.

**House Study Bill 524**

Judiciary: Paulsen, Chair; Berry and Kaufmann.

**House Study Bill 525**

Judiciary: Kaufmann, Chair; Anderson and Gustafson.

**House Study Bill 526**

Judiciary: Baxter, Chair; Jones and Wolfe.

**House Study Bill 527**

Judiciary: Baltimore, Chair; Gustafson and Wolfe.

**House Study Bill 528**

Judiciary: Gustafson, Chair; Jones and Prichard.

**House Study Bill 529**

Judiciary: Heartsill, Chair; Nunn and Olson.

**House Study Bill 530**

Judiciary: Rizer, Chair; Branhagen and Dawson.

**House Study Bill 531**

Judiciary: Jones, Chair; Branhagen and Prichard.

**House Study Bill 535**

Ways and Means: Nunn, Chair; Pettengill and Prichard.

**COMMITTEE RECOMMENDATIONS**

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON EDUCATION**

**Senate File 174**, a bill for an act establishing the state percent of growth.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8001** January 19, 2016.

**Senate File 175**, a bill for an act establishing the categorical state percent of growth.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8002** January 19, 2016.

**COMMITTEE ON HUMAN RESOURCES**

**Committee Bill** (Formerly House Study Bill 501), relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 20, 2016.

## AMENDMENTS FILED

H-8001	S.F.	174	Committee on Education
H-8002	S.F.	175	Committee on Education

On motion by Hagenow of Polk, the House adjourned at 5:06 p.m., until 8:30 a.m., Thursday, January 21, 2016.

# JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 21, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Erling Schultz, Sharon Center United Methodist Church, Kalona. He was the guest of Representative Stutsman of Johnson.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Zara Trigg, Page from Hawarden.

The Journal of Wednesday, January 20, 2016, was approved.

## HOUSE FILE REREFERRED

The Speaker announced that House File 2038, previously referred to committee on **Environmental Protection** was rereferred to committee on **Agriculture**.

## HOUSE FILE REREFERRED

The Speaker announced that House File 2074, previously referred to committee on **Judiciary** was rereferred to committee on **Public Safety**.

## SUBCOMMITTEE ASSIGNMENTS

### House File 420

Human Resources: Forristall, Chair; Brown-Powers and Fry.

### House File 600

Human Resources: Rizer, Chair; Forristall and Wessel-Kroeschell.



**House File 647**

Human Resources: Forristall, Chair; Dawson and Fry.

**House File 2018**

Public Safety: Kooiker, Chair; Salmon and Wolfe.

**House File 2026**

Public Safety: Holt, Chair; Heartsill and Wolfe.

**House File 2048**

Public Safety: Baudler, Chair; Kressig and Worthan.

**House File 2049**

Public Safety: Klein, Chair; Gaines and Holt.

**House File 2050**

Public Safety: Fry, Chair; Olson and Sieck.

**House File 2051**

Transportation: Maxwell, Chair; Holz and Wolfe.

**House File 2061**

Education: Fry, Chair; Abdul-Samad and Sieck.

**House File 2062**

Education: Highfill, Chair; Gaines and Salmon.

**House File 2064**

Judiciary: Rizer, Chair; Baxter and Dawson.

**House File 2065**

Labor: Forristall, Chair; Hunter and Jorgensen.

**House File 2073**

Human Resources: Fry, Chair; Salmon and Wessel-Kroeschell.

**House File 2078**

Transportation: Byrnes, Chair; Cohoon and Paulsen.

**Senate File 329**

Human Resources: Forristall, Chair; Anderson and Fry.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 518**

Economic Growth: Hanusa, Chair; Best and H. Miller.

**House Study Bill 532**

Human Resources: R. Taylor, Chair; Anderson and T. Moore.

**House Study Bill 533**

Human Resources: Heaton, Chair; Bacon and Heddens.

**House Study Bill 534**

Human Resources: Sieck, Chair; Abdul-Samad and Best.

**House Study Bill 536**

Public Safety: Salmon, Chair; Brown-Powers and Heartsill.

On motion by Hagenow of Polk, the House adjourned at 8:34 a.m., until 10:00 a.m., Friday, January 22, 2016.

# JOURNAL OF THE HOUSE

Twelfth Calendar Day - Ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 22, 2016

The House met pursuant to adjournment at 10:04 a.m., Nunn of Polk in the chair.

Prayer was offered by Liddy Oller, Confidential Secretary to the Majority Leader from Des Moines.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Olympia Lu Nunn, daughter of Representative Nunn of Polk.

The Journal of Thursday, January 21, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2082**, by Sexton, Byrnes, Steckman, Kaufmann, and Carlson, a bill for an act modifying membership and other requirements applicable to the Iowa utilities board.

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

**House File 2083**, by Koester, a bill for an act establishing a school district enrollment supplement program and making appropriations.

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

**House File 2084**, by Salmon, Kooiker, Sheets, Fisher, Heartsill, Watts, Gustafson, Holt, Gassman, Branhagen, Baxter, and Koester, a bill for an act relating to the performance of medical abortions and providing penalties.

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

**House File 2085**, by Olson, a bill for an act relating to eligibility for a deferred judgment, deferred sentence, suspended sentence, or

reduced fine for a first offense of operating while intoxicated involving bodily injury or property damage.

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

**House File 2086**, by Maxwell, a bill for an act relating to water supply and disposal, including the construction of disposal and public water supply systems and the implementation of federal wastewater and storm water regulations.

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

**House File 2087**, by Hunter, a bill for an act relating to the creation of the medical cannabis Act and providing for criminal penalties and fees.

Read first time and referred to committee on **Public Safety**.

**House File 2088**, by Mommsen, a bill for an act relating to agricultural literacy special registration plates for motor vehicles.

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

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### AUDITOR OF STATE

Independent Auditor's Iowa Lottery Authority Report, pursuant to Iowa Code section 11.2.

Municipal Oversight Report, pursuant to Iowa Code section 11.6.

### BOARD OF REGENTS

UIHC Audited Financial Report, pursuant to Iowa Code section 263A.13.

Institute for Physical Research and Technology Report, pursuant to Chapter 130.11, 2011 Iowa Acts.

Gifts and Grants Monthly Report, pursuant to Iowa Code section 8.44.

COLLEGE STUDENT AID COMMISSION

Educational Credits Awarded to Veterans Report, pursuant to Chapter 1116.32, 2014 Iowa Acts.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Tobacco Settlement Trust Fund Report, pursuant to Iowa Code section 12E.12(9).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Revenue Bonds Capitals Fund Report, pursuant to Iowa Code section 12.88(4).

Revenue Bonds Capitals II Fund Report, pursuant to Iowa Code section 12.88A(4).

DEPARTMENT OF COMMERCE  
Insurance Division

Consumer Advocate Bureau Report, pursuant to Iowa Code section 505.8.

Utilities Division

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66.

DEPARTMENT OF EDUCATION

Educational Credits Awarded to Veterans Report, pursuant to Chapter 1116.30, 2014 Iowa Acts.

Child Development Coordinating Council Report, pursuant to Iowa Code section 256A.3.

Library Services Division

Enrich Iowa Program Report, pursuant to Iowa Code section 256.57.

DEPARTMENT OF PUBLIC DEFENSE

Annual Report, pursuant to Iowa Code Section 7E.3.

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Offenses Reported to Civilian Law Enforcement Authorities Report, pursuant to Iowa Code section 29B.116B.

DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12.

DEPARTMENT OF PUBLIC SAFETY

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

## DEPARTMENT OF TRANSPORTATION

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Natural Resources and Outdoor Recreations Trust Fund Report, pursuant to Iowa Code section 461.22.

Materials and Equipment Revolving Fund Purchase Report, pursuant to Iowa Code section 307.47(4).

Highway Construction Program Expenditures and Contractual Obligations Report, pursuant to Iowa Code section 307.12(1)(o).

Revenue Bonds Capitals II Fund Report, pursuant to Iowa Code section 12.88A(4).

## IOWA COMMUNICATIONS NETWORK

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

Revenue Bonds Capitals II Fund Report, pursuant to Iowa Code section 12.88A(4).

Revenue Bonds Capitals Fund Report, pursuant to Iowa Code section 12.88(4).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Iowa Telecommunications and Technology Commission Report, pursuant to Iowa Code section 8D.3(3)(g).

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

## JUDICIAL BRANCH

Jury and Witness Fees Report, pursuant to Iowa Code section 602.1302.

## LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7.

## TREASURER OF STATE

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

On motion by Koester of Polk, the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, January 25, 2016.

# JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 25, 2016

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Brian McCracken, Murray Church of Christ, Murray. He was the guest of Representative Fry of Clarke.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amanda Ryner, Page from Winterset.

The Journal of Friday, January 22, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2089**, by Rizer, a bill for an act relating to temporary orders for custody involving the relocation of the residence of a minor child.

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

**House File 2090**, by Rizer, a bill for an act relating to the preference for joint physical care of a child in awarding custody.

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

**House File 2091**, by Wessel-Kroeschell, a bill for an act relating to civil rights by providing that denial of access to a restroom by a public accommodation to certain persons is an unfair or discriminatory practice.

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

On motion by Hagenow of Polk, the House was recessed at 1:05 p.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:08 p.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILLS  
Regular Calendar

**Senate File 174**, a bill for an act establishing the state percent of growth, with report of committee recommending amendment and passage, was taken up for consideration.

Jorgensen of Woodbury offered amendment H-8001 filed by the committee on Education.

Forristall of Pottawattamie rose on a point of order regarding Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Windschitl of Harrison in the chair at 5:47 p.m.

Speaker Upmeyer in the chair at 5:56 p.m.

Dawson of Woodbury rose on a point of order that committee amendment H-8001 was not germane.

The Speaker ruled the point not well taken and committee amendment H-8001 germane.

The House stood at ease at 6:23 p.m., until the fall of the gavel.

The House resumed session at 6:34 p.m., Speaker Upmeyer in the chair.

Jorgensen of Woodbury moved the adoption of the committee amendment H-8001.

Roll call was requested by Hall of Woodbury and Hunter of Polk.

On the question "Shall the committee amendment H-8001 be adopted?" (S.F. 174)



The ayes were, 55:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Moore, B.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

Baltimore	Thede
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The committee amendment H-8001 was adopted.

Jorgensen of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 174)

The ayes were, 55:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Moore, B.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

Baltimore	Thede
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 175**, a bill for an act establishing the categorical state percent of growth, with report of committee recommending amendment and passage, was taken up for consideration.

Jorgensen of Woodbury offered amendment H-8002 filed by the committee on Education and moved its adoption.

Roll call was requested by Hunter of Polk and Steckman of Cerro Gordo.

On the question “Shall the committee amendment H–8002 be adopted?” (S.F. 175)

The ayes were, 56:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker Upmeyer

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 2:

Baltimore                      Thede

The committee amendment H–8002 was adopted.

Jorgensen of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (S.F. 175)

The ayes were, 56:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker Upmeyer

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 2:

Baltimore                      Thede

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone

Thede of Scott

### INTRODUCTION OF BILL

**House File 2092**, by committee on Ways and Means, a bill for an act temporarily updating the Code references to the Internal Revenue

Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

#### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 174 and 175**.

#### SPONSOR ADDED

House File 2059

Bennett of Linn

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 537 Commerce**

Relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

##### **H.S.B. 538 Local Government**

Removing prohibitions on emergency management organization employees from holding elective office.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2007**

Commerce: Rizer, Chair; Kaufmann and Kressig.

##### **House File 2058**

Local Government: Gassman, Chair; Baxter and Gaskill.

##### **House File 2068**

State Government: Watts, Chair; Kelley and Vander Linden.

**House File 2075**

Labor: Sheets, Chair; T. Taylor and Watts.

**House File 2080**

Appropriations: Heaton, Chair; Heddens and Rizer.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 537**

Commerce: Pettengill, Chair; Forbes and Landon.

**COMMITTEE RECOMMENDATION**

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON WAYS AND MEANS**

**Committee Bill** (Formerly House Study Bill 535), temporarily updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 25, 2016.

On motion by Hagenow of Polk, the House adjourned at 7:13 p.m., until 8:30 a.m., Tuesday, January 26, 2016.

# JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 26, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Neil Montz, Trinity United Methodist Church, Albia. He was the guest of Representative Sheets of Appanoose.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ben Lanham, Majority Leader's Page from Urbandale.

The Journal of Monday, January 25, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2093**, by Worthan, a bill for an act concerning regulatory fees paid by racetracks and excursion gambling boats and gambling game structures for gaming enforcement agents and officers.

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

**House File 2094**, by Pettengill, a bill for an act exempting natural hair braiding from the cosmetology licensing requirements.

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

**House File 2095**, by Kaufmann, a bill for an act relating to the elimination of the exemption of gaming floors from the prohibitions of the smokefree air Act.

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

**House File 2096**, by Fry, a bill for an act relating to the temporary delegation of parental rights by the parent or legal custodian of a child.

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

**House File 2097**, by Gassman, Sheets, Jorgensen, McConkey, Ourth, and Wolfe, a bill for an act relating to the medical use of cannabidiol for certain debilitating medical conditions and making penalties applicable.

Read first time and referred to committee on **Public Safety**.

**House File 2098**, by Sheets, Fisher, Gassman, Salmon, Maxwell, Klein, B. Moore, Paulsen, and Dolecheck, a bill for an act relating to registration requirements for certain all-terrain and off-road utility vehicles used primarily as farm implements.

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

**House File 2099**, by R. Taylor, a bill for an act relating to approved driver education courses.

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

On motion by Hagenow of Polk, the House was recessed at 8:37 a.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:02 p.m., Windschitl of Harrison in the chair.

#### INTRODUCTION OF BILLS

**House File 2100**, by Heaton, a bill for an act relating to electric utility rates applicable to net metering agreements.

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



**House File 2101**, by Stanerson, Ourth, Abdul-Samad, Anderson, Baxter, Bearinger, Berry, Best, Branhagen, Brown-Powers, Cohoon, Dawson, Dolecheck, Dunkel, Forbes, Gaines, Gaskill, Gassman, Grassley, Hall, Hanson, Hanusa, Heaton, Heddens, Isenhardt, Jacoby, Jorgensen, Kaufmann, Kearns, Kelley, Koester, Kressig, Lensing, Lykam, Mascher, Maxwell, McConkey, H. Miller, L. Miller, Oldson, Olson, Prichard, Ruff, Sieck, Staed, Steckman, Stutsman, Thede, Wessel-Kroeschell, Winckler, and Wolfe, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

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

**House File 2102**, by Sheets, Heartsill, Salmon, and Maxwell, a bill for an act relating to school district spending authority by establishing a district cash reserve budget adjustment.

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

**House File 2103**, by Gassman, Sieck, Mommsen, Watts, Carlson, Worthan, Sheets, Salmon, Pettengill, Gustafson, Ourth, Heaton, Kooiker, and Heartsill, a bill for an act relating to licensure and inspection requirements for assisted living programs that prepare meals for off-site delivery.

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

**House File 2104**, by Heaton, a bill for an act relating to subsidized guardianships.

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

**House File 2105**, by Pettengill and Vander Linden, a bill for an act eliminating the board of physician assistants, transferring regulatory responsibilities regarding physician assistants to the board of medicine, making penalties applicable, and including effective date provisions.

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

**House File 2106**, by Mommsen, a bill for an act relating to a preference for the awarding of joint custody of a child to both parents.

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

**House File 2107**, by Winckler, a bill for an act relating to the payment of costs for a psychiatric evaluation of a defendant in a criminal proceeding.

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

**House File 2108**, by Holt, Sheets, Gassman, Baxter, Heartsill, Carlson, Watts, Gustafson, Bacon, Brown-Powers, Klein, Mommsen, Kooiker, Best, Sieck, Windschitl, Rizer, Hein, and Holz, a bill for an act requiring the natural resource commission to allow the use of certain shotguns and muzzleloading shotguns when hunting wild turkey and providing a penalty.

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

**House File 2109**, by Heartsill, a bill for an act relating to the regulation of automated traffic law enforcement systems.

Read first time and referred to committee on **Public Safety**.

**House File 2110**, by Gassman, Sheets, Baxter, Maxwell, Mommsen, Watts, Fry, Salmon, Gustafson, Ourth, Sieck, Kooiker, and Heartsill, a bill for an act relating to parent-taught driver education.

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

**House File 2111**, by Huseman, a bill for an act relating to city eligibility for receipt of abandoned building program funding assistance.

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

**House File 2112**, by Jorgensen, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide

coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

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

**House File 2113**, by Salmon, a bill for an act relating to the operations and governance of certain common interest communities.

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

**House File 2114**, by Wills, a bill for an act relating to unlawful aliens and law enforcement and providing penalties.

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

**House File 2115**, by Wills, a bill for an act prohibiting compensation for employment organization activities under public employee collective bargaining agreements and including applicability provisions.

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

**House File 2116**, by Wills, a bill for an act to prohibit counties and cities from limiting or restricting enforcement of federal immigration laws.

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

**House File 2117**, by R. Taylor, a bill for an act providing a deduction from the individual income tax for the amount of interest paid on a qualified education loan and including retroactive applicability provisions.

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

#### SPONSORS WITHDRAWN

The following Representatives requested to be withdrawn as a sponsor of House File 2070:

Anderson of Polk  
Dunkel of Dubuque  
Hanson of Jefferson  
Ruff of Clayton

Bearinger of Fayette  
Forbes of Polk  
McConkey of Pottawattamie  
Steckman of Cerro Gordo

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 539 State Government**

Requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

### **H.S.B. 540 State Government**

Authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

### **H.S.B. 541 State Government**

Relating to school corporations by changing the date of the election of directors of local school districts, merged areas, and area education agency boards and including applicability and transition provisions.

### **H.S.B. 542 State Government**

Modifying the notice period for public improvement projects.

## SUBCOMMITTEE ASSIGNMENTS

### **House File 584 Reassigned**

Education: Salmon, Chair; Fry and Staed.

### **House File 2014**

Natural Resources: Fisher, Chair; Lykam and Paustian.

### **House File 2046**

Natural Resources: Mommsen, Chair; Best and Thede.

### **House File 2047**

Natural Resources: Klein, Chair; Baudler and Ruff.

### **House File 2066**

Natural Resources: Best, Chair; Bacon and Bennett.

**House File 2070**

Education: Highfill, Chair; Gassman and Winckler.

**House File 2071**

Education: Highfill, Chair; Dolecheck and Winckler.

**House File 2072**

Education: Highfill, Chair; Salmon and Winckler.

**House File 2074**

Public Safety: Fisher, Chair; Baxter and Staed.

**House File 2076**

Public Safety: Fisher, Chair; Baxter and Wessel-Kroeschell.

**House File 2081**

Education: Highfill, Chair; Dolecheck and Hanson.

**House File 2083**

Education: Koester, Chair; Brown-Powers and Highfill.

**House File 2086**

Natural Resources: Maxwell, Chair; Fisher and Ourth.

**House File 2093**

State Government: Koester, Chair; Branhagen and Hunter.

**House File 2094**

State Government: Pettengill, Chair; Berry and Koester.

**House File 2095**

State Government: Highfill, Chair; Mascher and Vander Linden.

**House File 2098**

Natural Resources: Paustian, Chair; Heddens and Huseman.

**Senate File 410**

Public Safety: Klein, Chair; Abdul-Samad and Fry.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 539**

State Government: L. Miller, Chair; Hein and Kelley.

**House Study Bill 540**

State Government: Stanerson, Chair; Cohoon and Highfill.

**House Study Bill 541**

State Government: Vander Linden, Chair; Hunter and Pettengill.

**House Study Bill 542**

State Government: Pettengill, Chair; Bacon and Stutsman.

**COMMITTEE RECOMMENDATIONS**

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON HUMAN RESOURCES**

**Committee Bill** (Formerly House Study Bill 533), appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 26, 2016.

**COMMITTEE ON STATE GOVERNMENT**

**Committee Bill** (Formerly House Study Bill 515), concerning reports of financial irregularities filed by the state auditor with a county attorney.

Fiscal Note: **No**

Recommendation: **Do Pass** January 26, 2016.

On motion by Hagenow of Polk, the House adjourned at 3:06 p.m., until 8:30 a.m., Wednesday, January 27, 2016.

# JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 27, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Doug Barnes, Covenant Reformed Church, Pella. He was the guest of Representative Heartsill of Marion.

The National Anthem was performed by the Williamsburg Vocal Ensemble, Williamsburg High School, Williamsburg. They were the guests of Representative Maxwell of Poweshiek.

The Journal of Tuesday, January 26, 2016, was approved.

## COMMITTEE TO NOTIFY THE SENATE

Byrnes of Mitchell moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Byrnes of Mitchell, Chair; Jorgensen of Woodbury and McConkey of Pottawattamie.

The House stood at ease at 8:37 a.m., until the fall of the gavel.

The House resumed session at 9:50 a.m., Speaker Upmeyer in the chair.

## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Byrnes of Mitchell, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted, and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

### JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the Joint Convention was called to order at 9:53 a.m., President Jochum presiding.

Senator Gronstal of Pottawattamie moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present, which motion prevailed.

President Jochum announced a quorum present and the Joint Convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Governor Terry E. Branstad to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Kinney of Johnson, Allen of Jasper and Smith of Scott on the part of the Senate, and Representatives Holz of Plymouth, T. Moore of Cass and Running-Marquardt of Linn, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Adjutant General Timothy E. Orr to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Hogg of Linn, Courtney of Des Moines and Costello of Mills on the part of the Senate, and Representatives Gustafson of Madison, Salmon of Black Hawk and Kearns of Lee, on the part of the House.



Secretary of State, Paul D. Pate, State Auditor Mary Mosiman and Attorney General Tom Miller were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

Suzanne Orr, wife of General Orr, and invited guests from Kosovo, Ambassador Citaku and Brigadier General Gashi were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

The committee waited upon Major General Timothy E. Orr, Adjutant General of the Iowa National Guard and escorted him to the Speaker's station.

President Jochum presented Major General Orr, Adjutant General of the Iowa National Guard. He provides command and control of more than 100 Army and Air National Guard units with approximately 9,200 assigned Soldiers and Airmen.

General Orr delivered the following Condition of the Iowa National Guard Message:

### CONDITION OF THE IOWA NATIONAL GUARD MESSAGE

Good morning Ladies and gentlemen – thank you for your warm welcome.

Speaker Upmeyer, President Jochum, distinguished members of the Iowa Senate and House of Representatives – thank you for the opportunity to once again address this joint convention of the Eighty-Sixth General Assembly of the Iowa Legislature.

Governor Branstad, Lieutenant Governor Reynolds, distinguished guests, and fellow Iowans.

It is my honor to stand before you today in this great chamber – in front of a joint session of the Iowa Legislature – to share with you the Condition of the Iowa National Guard.

I want to begin by saying thank you – thank you to Governor Branstad, Lieutenant Governor Reynolds, and the Iowa General Assembly for your consistent and strong support and outstanding leadership during one of the longest, most challenging periods in our nation's and state's history.

We are incredibly grateful for your participation in our homecomings, sendoffs, and military ceremonies, and for your untiring efforts to work critical issues between the Council of Governors, the Department of Defense, and the National Guard. We also thank you for your support of the Home Base Iowa program and everything you do to honor the men and women who serve in the military, their families, and our civilian employers.

I also owe a very special thank you to the mothers and fathers who continue to show their support for the Iowa National Guard by continuing to entrust us with their most sacred treasure – their sons and daughters - and for allowing them to serve our state and nation.

Nothing is more important or a greater testament to the vitality of our organization than for a parent to trust us with whom they cherish most. I will continue to do everything I can to honor that trust and strive to never allow it to be broken.

And I want to thank the people of Iowa. Your continued support for our Soldiers, Airmen, and families has been absolutely incredible, particularly over the past 14 years as a nation at war.

In this time of uncertainty where national and global security challenges are intertwined with fiscal constraints, the Iowa National Guard stands ready to meet these challenges head-on and open a new chapter in our long and proud history.

This new chapter begins with an Iowa National Guard that is more accessible, responsive, and capable than ever before.

A strategic transition is underway in the U.S. military – a necessary transition driven by constrained resources after more than 14 years of sustained combat operations.

While the Iowa National Guard must deal realistically with federal budget limits coupled with a volatile global security landscape, we must always ensure that we can accomplish our four core missions in the Iowa National Guard:

- Providing combat-ready Soldiers and Airmen for the global warfight and operational missions as required to keep our nation safe;
- Responding here at home with robust homeland security and domestic response capabilities;
- Making our communities better places to live; and
- Building strong relationships with our Total Force partners.

But in addition to our four primary missions, there are unique opportunities for the Iowa National Guard to assist the State of Iowa as a shared partner in finding solutions to some of our State's challenges.

Whether it is providing our young people an opportunity to pursue higher education, offering meaningful job skills and employment, molding productive citizens, or promoting a healthy, drug-free, physically-fit Iowa, the Iowa National Guard can help Iowa solve many of those challenges.

The Iowa National Guard has proven, time and time again, that we are and will remain Iowa's Service of Choice for our young men and women who want to serve their state and nation, and keep Iowa strong.

In the 21st century, developing and maintaining skilled Soldiers and Airmen requires drawing strength from the broadest possible pool of service-eligible Iowans. The Iowa National Guard of the future must continue to enlist and utilize the best people Iowa has to offer.

Last month, Secretary of Defense Ashton Carter announced that for the first time in our nation's history, women in the U.S. armed forces may serve in any position for which they're qualified, including in combat roles.

How does that affect Iowa? As a result of this policy change, nearly 1,700 positions in the Iowa National Guard have opened to Iowa women this year for the first time in our nearly 180-year history.

Our best qualified citizens, regardless of gender, will now be afforded the opportunity to serve in any duty position across the Iowa National Guard. And we didn't waste time turning Secretary Carter's words into action. High school students Cheney Spaulding of Fort Dodge and Dakota Doocy of Lone Rock have enlisted into artillery positions as females for the first time in our history with the 1st Battalion, 194th Field Artillery, and University of Iowa sophomore Megan Reaska became Iowa's first female combat engineer in December. We couldn't be prouder of these groundbreaking young women and the example they set for all Iowans.

Our ability to meet all contingencies in Iowa and abroad while enabling security around the world is no small task. For nearly a decade and a half of combat, our Iowa men and women have fought alongside our active component counterparts with distinction and valor.

Since 9/11, the Iowa National Guard has met every deployment requirement assigned to them, with the broadest mission sets possible. From the 2nd Infantry Brigade Combat Team conducting counterinsurgency operations, to our expeditionary 185th Air Refueling Wing operating around the world, as well as highly-specialized units such as the 734th Agribusiness Development Team, we have worked seamlessly with our active duty Army and Air Force counterparts. With nearly 18,000 individual overseas mobilizations since September 11, 2001, the Iowa National Guard has proven time and time again, that we are and will remain a full operational partner with our active duty counterparts.

Today, more than 40% of our currently serving Soldiers and Airmen are combat veterans, the highest percentage in our organization's modern history. Their accomplishments and capabilities are a testament to the years of training and investment Iowa and our nation have put into the Iowa National Guard to form a vital piece of the on-demand, all-volunteer force that defends our nation.

We have the most proficient, capable, accessible, and battle-tested National Guard in the history of Iowa. Today, the Iowa Army and Air National Guard is the best trained, equipped, and led organization in our 177-year history.

Currently we have approximately 15 Soldiers and Airmen deployed around the world, which is among the lowest number of deployed service members from the Iowa National Guard since the start of Operations Enduring and Iraqi Freedom. But despite the reduction in overseas contingency operations, Iowans continue to serve across the globe on a daily basis.

As we gather today, Airmen from the 185th Air Refueling Wing from Sioux City are deployed worldwide, providing ongoing refueling support of real-world missions to the Air Force, Army, Navy, Marine Corps, and coalition forces.

In the past year, the 185th has deployed more than 320 Airmen for nearly 15,000 active duty days. During this deployment cycle, Airman from the 185th deployed to nine countries in support of Central Command operations, flying 137 missions for 1,100 flight hours, while refueling coalition aircraft with more than 22 million pounds of fuel. The unit was awarded its eighth Air Force Outstanding Unit Award this past year, which speaks volumes about the quality and performance of this unit and its Airmen.

Additionally, we have two Iowa Army National Guard units and several individual deployers identified for potential overseas deployments in 2016.

Going forward, the need for the powerful capabilities the National Guard provides cannot be overstated. Right now the level of uncertainty, the velocity of instability, and potential for significant conflict around world is greater than since the end of the Cold War in 1989.

We are now at a point where current and projected demands for Army and Air Force assets around the globe continue to decrease. But as we've seen before, this situation could change in a moment's notice, depending on the needs of the nation.

With the continued downward trend in deployments, the Iowa National Guard has ramped up its training opportunities to keep our skills sharp and capabilities robust. During 2015, the Iowa National Guard conducted one of its most aggressive training years in history. We sent units to: Korea; Camp Guernsey, Wyoming; Camp Rapid, South Dakota; Fort Campbell, Kentucky; Red River, Texas and to the Joint Readiness Training Center, Fort Polk, Louisiana, among other locations.

The 2nd Infantry Brigade Combat Team was one of two brigades selected out of twenty-eight brigades in the Army National Guard to participate in a training rotation at the world-class Joint Readiness Training Center. Nearly 6,000 active duty, Army Reserve, and National Guard Soldiers and Airmen from 24 states, including more than 3,000 from the Iowa National Guard, participated in this rigorous, relevant and realistic 21-day field exercise. The successful training center rotation validated the 2nd Brigade as a priority brigade for future Army requirements.

As a result of their outstanding performance at the Joint Readiness Training Center, selected units of the 2nd Brigade will deploy to Alaska this summer for a 21-day annual training event, where they will help prepare active duty Army units for an upcoming Joint Readiness Training Center rotation. In addition, elements of the 2nd Brigade headquarters will conduct annual training in Turkey and Korea to support Army command post exercises.

This type of training partnership between Army National Guard, Army Reserve, and active duty Army units is a new concept designed to increase training opportunities and to boost leader development and capabilities within the Army. Called the Total Force Partnership program, it is the first of its kind in the Iowa National Guard. In our case, the Total Force Partnership program establishes a formal relationship between the Army's 101st Airborne Division and Iowa's 2nd Infantry Brigade Combat Team.

New emerging missions continue to make the Iowa National Guard even more relevant today at home and abroad, particularly with the innovation of advanced technology fielded into the military services.

We continue to make great progress on the conversion of the 132nd Wing, based in Des Moines, from F-16 fighter aircraft into three new, enduring missions: a Remotely Piloted Aircraft group; an intelligence surveillance reconnaissance group; and a cyber operations squadron.

Over the past two years, the unit has aggressively sent its Airmen for training in their new career assignments. More than 630 Airmen have completed or are attending technical schools at various installations across the U.S., gaining valuable training in imagery analysis, remotely piloted aircraft operations, and cyber security that will translate well into Iowa's growing technology sectors. Additionally, unit members earned more than 100 associate's degrees in 2015 through the Community College of the Air Force program, which ranked the 132nd first out of 90 Air National Guard units across the country.

With the departure of the F-16 fighter jets, the 132nd has repurposed the Iowa Air National Guard Base Des Moines facilities to support the consolidation/stationing of the RC-26 and C-12 fixed wing aircraft, along with providing indoor storage capabilities for UH-60 "Mike" model helicopters, the newest helicopter in the Iowa National Guard fleet. This consolidation effort utilizing existing Department of Defense facilities protects more than \$75 million dollars of aircraft from harsh weather and environmental damage and repurposes hangar space to maximize taxpayer dollars.

As the 132nd provided more than \$70 million in economic infusion to Iowa last year through salaries, unit purchases from the local economy, military construction, and indirect job creation, retaining these highly-skilled Airmen and this unit at the Des Moines Airport significantly benefits Des Moines and the entire state of Iowa.

Additionally, current and future military construction necessary at the Iowa Air National Guard Base Des Moines for the mission conversion over the next several years is estimated at \$15-20 million, which will provide additional economic benefit for local builders and suppliers.

Another significant milestone for the Iowa Air National Guard is the 75th anniversary of the 132nd Wing at the Des Moines Airport.

Throughout 2016, the 132nd will celebrate their proud military aviation history through several planned community events.

With the operation of three new enduring missions, the stationing of multiple aircraft at the facility, the strategic basing of the 71st Civil Support Team at the Airbase, the one-of-a-kind Distributed Training Operations Center, and the enduring national

security mission requirements at the Des Moines International Airport, the Iowa Air National Guard Base Des Moines is more important to our state and nation than ever before in our 75-year history at the airport.

Another way we're supporting and adapting to the changing global and operational environment is through the National Guard's State Partnership Program, or SPP.

The Iowa National Guard's State Partnership Program with the Republic of Kosovo continues to make great progress since its creation in March 2011.

Since the inception of our partnership with Kosovo, we have expanded our vision of a "Whole of Iowa/Whole of Kosovo" relationship and have conducted more than 90 engagements over the past five years between Iowa government and private entities, the Kosovo Security Force, Kosovo's Ministries of Agriculture, Health, Education, and Economic Development, and other Kosovo agencies.

Today, I am honored and very pleased to introduce the new Kosovo Ambassador to the United States, Vlora ("vuh lor uh") Citaku, ("chee tah koo") and the Kosovo Security Forces Military Attaché to the United States, Brigadier General Xhavit ("jah vit") Gashi ("gah shee"), who are with us this morning as my honored guests.

I asked them to join us here today to help highlight this critically important relationship, but also to recognize the Kosovo government's historic decision to establish their first-ever consulate and trade office, which will open this Friday in downtown Des Moines.

Friday's ceremony will mark the first-ever foreign consulate office to open in Iowa, which has tremendous potential to promote and expedite trade and other opportunities between Kosovo and Iowa.

Please join me in giving Ambassador Citaku and Brigadier General Gashi a warm Iowa welcome.

Ambassador Citaku and General Gashi, thank you for making the journey to join us here today. We are honored to partner with Kosovo and we look forward to a strong and productive relationship in the years ahead.

But what anchors everything we do, whether in 1839, today, or in the future, is readiness. The Iowa National Guard has been able to maintain our position as a national leader in readiness among our fellow states because of programs like the Iowa National Guard Educational Assistance Program, a program funded in its entirety by the state of Iowa.

This year, nearly 1,700 of our men and women received up to 100% tuition paid at the State Regents' rate to attend Iowa colleges, universities, and community colleges through this program, keeping our young people here in the state and providing them with a high-quality, Iowa education. This critical recruiting and retention tool helps ensure our readiness and provides an invaluable benefit to our Soldiers and Airmen, and also to the state of Iowa, by educating young Iowans and keeping them in Iowa.

Another program that is assisting our citizens who join the Iowa National Guard and improving our readiness is our "Enlist to Employ" concept, which provides our service

members with employment opportunities in Iowa upon the completion of their degree program. Like many of our Soldiers and Airmen, I'm a living example of an Iowan who joined the Iowa National Guard after high school, attended Des Moines Area Community College, Drake University, and Iowa State University, found meaningful employment in Iowa, and remained here.

We've partnered with two Home Base Iowa CHAMPS schools, Des Moines Area Community College and Iowa Central Community College, to conduct the Enlist to Employ program.

These types of programs fit hand-in-glove with the Home Base Iowa vision of attracting Iowa citizens and veterans to serve in the Iowa National Guard, attend Iowa colleges, universities and community colleges, and become a productive member of Iowa's workforce after graduation.

And the Iowa National Guard is doing our part to stimulate the economy of Iowa. This year, the Iowa National Guard brought in more than \$353 million dollars of federal funding into the state, which is more than 97% of our department's budget. Our Soldiers and Airmen pay more in state property, payroll, and sales taxes than what the state provides in funding to the Iowa National Guard.

In addition to high-quality Soldiers and Airmen, we also need multifunctional and well-maintained infrastructure to keep the Iowa National Guard ready for the warfight and for emergency response here at home.

This past year, the Iowa Air and Army National Guard executed nearly \$20 million in federal funds for our construction and capital projects program. We completed new construction, renovations or additions at the Mason City, Clinton, and Sioux City armories, and at the Iowa Air National Guard Base Des Moines.

We currently have renovation and construction projects underway at the Council Bluffs armory and Field Maintenance Shop, the Dubuque armory, and the Iowa Air National Guard Base Des Moines.

Whether responding to natural disasters such as severe storms, tornadoes, blizzards, flooding, or man-made threats to the homeland, the Iowa National Guard is the first military force to reach the scene, working hand-in-hand with state and local leaders and emergency personnel when called by the governor.

I am very pleased to report that 2015 has been a relatively quiet year for our emergency response operations.

We used this additional time to plan, prepare, and exercise for potential disaster response on a multitude of scenarios.

Last year, my emergency response priority for the team was the development, synchronization, and rehearsal for a large scale, catastrophic tornado in our state.

This last year, we shifted our focus to plan and conduct the national-level Vigilant Guard exercise. The mission of this domestic operations exercise was to evaluate the Iowa National Guard's ability to respond to multiple, geographically-disparate, catastrophic disasters in order to strengthen federal, regional, and state response

partnerships. My intent for the exercise was to stretch the limitations of the Iowa National Guard, requiring additional assistance from regional and federal organizations. This training exercise partnered the Iowa National Guard with local, state, and federal agencies, and the United States Northern Command.

The additional time we gained from last year's relatively-quiet combat, peacekeeping, and domestic operations has allowed our organization to refocus on organizational readiness, which drives everything we do.

I would like to share the results of these efforts with you.

First, your Iowa National Guard is a national leader in the "quality" of the Soldiers and Airmen that we recruit. We are in the top echelon of the National Guard for the quality of recruits into the National Guard for 2015.

More than 22% of our Basic Training, Advanced Individual Training, or technical school graduates are either honor or distinguished graduates, on the commandant's list, or in the top 10% at their respective military schools.

These efforts have not gone unnoticed by the U.S. Department of Defense and other military organizations; Iowa units and individuals received several significant awards for 2015:

-The 132nd Communications Flight received the General Harold W. Grant Award for excellence in warfighting integration;

-The 132nd Financial Management Office, led by Lt. Col. April Marmon, was recognized as the top Financial Management Office in the Air National Guard;

-The 185th Force Support Squadron's Customer Service section was awarded the Department of Defense's RAPIDS site excellence award for exceeding the standards by adopting new processes that benefit customer service;

-Staff Sergeant Randal E. Meyer, 133rd Test Squadron in Fort Dodge, Iowa, was selected as Air Battle Manager of the Year Non-Commissioned Officer for the Air National Guard;

-Senior Master Sergeant Thomas Fennel, 185th Air Refueling Wing, Sioux City, received the field recognition award for Human Resource Advisors; and

-Sergeant First Class Gene Tackett and Sergeant First Class Dan Aguirre received the regional Chief of Staff, Army, Supply Excellence Award.

We are humbled by these prestigious national awards presented for excellence across the organization.

As I come to a close, I hope I have left you confident that the Iowa National Guard is Mission-Focused and Warrior Ready.

We have executed every mission assigned, served our state and communities here at home, and deployed wherever needed in a moment's notice.



I am very proud of our Soldiers, Airmen, their families, our rich heritage, and our resolve as we continue our role in the preservation of the ideals upon which our nation and state were founded. The Iowa National Guard is woven into the fabric of our state through communities everywhere, ready and willing to transform from civilians to Guardsmen and women on a moment's notice.

Our nation will undoubtedly face significant domestic, global, and fiscal challenges in the future. The Iowa National Guard will strive to meet these challenges by providing our state and nation an accessible, responsive, capable, ready, and affordable force focused on our fundamental mission of Defending America – at home and abroad.

On behalf of our men and women and their families, thank you for this opportunity today to provide an update and assessment of the Iowa National Guard. Thank you. Warrior Ready!

General Orr was escorted from the House chamber by the committee previously appointed.

Governor Branstad was escorted from the House chamber by the committee previously appointed.

On motion by Hagenow of Polk, the Joint Convention was dissolved at 10:35 a.m.

Speaker Upmeyer in the chair at 10:39 a.m.

## INTRODUCTION OF BILLS

**House File 2118**, by committee on State Government, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney.

Read first time and placed on the **calendar**.

**House File 2119**, by Staed, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

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

**House File 2120**, by Jones, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

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

On motion by Hagenow of Polk, the House was recessed at 10:40 a.m., until 5:00 p.m.

### AFTERNOON SESSION

The House reconvened at 5:01 p.m., Speaker Upmeyer in the chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on January 27, 2016, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 174, a bill for an act establishing the state percent of growth.

Also: That the Senate has on January 27, 2016, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 175, a bill for an act establishing the categorical state percent of growth.

Also: That the Senate has on January 27, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2035, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

### HOUSE INSISTS

Jorgensen of Woodbury called up for consideration **Senate File 174**, a bill for an act establishing the state percent of growth and moved that the House insist on its amendment, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED (Senate File 174)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **Senate File 174**: Jorgensen of Woodbury, Chair; Dolecheck of Ringgold, Stanerson of Linn, Ruff of Clayton and Winckler of Scott.

## HOUSE INSISTS

Jorgensen of Woodbury called up for consideration **Senate File 175**, a bill for an act establishing the categorical state percent of growth and moved that the House insist on its amendment, which motion prevailed.

## CONFERENCE COMMITTEE APPOINTED (Senate File 175)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **Senate File 175**: Jorgensen of Woodbury, Chair; Dolecheck of Ringgold, Stanerson of Linn, Ruff of Clayton and Winckler of Scott.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 174 and 175**.

## SPONSOR WITHDRAWN

House File 2070

Gaskill of Wapello

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 543 Veterans Affairs**

Concerning eligibility for the veterans designation on driver's licenses.

### **H.S.B. 544 Veterans Affairs**

Relating to motor vehicle registration fees for disabled veterans.

### **H.S.B. 545 Education**

Relating to reading and literacy requirements for practitioner preparation programs.

**H.S.B. 546 Education**

Relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners.

**H.S.B. 547 Local Government**

Relating to the use of individual taxpayer identification numbers to obtain certificates of title for motor vehicles.

**H.S.B. 548 Ways and Means**

Relating to education funding by extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, modifying allocations of state sales and use tax revenue collections, specifying uses for certain funding received from the secure an advanced vision for education fund, creating a district levy reduction fund, and making appropriations.

**H.S.B. 549 Education**

Relating to education funding by extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, modifying allocations of state sales and use tax revenue, modifying uses for funding received from the secure an advanced vision for education fund, establishing a district equity supplement program, making appropriations, and including effective date and applicability provisions.

**H.S.B. 550 State Government**

Relating to the services dental hygienists may perform.

**H.S.B. 551 Education**

Relating to education funding by extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, modifying uses for funding received from the secure an advanced vision for education fund, and authorizing school districts to adopt a district cost per pupil equity budget adjustment.

## SUBCOMMITTEE ASSIGNMENTS

### **House File 175 Reassigned**

Education: Sieck, Chair; T. Moore and Ruff.

### **House File 2077**

Judiciary: Rizer, Chair; Berry and Gustafson.

### **House File 2084**

Human Resources: Fry, Chair; Salmon and Wessel-Kroeschell.

### **House File 2088**

Transportation: Byrnes, Chair; Best and Dawson.

### **House File 2089**

Judiciary: Rogers, Chair; Branhagen and Dawson.

### **House File 2090**

Judiciary: Rizer, Chair; Anderson and Paulsen.

### **House File 2099**

Transportation: Landon, Chair; Best and Finkenauer.

### **House File 2100**

Commerce: Carlson, Chair; Hall and Holz.

### **House File 2101**

Education: Stanerson, Chair; Abdul-Samad and Byrnes.

### **House File 2102**

Education: Highfill, Chair; Fry and Steckman.

### **House File 2103**

Human Resources: Sieck, Chair; Gaines and Salmon.

### **House File 2104**

Human Resources: Heaton, Chair; Gustafson and Wessel-Kroeschell.

**House File 2105**

Human Resources: L. Miller, Chair; Anderson and Forristall.

**House File 2112**

Human Resources: Heaton, Chair; T. Moore and Wessel-Kroeschell.

**House File 2115**

Labor: Holt, Chair; Gassman and McConkey.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 519**

Agriculture: Byrnes, Chair; Dunkel and Holz.

**House Study Bill 543**

Veterans Affairs: Gustafson, Chair; Branhagen and Prichard.

**House Study Bill 544**

Veterans Affairs: Holt, Chair; Kooiker and Staed.

**House Study Bill 545**

Education: Stanerson, Chair; Sieck and Steckman.

**House Study Bill 546**

Education: Sieck, Chair; Gaines and T. Moore.

**House Study Bill 548**

Ways and Means: Windschitl, Chair; Brown-Powers, Forristall, Isenhart and Vander Linden.

**House Study Bill 549**

Education: Jorgensen, Chair; Cohoon and Forristall.

**House Study Bill 550**

State Government: L. Miller, Chair; Berry and T. Moore.

**House Study Bill 551**

Education: Jorgensen, Chair; Cohoon and Forristall.

## COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 540), relating to the issuance and display of one registration plate on motor vehicles.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 27, 2016.

## AMENDMENT FILED

H-8003      H.F.      2092      Nunn of Polk

On motion by Hagenow of Polk, the House adjourned at 5:06 p.m., until 8:30 a.m., Thursday, January 28, 2016.

# JOURNAL OF THE HOUSE

Eighteenth Calendar Day - Thirteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 28, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Terry Pollard, New Sharon United Methodist Church, New Sharon. He was the guest of Representative Worthan of Buena Vista.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trevor Johnson, Page from Winterset.

The Journal of Wednesday, January 27, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2121**, by committee on Human Resources, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

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

**House File 2122**, by Isenhart, a bill for an act providing for the establishment of a crude oil disaster prevention and response fund, establishing fees, and making an appropriation.

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

**House File 2123**, by Hunter, Oldson, Staed, Bennett, Gaskill, Hall, T. Taylor, Mascher, and Running-Marquardt, a bill for an act modifying the elements defining hate crimes, and providing penalties.

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



**House File 2124**, by Isenhart, a bill for an act relating to the process to bind the state to international trade agreements.

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

**House File 2125**, by Bacon, a bill for an act increasing the speed limit on rural highways.

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

**House File 2126**, by Worthan, Kaufmann, Olson, Jorgensen, Branhagen, Sheets, Rizer, Landon, Watts, Sexton, Carlson, Holt, Sands, Gassman, Nunn, Highfill, Vander Linden, Holz, R. Taylor, Hanusa, Huseman, Klein, B. Moore, and Rogers, a bill for an act increasing the speed limit on rural highways.

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

**House File 2127**, by Salmon, a bill for an act concerning unclaimed cremated remains.

Read first time and referred to committee on **Veterans Affairs**.

#### SENATE MESSAGE CONSIDERED

**Senate File 2035**, by committee on Human Resources, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

Read first time and **passed on file**.

The House stood at ease at 8:39 a.m., until the fall of the gavel.

The House resumed session at 9:19 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILL  
Ways and Means Calendar

**House File 2092**, a bill for an act temporarily updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions, was taken up for consideration.

Nunn of Polk offered amendment H-8003 filed by him and moved its adoption.

Amendment H-8003 was adopted.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2092)

The ayes were, 82:

Abdul-Samad	Bacon	Baudler	Baxter
Bearinger	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Maxwell	McConkey	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Stanerson
Stutsman	Taylor, R.	Thede	Vander Linden
Watts	Wills	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, 14:

Anderson	Bennett	Finkenauer	Heddens
Hunter	Mascher	Meyer	Oldson
Olson	Running-Marquardt	Staed	Steckman
Taylor, T.	Wessel-Kroeschell		

Absent or not voting, 4:

Baltimore	Berry	Isenhart	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Berry of Black Hawk
Isenhart of Dubuque	Winckler of Scott

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2092** be immediately messaged to the Senate.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on January 28, 2016, appointed the Conference Committee to Senate File 174, a bill for an act establishing the state percent of growth, and the members of the Conference Committee on the part of the Senate are: The Senator from Jackson, Senator Bowman; The Senator from Johnson, Senator Dvorsky; The Senator from Story, Senator Quirmbach; The Senator from Wayne, Senator Sinclair; The Senator from Webster, Senator Kraayenbrink.

Also: That the Senate has on January 28, 2016, appointed the Conference Committee to Senate File 175, a bill for an act establishing the categorical state percent of growth, and the members of the Conference Committee on the part of the Senate are: The Senator from Jackson, Senator Bowman; The Senator from Johnson, Senator Dvorsky; The Senator from Story, Senator Quirmbach; The Senator from Wayne, Senator Sinclair; The Senator from Webster, Senator Kraayenbrink.

MICHAEL E. MARSHALL, Secretary

## HOUSE FILE REREFERRED

The Speaker announced that House File 2080, previously referred to committee on **Appropriations** was rereferred to the **calendar**.

## SPONSOR WITHDRAWN

House File 2070

Stutsman of Johnson

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 552 State Government**

Concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

### **H.S.B. 553 State Government**

Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

### **H.S.B. 554 Commerce**

Relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

### **H.S.B. 555 Commerce**

Relating to the purchasing preference requirements for the purchase of industrial lubricants by state agencies and community colleges.

### **H.S.B. 556 Labor**

Concerning the confidentiality of public employee support information submitted to the public employment relations board.

**H.S.B. 557 Commerce**

Relating to the credit union division and its regulatory matters.

**H.S.B. 558 Public Safety**

Prohibiting the state, counties, and cities from limiting or restricting enforcement of federal immigration laws.

**H.S.B. 559 Veterans Affairs**

Relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

**H.S.B. 560 Commerce**

Relating to the regulation of persons, including commercial establishments, keeping nonagricultural animals, providing for fees and appropriations, and making penalties applicable.

**SUBCOMMITTEE ASSIGNMENTS****House File 502**

Public Safety: Heartsill, Chair; Holt and Wessel-Kroeschell.

**House File 2116**

Local Government: Rogers, Chair; Highfill and Staed.

**House File 2124**

State Government: Watts, Chair; T. Taylor and Vander Linden.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 552**

State Government: Sexton, Chair; Highfill and Lensing.

**House Study Bill 553**

State Government: Stanerson, Chair; Lensing and T. Moore.

**House Study Bill 554**

Commerce: Landon, Chair; Nunn and Ourth.

**House Study Bill 555**

Commerce: Rizer, Chair; Holt and Ourth.

**House Study Bill 557**

Commerce: Vander Linden, Chair; Kressig and Landon.

**House Study Bill 558**

Public Safety: Holt, Chair; Anderson and Heartsill.

**House Study Bill 560**

Commerce: Kaufmann, Chair; Lykam and Nunn.

**COMMITTEE RECOMMENDATIONS**

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON PUBLIC SAFETY**

**Committee Bill** (Formerly House File 2026), relating to modifying the sex offender registry requirements.

Fiscal Note: **No**

Recommendation: **Do Pass** January 28, 2016.

**COMMITTEE ON STATE GOVERNMENT**

**Committee Bill** (Formerly House Study Bill 514), relating to absentee voting by uniformed and overseas citizens.

Fiscal Note: **No**

Recommendation: **Do Pass** January 28, 2016.

**Committee Bill** (Formerly House Study Bill 540), authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 28, 2016.

On motion by Hagenow of Polk, the House adjourned at 9:35 a.m., until 10:00 a.m., Friday, January 29, 2016.

# JOURNAL OF THE HOUSE

Nineteenth Calendar Day - Fourteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 29, 2016

The House met pursuant to adjournment at 10:00 a.m., Landon of Polk in the chair.

Prayer was offered by Representative Landon of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Landon of Polk.

The Journal of Thursday, January 28, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2128**, by Wills, a bill for an act relating to the establishment of teacher quality demonstration pilot projects by school districts.

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

**House File 2129**, by Windschitl, a bill for an act relating to the issuance and verification of, and the transfer of records concerning permits to carry weapons and the confidentiality of such records including the confidentiality of records for such permits and for permits to acquire pistols or revolvers, prohibiting fraudulent transfers of firearms and ammunition, providing for a fee and a penalty, and including effective date and applicability provisions.

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

**House File 2130**, by Heartsill, a bill for an act modifying the criminal offense of harassment, and providing penalties.

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



**House File 2131**, by Klein, a bill for an act requiring that certain civil penalties assessed for violations of statutes enforced by the department of natural resources be deposited in the general fund of the state.

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

**House File 2132**, by Klein, a bill for an act relating to the possession and administration of emergency drugs by first responders for purposes of treating drug overdose victims.

Read first time and referred to committee on **Public Safety**.

**House File 2133**, by Wills, a bill for an act concerning executive branch employee travel claims.

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

**House File 2134**, by Heaton, a bill for an act relating to the scope of practice of registered dental assistants.

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

#### HOUSE FILE 2112 REREFERRED

The Speaker announced that House File 2112, previously referred to committee on **Human Resources** was rereferred to committee on **Commerce**.

#### COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

##### AUDITOR OF STATE

Independent Auditor's Iowa Judicial Retirement System Report, pursuant to Iowa Code section 11.2.

Independent Auditor's Peace Officers' Retirement, Accident and Disability System Report, pursuant to Iowa Code section 11.6.

Recommendations to the University of Iowa Report, pursuant to Iowa Code section 11.4.

## BOARD OF PAROLE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3).

## BOARD OF PHARMACY

Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554.

## DEPARTMENT OF EDUCATION

Condition of Education Report, pursuant to Iowa Code section 256.7.

Additional Data Report, pursuant to Iowa Code section 260C.14.

## DEPARTMENT OF JUSTICE

Attorney General

Mortgage Servicing Settlement Fund Report, pursuant to Chapter 1138.7, 2012 Iowa Acts.

## DEPARTMENT OF NATURAL RESOURCES

Environmental Protection Commission Report, pursuant to Iowa Code section 455B.105(5).

## DEPARTMENT OF PUBLIC HEALTH

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2).

## DEPARTMENT OF REVENUE

Iowa Capital Investment Board Report, pursuant to Iowa Code section 15E.63(9).

## DEPARTMENT OF TRANSPORTATION

Midwest Regional Rail Passenger Initiative Report, pursuant to Iowa Code section 327J.3.

Passenger Rail Service Revolving Fund Report, pursuant to Iowa Code section 327J.3(1).

Street Research Fund Report, pursuant to Iowa Code section 312.3A.

Biodiesel and Biodiesel Blended Fuel Revolving Fund Report, pursuant to Iowa Code section 307.20(1).

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36.

Street Research Fund Report, pursuant to Iowa Code section 312.3A.

Recycling Report, pursuant to Iowa Code section 307.21(3).

## IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual Report, pursuant to Iowa Code 312.3B.

IOWA VETERANS HOME

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

Tobacco Settlement Trust Fund Report, Pursuant to Iowa Code section 12E.12(9).

Revenue Bonds Capitals Fund Report, pursuant to Iowa Code section 12.88(4).

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

Revenue Bonds Capitals II Fund Report, pursuant to Iowa Code section 12.88A(4).

JUDICIAL BRANCH

ICIS Collection of Fines, Surcharges and Court Costs Report, pursuant to Chapter 1137, 2012 Iowa Acts.

TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38.

On motion by R. Taylor of Dallas, the House adjourned at 10:04 a.m., until 10:00 a.m., Tuesday, February 2, 2016.

# JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Fifteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 2, 2016

The House met pursuant to adjournment at 10:05 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Minna Bothwell, Capitol Hill Lutheran Church, Des Moines. She was the guest of Representative Gaines of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Steven Balderson, Assistant Sergeant-of-Arms from Des Moines.

The Journal of Friday, January 29, 2016, was approved.

On motion by Hagenow of Polk, the House was recessed at 10:07 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:04 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILLS

**House File 2135**, by Mascher, a bill for an act relating to installation, operation, and use of solar energy systems.

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

**House File 2136**, by Mascher, a bill for an act relating to successful progression for early readers, including intensive summer reading programs and third grade retention of certain students.

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

**House File 2137**, by Mascher, a bill for an act making progression of certain students from grade three and the provision of summer

reading programs by school districts subject to an appropriation of funds by the general assembly, and including effective date provisions.

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

**House File 2138**, by Staed, Hanson, Hunter, Isenhardt, Gaines, Wolfe, Thede, Mascher, Kearns, Ourth, Prichard, Abdul-Samad, T. Taylor, Gaskill, Stutsman, Winckler, Lensing, Kelley, Dunkel, Dawson, and McConkey, a bill for an act requiring each area education agency to employ a dyslexia specialist, subject to an appropriation by the general assembly.

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

**House File 2139**, by Mascher, a bill for an act relating to successful progression for early readers and to intensive summer reading programs.

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

**House File 2140**, by Salmon, Nunn, Heartsill, Fisher, Holt, Gustafson, Windschitl, Pettengill, Kooiker, Gassman, Watts, Sheets, Baxter, Rogers, and Fry, a bill for an act relating to fetal deaths, prohibitions against the buying, selling, or experimentation on an unborn infant or bodily remains, providing penalties, and including effective date provisions.

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

**House File 2141**, by Mascher, a bill for an act relating to the prescribing of medications to treat the symptoms of erectile dysfunction, and providing penalties.

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

**House File 2142**, by Heartsill, Fisher, Salmon, Holt, Windschitl, Gustafson, Wills, Landon, Fry, Rogers, and Kooiker, a bill for an act relating to the protection of life beginning at conception, and including effective date provisions.

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

**House File 2143**, by Heartsill, R. Taylor, Watts, Sieck, Holt, Wills, Sheets, Gassman, Baudler, Branhagen, Fisher, Salmon, and Klein, a bill for an act relating to the seizure of property by the department of natural resources.

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

**House File 2144**, by Heartsill, R. Taylor, Klein, Baudler, Sheets, Watts, Holt, Branhagen, Wills, Gassman, and Salmon, a bill for an act prohibiting the purchase of weapons seized as a public nuisance by certain persons affiliated with the department of natural resources.

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

**House File 2145**, by Mascher, a bill for an act relating to the age at which a registered voter is eligible to vote in a primary election.

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

**House File 2146**, by committee on State Government, a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2147**, by committee on State Government, a bill for an act relating to absentee voting by uniformed and overseas citizens.

Read first time and placed on the **calendar**.

**House File 2148**, by committee on Transportation, a bill for an act relating to the issuance and display of one registration plate on motor vehicles.

Read first time and placed on the **calendar**.

**House File 2149**, by committee on Public Safety, a bill for an act relating to modifying the sex offender registry requirements.

Read first time and placed on the **calendar**.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 561 Agriculture**

Providing for the administration of certain excise taxes imposed on the sale of cattle.

### **H.S.B. 562 Public Safety**

Relating to motor vehicle impoundment when the vehicle is operated by a person with a denied, canceled, suspended, or revoked driver's license, and providing penalties.

## RESOLUTION FILED

**H.R. 101**, by Upmeyer and Smith, a resolution commemorating the 50th anniversary of Iowa's community colleges.

Laid over under **Rule 25**.

On motion by Hagenow of Polk, the House adjourned at 1:07 p.m., until 8:30 a.m., Wednesday, February 3, 2016.

# JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Sixteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 3, 2016

The House met pursuant to adjournment at 8:33 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Pastor Kerry Jech, New Hope Christian Church, Marshalltown. He was the guest of Representative Fisher of Tama.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Wyatt English, Page from Altoona.

The Journal of Tuesday, February 2, 2016, was approved.

On motion by Fry of Clarke, the House was recessed at 8:39 a.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:13 p.m., Speaker Upmeyer in the chair.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 563 Local Government**

Related to civil service employees by removing state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

### **H.S.B. 564 Human Resources**

Providing for the designation of a caregiver relating to a patient's inpatient stay at a hospital.



**H.S.B. 565 Human Resources**

Requiring immunization against meningococcal disease for certain students.

**H.S.B. 566 Human Resources**

Relating to dementia-specific training, competency evaluations, and continuing education for certain persons providing dementia care and related services.

**H.S.B. 567 Human Resources**

Relating to the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

**H.S.B. 568 Local Government**

Relating to the manner in which counties may enforce zoning ordinances against certain property.

**SUBCOMMITTEE ASSIGNMENTS****House File 235 Reassigned**

Human Resources: R. Taylor, Chair; McConkey and Rizer.

**House File 2023**

Judiciary: Wolfe, Chair; Baltimore and Nunn.

**House File 2119**

Education: Highfill, Chair; Koester and Staed.

**House File 2125**

Transportation: Worthan, Chair; Landon and Olson.

**House File 2126**

Transportation: Worthan, Chair; Landon and Olson.

**House File 2127**

Veterans Affairs: Salmon, Chair; Gaines and Kaufmann.

**House File 2128**

Education: Highfill, Chair; Forristall and Steckman.

**House File 2129**

Judiciary: Windschitl, Chair; Nunn and Oldson.

**House File 2130**

Judiciary: Branhagen, Chair; Heartsill and Olson.

**House File 2131**

Natural Resources: Klein, Chair; Huseman and Lykam.

**House File 2138**

Education: Highfill, Chair; T. Moore and Staed.

**House File 2139**

Education: Highfill, Chair; Fry and Mascher.

**House File 2140**

Human Resources: Fry, Chair; Salmon and Wessel-Kroeschell.

**House File 2141**

Human Resources: L. Miller, Chair; Bacon and Wessel-Kroeschell.

**House File 2143**

Natural Resources: Baudler, Chair; Bacon and H. Miller.

**House File 2144**

Natural Resources: Baudler, Chair; Hanson and Wills.

**House File 2145**

State Government: Hein, Chair; Hunter and T. Moore.

**Senate File 232**

Human Resources: Forristall, Chair; Brown-Powers and R. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 559**

Veterans Affairs: Kooiker, Chair; Meyer and Salmon.

**House Study Bill 563**

Local Government: Koester, Chair; Sheets and Staed.

**House Study Bill 564**

Human Resources: Best, Chair; Brown-Powers and Gustafson.

**House Study Bill 565**

Human Resources: R. Taylor, Chair; Gaines and T. Moore.

**House Study Bill 566**

Human Resources: Heaton, Chair; Dawson and T. Moore.

**House Study Bill 567**

Human Resources: Rizer, Chair; Sieck and Winckler.

**House Study Bill 568**

Local Government: Carlson, Chair; Jones and Meyer.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House Study Bill 519), providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 3, 2016.

## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 2058), relating to requirements for the transfer of township funds raised for purposes of acquiring a public hall.

Fiscal Note: **No**

Recommendation: **Do Pass** February 3, 2016.

On motion by Hagenow of Polk, the House adjourned at 4:13 p.m., until 8:30 a.m., Thursday, February 4, 2016.

# JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 4, 2016

The House met pursuant to adjournment at 8:30 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Pastor Brian Oliver, United Methodist Church, Tama. He was the guest of Representative Fisher of Tama.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Natalie Shoultz, Page from Iowa City.

The Journal of Wednesday, February 3, 2016, was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2004**, by Hunter, T. Taylor, Bearinger, Kearns, Ourth, Smith, Abdul-Samad, Stutsman, Winckler, Lensing, Staed, Gaines, Thede, Mascher, and Hanson, a joint resolution proposing an amendment to the Constitution of the State of Iowa restricting the use of revenues derived from a certain increase in the state sales and use tax rates for school infrastructure purposes.

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

**House File 2150**, by Ruff, a bill for an act relating to economic development by creating rural opportunity zones, a student loan repayment program and fund, an individual income tax credit, and including applicability provisions.

Read first time and referred to committee on **Economic Growth**.

**House File 2151**, by Wills, a bill for an act permitting school boards to enter into public-private partnerships for ancillary services and including applicability provisions.

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

**House File 2152**, by Anderson, a bill for an act creating the criminal offense of female genital mutilation and providing penalties.

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

**House File 2153**, by Anderson, McConkey, Mascher, Kearns, Staed, Olson, Hunter, Finkenauer, and Bennett, a bill for an act providing for an increase in the state minimum hourly wage and subsequent increases by the same percentage as the increase in the midwest consumer price index.

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

**House File 2154**, by Paustian, Jones, Ruff, Lykam, Thede, Klein, Jorgensen, and Holz, a bill for an act modifying the penalties for littering.

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

**House File 2155**, by Olson, a bill for an act permitting the establishment of prearrest diversion programs for certain offenders.

Read first time and referred to committee on **Public Safety**.

**House File 2156**, by Heartsill, a bill for an act concerning the authority of certain beer manufacturers to sell beer at retail.

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

**House File 2157**, by Wills, a bill for an act relating to the Iowa learning online initiative.

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

**House File 2158**, by Salmon, a bill for an act relating to the installation and use of ignition interlock devices, establishing sobriety monitoring pilot programs, and providing penalties.

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

**House File 2159**, by Anderson, Dawson, McConkey, Mascher, Kearns, and Staed, a bill for an act relating to wage discrimination under the Iowa civil rights Act of 1965 and in state contracting, making penalties applicable, and establishing an equal pay task force.

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

**House File 2160**, by Heartsill and R. Taylor, a bill for an act relating to the baiting of deer on public or private property and providing penalties.

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

**House File 2161**, by Heartsill and Dawson, a bill for an act relating to peace officer personal information under the control of local officials and including effective date provisions.

Read first time and referred to committee on **Public Safety**.

**House File 2162**, by Dawson, Wessel-Kroeschell, Hunter, Gaskill, Kearns, Jacoby, Steckman, Staed, Thede, H. Miller, Olson, Hanson, Wolfe, Anderson, T. Taylor, Ourth, Smith, Bennett, Lensing, Stutsman, Finkenauer, Gaines, Kressig, Brown-Powers, McConkey, Bearinger, and Hall, a bill for an act relating to voter registration by providing for the registration of eligible electors upon review of electronic records received from driver's license and nonoperator's identification card applications, and including effective date provisions.

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

**House File 2163**, by Wills, a bill for an act requiring school districts to make available to a parent or guardian certain materials, and including effective date provisions.

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

**House File 2164**, by Pettengill, a bill for an act relating to the waiver of requirements for attorneys and abstractors who participate in the title guaranty program.

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

**House File 2165**, by Anderson, McConkey, Mascher, Kearns, Staed, Wolfe, Hanson, Olson, Hunter, Finkenauer, Lensing, Bennett, Gaskill, Smith, Steckman, and Hall, a bill for an act to require employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

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

**House File 2166**, by Olson, a bill for an act relating to school district residency for children participating in athletic leagues.

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

**House File 2167**, by Anderson, Dawson, McConkey, Mascher, Staed, Hanson, Thede, Hunter, Finkenauer, Stutsman, Lensing, and Bennett, a bill for an act relating to civil protective orders and dating abuse, creating the criminal offense of dating abuse assault, making related modifications, and providing penalties.

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

**House File 2168**, by Heartsill, a bill for an act modifying penalties for trespassing.

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

**House File 2169**, by Heaton, a bill for an act relating to cooperative agreements for continued contact and communication between a biological parent, siblings, and other family members of a minor child and the adopted minor child following the issuance of a final adoption decree.

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

**House File 2170**, by Wills, a bill for an act concerning civil liability of certain educational entities and their employees and providing penalties and sanctions.

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



**House File 2171**, by Wolfe, a bill for an act modifying the penalties and the accumulation of earned time for inmates incarcerated for the commission of certain felonies which require the inmates to serve at least seventy percent of the maximum terms of the applicable sentences.

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

**House File 2172**, by Gassman, a bill for an act relating to the placement of stop and yield signs at intersections by local authorities.

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

**House File 2173**, by Fisher, a bill for an act relating to open enrollment by requiring the payment of certain moneys received from the secure an advanced vision for education fund.

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

**House File 2174**, by Pettengill, a bill for an act creating a geothermal tax credit available against the individual income tax and including effective date and applicability provisions.

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

On motion by Hagenow of Polk, the House was recessed at 8:43 a.m., until 12:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:22 p.m., Speaker Upmeyer in the chair.

#### INTRODUCTION OF BILLS

**House File 2175**, by committee on Agriculture, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

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

**House File 2176**, by Isenhardt, a bill for an act relating to councils concerned with water quality, by providing for the appointment of members of the general assembly to serve on the water resources coordinating council and eliminating appointed members of the general assembly serving on the watershed planning advisory council.

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

**House File 2177**, by Winckler, Abdul-Samad, Staed, Hunter, Mascher, Hanson, Wolfe, Anderson, Kearns, Bearinger, Berry, Ourth, Smith, Steckman, Gaskill, Cohoon, Wessel-Kroeschell, Lensing, Isenhardt, Forbes, McConkey, and Dunkel, a bill for an act creating a dual language immersion pilot project and fund and a state certificate of biliteracy to be administered by the department of education.

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

**House File 2178**, by Wolfe, Abdul-Samad, and Berry, a bill for an act relating to the fines assessed for operating a motor vehicle while intoxicated.

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

**House File 2179**, by Heartsill, a bill for an act relating to tagging requirements for deer carcasses and including penalties.

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

**House File 2180**, by committee on Local Government, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring a public hall.

Read first time and placed on the **calendar**.

**House File 2181**, by Byrnes, a bill for an act relating to school district funding by designating certain revenues for student instructional expenditures and requiring school districts to establish a supplemental state aid instructional expenditure fund.

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

**House File 2182**, by Thede, Steckman, Hunter, T. Taylor, Kearns, Anderson, McConkey, Bearinger, Prichard, Wolfe, H. Miller, Dunkel, Dawson, Lykam, Forbes, Bennett, Gaines, Abdul-Samad, Mascher, Kelley, Brown-Powers, L. Miller, Sheets, Cohoon, Gassman, Gaskill, Staed, Oldson, Hanson, Stutsman, Ourth, Lensing, Meyer, Byrnes, Jacoby, Fisher, and Winckler, a bill for an act relating to school district funding by establishing a district cost per pupil equity budget adjustment for certain budget years and including effective date provisions.

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

**House File 2183**, by Wills, a bill for an act relating to litigation involving the public use of private lands and waters.

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

**House File 2184**, by Koester, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit.

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

**House File 2185**, by Byrnes, a bill for an act relating to third-party commercial driver's license testers and skills test examiners.

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

#### SPONSOR ADDED

House File 2112

Dawson of Woodbury

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

#### **H.S.B. 569 Education**

Relating to the disbursement of all Iowa opportunity scholarships.

**H.S.B. 570 Education**

Authorizing the college student aid commission to write off certain defaulted student loan debt as uncollectible.

**H.S.B. 571 Commerce**

Relating to the ability of certain governmental entities to join local government risk pools.

**H.S.B. 572 Commerce**

Relating to the sources of goods or services under a franchise agreement.

**H.S.B. 573 State Government**

Permitting the direct shipment of wine by a retailer of another state and making fees and penalties applicable.

**H.S.B. 574 State Government**

Concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

**H.S.B. 575 Judiciary**

Relating to the statute of limitations period in an action arising out of the unsafe or defective condition of an improvement to real property.

**H.S.B. 576 Judiciary**

Providing for employment leave relating to adoption.

**H.S.B. 577 Judiciary**

Relating to the requirements for the timely filing of releases or satisfactions of mortgages.

**H.S.B. 578 Judiciary**

Providing for voidable commercial transactions and including applicability provisions.

**H.S.B. 579 Judiciary**

Relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

**H.S.B. 580 Veterans Affairs**

Concerning veterans preference information.

**H.S.B. 581 Veterans Affairs**

Concerning the display of the POW/MIA flag on public buildings.

**H.S.B. 582 Veterans Affairs**

Waiving certain hunter education requirements for residents who are active duty military personnel or honorably discharged veterans.

**SUBCOMMITTEE ASSIGNMENTS****House File 450**

State Government: Pettengill, Chair; Hunter and Vander Linden.

**House File 2035**

Commerce: Cownie, Chair; Grassley and Oldson.

**House File 2059**

Commerce: Cownie, Chair; Grassley and Oldson.

**House File 2060**

Commerce: Cownie, Chair; Grassley and Oldson.

**House File 2082**

Commerce: Cownie, Chair; Grassley and Oldson.

**House File 2105 Reassigned**

Human Resources: L. Miller, Chair; Forristall and Winckler.

**House File 2109**

Public Safety: Heartsill, Chair; B. Moore and Wolfe.

**House File 2121**

Appropriations: Heaton, Chair; Heddens and Rizer.

**House File 2135**

Commerce: Cownie, Chair; Forbes and Grassley.

**House File 2151**

Education: Forristall, Chair; Brown-Powers and Koester.

**House File 2153**

Labor: Forristall, Chair; Hunter and Watts.

**House File 2154**

Natural Resources: Paustian, Chair; Hall and Koester.

**House File 2157**

Education: Salmon, Chair; Gassman and Hanson.

**House File 2159**

Labor: Forristall, Chair; Hunter and Watts.

**House File 2160**

Natural Resources: Fisher, Chair; Klein and Ourth.

**House File 2162**

State Government: Watts, Chair; Mascher and Vander Linden.

**House File 2163**

Education: Highfill, Chair; Abdul-Samad and T. Moore.

**House File 2165**

Labor: Fry, Chair; Finkenauer and Sexton.

**House File 2166**

Education: Byrnes, Chair; Mascher and Stanerson.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 561**

Agriculture: Sexton, Chair; Maxwell and Ourth.

**House Study Bill 562**

Public Safety: Klein, Chair; Holt and Wolfe.

**House Study Bill 571**

Commerce: Baltimore, Chair; Forbes and Holt.

**House Study Bill 572**

Commerce: Rizer, Chair; Dawson and Holz.

**House Study Bill 573**

State Government: Bacon, Chair; Branhagen and Winckler.

**House Study Bill 574**

State Government: Sexton, Chair; Highfill and Lensing.

**COMMITTEE RECOMMENDATIONS**

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

**COMMITTEE ON COMMERCE**

**Committee Bill** (Formerly House Study Bill 506), relating to utility facilities of electric transmission owners within public road rights-of-way.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

**Committee Bill** (Formerly House Study Bill 504), authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 551), relating to education funding by extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, modifying uses for funding received from the secure an advanced vision for education fund, and authorizing school districts to adopt a district cost per pupil equity budget adjustment.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2010), relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2066), relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 4, 2016.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 2074), relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

On motion by Hagenow of Polk, the House adjourned at 4:25 p.m., until 1:00 p.m., Monday, February 8, 2016.



# JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 8, 2016

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Jake Greiner, St. Anthony's Catholic Church, Knoxville. He was the guest of Representative Heartsill of Marion.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Samantha Anderson, Page from Walker.

The Journal of Thursday, February 4, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2186**, by Wills, a bill for an act authorizing the department of agriculture and land stewardship's division of soil conservation and water quality to support privately sponsored innovative water quality practices.

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

**House File 2187**, by Wills, a bill for an act requiring that state efforts to reduce nutrient loads in surface waters be customized based on a watershed's unique characteristics.

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

**House File 2188**, by Pettengill, a bill for an act requiring the department of education to conduct a study of school districts' implementation of twenty-first century learning skills under the Iowa core.

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

**House File 2189**, by Pettengill, a bill for an act establishing conditions for a reduction in state aid payments to school districts that fail to adequately implement certain core curriculum standards.

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

**House File 2190**, by Staed, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

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

**House File 2191**, by Rizer, a bill for an act reclassifying felony offenses when a firearm is possessed, displayed, used, or attempted to be used during their commission, and providing penalties.

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

**House File 2192**, by Paulsen, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

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

**House File 2193**, by Heartsill, R. Taylor, Gassman, Holt, Klein, Mommsen, Kaufmann, Watts, T. Moore, Baudler, Baxter, Salmon, Sheets, and Branhagen, a bill for an act requiring search warrants for certain activities under the jurisdiction of the natural resource commission.

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

**House File 2194**, by Jones, a bill for an act allowing possession of a handgun while hunting and including penalties.

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

**House File 2195**, by Bacon and Deyoe, a bill for an act permitting the operation of motor vehicles with tinted windshields and windows for health reasons.

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

**House File 2196**, by Ruff, Winckler, Lensing, Stutsman, Isenhardt, Forbes, Brown-Powers, Kressig, Dunkel, Dawson, Kelley, Wessel-Kroeschell, Thede, H. Miller, Mascher, Hunter, Bearinger, Kearns, Anderson, Ourth, Prichard, Smith, Hall, Abdul-Samad, Oldson, T. Taylor, Gaskill, Steckman, Lykam, Hanson, McConkey, Staed, Gaines, Jacoby, Finkenauer, Cohoon, Olson, Wolfe, Bennett, Running-Marquardt, Meyer, and Heddens, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2017.

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

**House File 2197**, by Ruff, Winckler, Lensing, Stutsman, Isenhardt, Forbes, Brown-Powers, Kressig, Dunkel, Dawson, Kelley, Wessel-Kroeschell, Thede, H. Miller, Mascher, Hunter, Bearinger, Kearns, Anderson, Ourth, Prichard, Smith, Hall, Abdul-Samad, Oldson, T. Taylor, Gaskill, Steckman, Lykam, Hanson, McConkey, Staed, Gaines, Jacoby, Finkenauer, Cohoon, Olson, Wolfe, Bennett, Running-Marquardt, Meyer, and Heddens, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2017.

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

**House File 2198**, by Wills, a bill for an act relating to persistently lowest-achieving schools by authorizing parents or guardians to petition for the closure of an attendance center, for implementation of an education voucher program, or for establishment of a charter school, establishing an education voucher fund, making appropriations, and providing penalties.

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

**House File 2199**, by Heddens, Ourth, Hunter, McConkey, Cohoon, Kearns, Olson, Steckman, Kressig, Lykam, Forbes, Staed, Stutsman, Thede, Jacoby, Smith, T. Taylor, Prichard, Gaskill, Abdul-Samad, Bennett, Lensing, Wessel-Kroeschell, Finkenauer, H. Miller, Hanson, Wolfe, Anderson, Ruff, Gaines, Brown-Powers, Kelley, Mascher, Dawson, Bearinger, Oldson, Hall, Dunkel, Running-Marquardt, Winckler, Berry, and Isenhardt, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

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

**House File 2200**, by Salmon, Heartsill, Gassman, Holt, Watts, Kooiker, Sheets, Baxter, and Fisher, a bill for an act relating to the standard of judicial review and providing a claim or defense when a state action burdens a person's exercise of religion, and including effective date provisions.

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

**House File 2201**, by Hanson, Gaskill, Ourth, Ruff, Cownie, Fisher, and B. Moore, a bill for an act relating to the number of bobcats that may be harvested and including penalties.

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

#### HOUSE FILE REREFERRED

The Speaker announced that House File 2154, previously referred to committee on **Natural Resources** was rereferred to committee on **Environmental Protection**.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 583 State Government**

Concerning investment of certain public funds in and public contracts with companies that boycott Israel.

##### **H.S.B. 584 State Government**

Relating to continuation of or reenrollment in group accident or health care coverage by certain dependents of public employees and including applicability date provisions.

##### **H.S.B. 585 State Government**

Concerning gambling game licensure requirements and including applicability provisions.

**H.S.B. 586 Public Safety**

Providing for an individual income tax credit for the purchase of a gun safe under certain conditions and including effective date and retroactive and other applicability provisions.

**H.S.B. 587 Environmental Protection**

Relating to the refund values and handling fees for return of beverage containers and making penalties applicable.

**H.S.B. 588 Commerce**

Providing an automated dispensing device privilege for certain liquor control licensees and beer and wine permittees.

**SUBCOMMITTEE ASSIGNMENTS****House File 427 Reassigned**

Economic Growth: Deyoe, Chair; Bennett and Holz.

**House File 2027**

Judiciary: Kaufmann, Chair; Anderson and Paulsen.

**House File 2096**

Judiciary: Rogers, Chair; Dawson and Nunn.

**House File 2106**

Judiciary: Rogers, Chair; Dawson and Heaton.

**House File 2136**

Education: Highfill, Chair; Fry and Mascher.

**House File 2137**

Education: Highfill, Chair; Mascher and Sieck.

**House File 2142**

Judiciary: Windschitl, Chair; Anderson and Rogers.

**House File 2150**

Economic Growth: Nunn, Chair; Beringer and Gustafson.

**House File 2152**

Judiciary: Paulsen, Chair; Windschitl and Anderson.

**House File 2156**

State Government: Bacon, Chair; Highfill and T. Taylor.

**House File 2164**

Judiciary: Gustafson, Chair; Branhagen and Prichard.

**House File 2168**

Judiciary: Heartsill, Chair; Berry and Rogers.

**House File 2169**

Judiciary: Heaton, Chair; Baltimore and Berry.

**House File 2170**

Judiciary: Paulsen, Chair; Jones and Oldson.

**House File 2181**

Education: Byrnes, Chair; Fry and Mascher.

**House File 2184**

Labor: Sheets, Chair; Hanusa and Steckman.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 534 Reassigned**

Human Resources: Forristall, Chair; Abdul-Samad and Best.

**House Study Bill 556**

Labor: Forristall, Chair; Kearns and Sheets.

**House Study Bill 569**

Education: Gassman, Chair; Abdul-Samad and Dolecheck.

**House Study Bill 570**

Education: Gassman, Chair; Sieck and Steckman.

**House Study Bill 575**

Judiciary: Kaufmann, Chair; Berry and Rizer.

**House Study Bill 576**

Judiciary: Windschitl, Chair; Nunn and Oldson.

**House Study Bill 577**

Judiciary: Rogers, Chair; Gustafson and Prichard.

**House Study Bill 578**

Judiciary: Rogers, Chair; Branhagen and Wolfe.

**House Study Bill 579**

Judiciary: Jones, Chair; Anderson and Nunn.

**House Study Bill 583**

State Government: Stanerson, Chair; Cohoon and Koester.

**House Study Bill 584**

State Government: Pettengill, Chair; L. Miller and Winckler.

**House Study Bill 585**

State Government: Highfill, Chair; Cohoon and Sexton.

**House Study Bill 588**

Commerce: Rizer, Chair; Landon and Lykam.

**COMMITTEE RECOMMENDATIONS**

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2101), concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2016.

**Committee Bill** (Formerly House Study Bill 546), relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2016.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 2042), relating to the possession of a pistol, revolver, or ammunition by persons under fourteen years of age, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 4, 2016.

**Committee Bill** (Formerly House File 2043), relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

**Committee Bill** (Formerly House File 2044), relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

**Committee Bill** (Formerly House Study Bill 520), relating to the time period during which a vacation or appeal of a termination of parental rights order may be requested.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

**Committee Bill** (Formerly House Study Bill 522), relating to the appointment of a guardian ad litem in an adoption proceeding.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.



**Committee Bill** (Formerly House Study Bill 528), relating to methods of notice and document delivery under the Iowa trust code, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 4, 2016.

**Committee Bill** (Formerly House Study Bill 529), relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2016.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2046), allowing fishing without a license on certain private lakes and ponds and providing a penalty.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2016.

#### COMMITTEE ON PUBLIC SAFETY

**Senate File 410**, a bill for an act relating to drug overdose prevention, including by limiting criminal and civil liability, and modifying penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8004** February 4, 2016.

#### AMENDMENT FILED

H-8004      S.F.      410      Committee on Public Safety

On motion by Hagenow of Polk, the House adjourned at 1:16 p.m., until 8:30 a.m., Tuesday, February 9, 2016.

# JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 9, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Lindsay James, Westminster Presbyterian Church, Dubuque. She was the guest of Representative Isenhart of Dubuque.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Casey Jergens, Page from Eagle Grove.

The Journal of Monday, February 8, 2016, was approved.

## SPECIAL PRESENTATION

Klein of Washington introduced to the House, former state legislator Sandra Greiner.

On motion by Hagenow of Polk, the House was recessed at 8:48 a.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:06 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 9, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2092, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2017.

Also: That the Senate has on February 9, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2093, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2017.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2202**, by Wills, a bill for an act requiring Iowa state university of science and technology to develop and maintain a database of water quality measurements with the state's watersheds.

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

**House File 2203**, by Running-Marquardt, a bill for an act establishing an Iowa employment and education rides initiative and related fund in the state department of transportation.

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

**House File 2204**, by Nunn, a bill for an act prohibiting the sale of ivory and rhinoceros horn with certain exceptions, providing penalties, and including effective date provisions.

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

**House File 2205**, by Maxwell, a bill for an act establishing a safe routes to school program and fund.

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

**House File 2206**, by Heartsill and Dawson, a bill for an act relating to a child in need of assistance and child abuse and a drug-endangered child.

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

**House File 2207**, by Salmon, Heartsill, Gassman, Holt, Watts, Kooiker, Sheets, Baxter, and Fisher, a bill for an act establishing the government nondiscrimination Act, and including effective date provisions.

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

**House File 2208**, by Hall, a bill for an act requiring payment of the migratory game bird fee before hunting mourning doves, and providing a penalty.

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

**House File 2209**, by Rogers, a bill for an act prohibiting the use of automated or remote traffic law enforcement systems, requiring removal of existing systems, and including effective date provisions.

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

**House File 2210**, by Bearinger, a bill for an act concerning authorized lenders for the home ownership assistance program for military members and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Veterans Affairs**.

**House File 2211**, by Wills, a bill for an act relating to water quality improvement, by providing for water quality programs, projects, and practices, the certification of conservation planners, the use or transfer of fertilizer fees, and the approval of designs for soil and water conservation practices, making appropriations to support environmental specialists, and reducing property taxes on land reserved for conservation practices.

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

**House File 2212**, by Running-Marquardt, a bill for an act relating to coverage of three-dimensional mammography and including applicability date provisions.

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

**House File 2213**, by Nunn, a bill for an act relating to the requirements for the enactment of the state percent of growth and the categorical state percent of growth and including applicability provisions.

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

**House File 2214**, by Sands, a bill for an act relating to relocation of a custodial parent and modification of child custody.

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

**House File 2215**, by Wills, a bill for an act relating to the manner in which federal and state moneys are used for road and bridge construction projects.

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

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 589 Human Resources**

Relating to public health including public health modernization and boards of health.

##### **H.S.B. 590 Human Resources**

Nullifying a rule relating to physicians' supervision of physician assistants and including effective date provisions.

##### **H.S.B. 591 Human Resources**

Relating to public health including public health modernization and boards of health.

##### **H.S.B. 592 State Government**

Providing for the personal importation of wine and beer, and making taxes and penalties applicable.

##### **H.S.B. 593 Human Resources**

Relating to the operation of certain schools under the purview of the college student aid commission.

**H.S.B. 594 State Government**

Providing an automated dispensing device privilege for certain liquor control licensees and beer and wine permittees.

**H.S.B. 595 Veterans Affairs**

Relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

**H.S.B. 596 Commerce**

Relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

**H.S.B. 597 Judiciary**

Relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

**H.S.B. 598 Judiciary**

Relating to nonsubstantive Code corrections.

**H.S.B. 599 Judiciary**

Relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

**H.S.B. 600 Judiciary**

Relating to the confidentiality of juvenile court records.

**H.S.B. 601 Agriculture**

Relating to water quality by providing funding for water quality financial assistance programs, extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, and modifying allocations of state sales and use tax revenue collections.

## SUBCOMMITTEE ASSIGNMENTS

### **House File 441**

Judiciary: Kaufmann, Chair; Olson and Windschitl.

### **House File 442**

Judiciary: Paulsen, Chair; Windschitl and Wolfe.

### **House File 2038**

Agriculture: Mommsen, Chair; Bearinger and Paustian.

### **House File 2085**

Judiciary: Branhagen, Chair; Heartsill and Olson.

### **House File 2120**

Natural Resources: Wills, Chair; Baudler and Hanson.

### **House File 2132**

Public Safety: Klein, Chair; Abdul-Samad and Fry.

### **House File 2154**

Environmental Protection: Paustian, Chair; Anderson and Klein.

### **House File 2155**

Public Safety: Olson, Chair; Baudler and Kressig.

### **House File 2161**

Public Safety: Heartsill, Chair; Gaines and Kooiker.

### **House File 2176**

Agriculture: Klein, Chair; Hanson and B. Moore.

### **House File 2177**

Education: Highfill, Chair; Salmon and Winckler.

### **House File 2182**

Education: Dolecheck, Chair; Brown-Powers and Forristall.

**House File 2186**

Agriculture: Maxwell, Chair; Deyoe and Kearns.

**House File 2187**

Agriculture: Wills, Chair; Klein and Prichard.

**House File 2188**

Education: Koester, Chair; Hanson and Stanerson.

**House File 2189**

Education: Koester, Chair; Brown-Powers and Stanerson.

**House File 2191**

Judiciary: Rizer, Chair; Gustafson and Olson.

**House File 2192**

Judiciary: Nunn, Chair; Anderson and Paulsen.

**House File 2196**

Education: Forristall, Chair; Jorgensen and Ruff.

**House File 2197**

Education: Forristall, Chair; Jorgensen and Ruff.

**House File 2198**

Education: Dolecheck, Chair; Gaines and T. Moore.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 580**

Veterans Affairs: Nunn, Chair; Bearinger and Branhagen.

**House Study Bill 580 Reassigned**

Veterans Affairs: Nunn, Chair; Bearinger and Gustafson.

**House Study Bill 581**

Veterans Affairs: Kooiker, Chair; Dunkel and Nunn.



**House Study Bill 582**

Veterans Affairs: Kaufmann, Chair; Kearns and Watts.

**House Study Bill 586**

Public Safety: Baxter, Chair; Gaines and Holt.

**House Study Bill 587**

Environmental Protection: Jones, Chair; Lensing, Paustian, Wessel-Kroeschell and Wills.

**House Study Bill 592**

State Government: Bacon, Chair; Branhagen and Winckler.

**House Study Bill 594**

State Government: Wills, Chair; Hein and Stutsman.

**House Study Bill 595**

Veterans Affairs: Nunn, Chair; Bearinger and Branhagen.

**House Study Bill 595 Reassigned**

Veterans Affairs: Windschitl, Chair; Bearinger and Nunn.

**House Study Bill 596**

Commerce: Sands, Chair; Holz and Kressig.

**House Study Bill 597**

Judiciary: Baltimore, Chair; Nunn and Wolfe.

**House Study Bill 598**

Judiciary: Paulsen, Chair; Berry and Kaufmann.

**House Study Bill 599**

Judiciary: Branhagen, Chair; Gustafson and Prichard.

**House Study Bill 600**

Judiciary: Nunn, Chair; Berry and Branhagen.

**House Study Bill 601**

Agriculture: Hein, Chair; Cownie and H. Miller.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House Study Bill 561), providing for the administration of certain excise taxes imposed on the sale of cattle.

Fiscal Note: **No**

Recommendation: **Do Pass** February 9, 2016.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House Study Bill 503), relating to prescription authority for certain psychologists and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2016.

## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House Study Bill 563), related to civil service employees by removing state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2016.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 513), relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2016.

COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly House File 2127), concerning unclaimed cremated remains.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2016.

**Committee Bill** (Formerly House Study Bill 544), relating to motor vehicle registration fees for disabled veterans.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2016.

AMENDMENT FILED

H-8005      H.F.      2180      Gassman of Winnebago

On motion by Hagenow of Polk, the House adjourned at 4:09 p.m., until 8:30 a.m., Wednesday, February 10, 2016.

# JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twentieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 10, 2016

The House met pursuant to adjournment at 8:30 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Representative Dolecheck of Ringgold.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reagan Brown, Page from Shannon City.

The Journal of Tuesday, February 9, 2016, was approved.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 9:23 a.m., Windschitl of Harrison in the chair.

## CONSIDERATION OF BILLS

Regular Calendar

**House File 2080**, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions, was taken up for consideration.

### SENATE FILE 2035 SUBSTITUTED FOR HOUSE FILE 2080

Heaton of Henry asked and received unanimous consent to substitute Senate File 2035 for House File 2080.

**Senate File 2035**, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2035)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kooiker                      Paulsen

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

#### HOUSE FILE WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2080 from further consideration by the House.

**House File 2118**, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney, was taken up for consideration.

Bacon of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2118)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kooiker                      Paulsen

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

**House File 2147**, a bill for an act relating to absentee voting by uniformed and overseas citizens, was taken up for consideration.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2147)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Kooiker	Paulsen	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2180**, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring a public hall, was taken up for consideration.

Gassman of Winnebago offered amendment H-8005 filed by him and moved its adoption.

Amendment H-8005 was adopted.

Gassman of Winnebago moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2180)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Paulsen                      Upmeyer, Spkr.



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

### HOUSE FILE WITHDRAWN

Gassman of Winnebago asked and received unanimous consent to withdraw House File 2058 from further consideration by the House.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Kooiker of Sioux  
Speaker Upmeyer

Paulsen of Linn

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2118, 2147, 2180** and **Senate File 2035**.

On motion by Hagenow of Polk, the House was recessed at 9:40 a.m., until 4:00 p.m.

### AFTERNOON SESSION

The House reconvened at 4:08 p.m., Speaker Upmeyer in the chair.

### INTRODUCTION OF BILLS

**House File 2216**, by Bearinger, a bill for an act providing for the regulation of anhydrous ammonia containers, and making penalties applicable.

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

**House File 2217**, by Kelley, a bill for an act making appropriations to the veterans trust fund.

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

**House File 2218**, by Pettengill, a bill for an act regarding interpretation of public use and public interest in connection with an application for a franchise to construct an electric transmission line.

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

**House File 2219**, by Pettengill, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

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

**House File 2220**, by Staed, Brown-Powers, Hunter, Steckman, Winckler, Stutsman, Heddens, Bearinger, Kelley, Kearns, Gaskill, Ruff, Dawson, Running-Marquardt, Heaton, Meyer, Kressig, Oldson, Mascher, Abdul-Samad, Gaines, Forbes, McConkey, and Kaufmann, a bill for an act relating to children's mental health and well-being and making an appropriation.

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

**House File 2221**, by Dawson, Hall, and Jorgensen, a bill for an act providing for the establishment of county chemical substance abuse monitoring programs for certain criminal offenders.

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

**House File 2222**, by Rizer, a bill for an act creating the Iowa electronic communications privacy Act and providing remedies.

Read first time and referred to committee on **Public Safety**.

**House File 2223**, by Pettengill, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies.

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

**House File 2224**, by Heddens, a bill for an act providing for the licensure of clinical art therapists, making penalties applicable, providing for fees, and including effective date and implementation provisions.

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

**House File 2225**, by Hall, a bill for an act establishing state grants equitable distribution requirements.

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

**House File 2226**, by Pettengill, a bill for an act relating to member attendance at a closed session of a governmental body.

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

#### EXPLANATION OF VOTE

On February 10, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2118 – “aye”  
House File 2180 – “aye”

House File 2147 – “aye”  
Senate File 2035 – “aye”

Paulsen of Linn

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 602 Education**

Relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

##### **H.S.B. 603 Education**

Providing for computer science and computer coding instruction in the minimum state education curriculum and providing for a related computer science advisory council to be convened by the director of the department of education and including applicability provisions.

##### **H.S.B. 604 Judiciary**

Relating to the confidentiality of juvenile court records.

**H.S.B. 605 Judiciary**

Relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

**H.S.B. 606 Judiciary**

Providing for the establishment of a statewide sobriety and drug monitoring program to be used for certain criminal offenders in participating jurisdictions, and providing a penalty.

**H.S.B. 607 Commerce**

Relating to the medical cannabidiol Act, making related modifications, providing for civil and criminal penalties and fees, and including effective date provisions.

**H.S.B. 608 Human Resources**

Concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

**H.S.B. 609 Natural Resources**

Relating to the funding and operation of programs to collect and dispose of household hazardous materials.

**H.S.B. 610 Natural Resources**

Relating to turtle harvesting in the state and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****House File 2108**

Natural Resources: Bacon, Chair; Mommsen and Ruff.

**House File 2112**

Commerce: Pettengill, Chair; Dawson and Holt.

**House File 2179**

Natural Resources: Huseman, Chair; Koester and Thede.

**House File 2201**

Natural Resources: Klein, Chair; Baudler and Hanson.

**House File 2211**

Agriculture: Klein, Chair; Mommsen and Ruff.

**Senate File 1 Reassigned**

State Government: Pettengill, Chair; Bacon and Prichard.

**Senate File 503**

Ways and Means: Byrnes, Chair; Kelley and Stanerson.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 538**

Local Government: Highfill, Chair; Baxter and Lensing.

**House Study Bill 590**

Human Resources: L. Miller, Chair; Forristall and Winckler.

**House Study Bill 591**

Human Resources: Forristall, Chair; Best and Brown-Powers.

**House Study Bill 591 Reassigned**

Human Resources: Forristall, Chair; Best and Heddens.

**House Study Bill 593**

Human Resources: R. Taylor, Chair; T. Moore and Winckler.

**House Study Bill 602**

Education: T. Moore, Chair; Gassman and Winckler.

**House Study Bill 603**

Education: Forristall, Chair; Gaines and Stanerson.

**House Study Bill 604**

Judiciary: Rogers, Chair; Dawson and Kaufmann.

**House Study Bill 607**

Commerce: Vander Linden, Chair; Forbes and Nunn.

**House Study Bill 608**

Human Resources: Fry, Chair; Dawson and Rizer.

**House Study Bill 610**

Natural Resources: Fisher, Chair; B. Moore and Ourth.

**COMMITTEE RECOMMENDATIONS**

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON APPROPRIATIONS**

**Committee Bill** (Formerly House File 2121), appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 10, 2016.

**COMMITTEE ON JUDICIARY**

**Committee Bill** (Formerly House Study Bill 523), relating to the criminal offense of identity theft, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 10, 2016.

**Committee Bill** (Formerly House Study Bill 530), including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

Fiscal Note: **No**

Recommendation: **Do Pass** February 10, 2016.

#### COMMITTEE ON LABOR

**Committee Bill** (Formerly House File 2184), concerning documentation of age for purposes of obtaining a child labor permit.

Fiscal Note: **No**

Recommendation: **Do Pass** February 10, 2016.

**Committee Bill** (Formerly House Study Bill 556), concerning the confidentiality of public employee support information submitted to the public employment relations board.

Fiscal Note: **No**

Recommendation: **Do Pass** February 10, 2016.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House Study Bill 558), prohibiting the state, counties, and cities from limiting or restricting enforcement of federal immigration laws.

Fiscal Note: **No**

Recommendation: **Do Pass** February 9, 2016.

On motion by Hagenow of Polk, the House adjourned at 4:10 p.m., until 8:30 a.m., Thursday, February 11, 2016.

# JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 11, 2016

The House met pursuant to adjournment at 8:35 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Karen Crawford, St. Stephen's Episcopal Church, Newton. She was the guest of Representative Kelley of Jasper.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Austin Carter, Page from Pleasant Hill.

The Journal of Wednesday, February 10, 2016, was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2005**, by Highfill, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the creation of fewer counties.

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

**House File 2227**, by McConkey, Anderson, Gaskill, Kearns, Staed, and Kaufmann, a bill for an act relating to the requirements for scrap metal transactions and reporting, and making civil penalties applicable.

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

**House File 2228**, by Dunkel, a bill for an act related to the high quality jobs program by allowing additional tax incentives for businesses that use contractors and subcontractors operating or participating in an apprenticeship program and including applicability provisions.

Read first time and referred to committee on **Economic Growth**.



**House File 2229**, by Ruff, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts.

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

**House File 2230**, by Highfill, Nunn, Cownie, and Koester, a bill for an act requiring school employee training and protocols relating to suicide prevention and trauma-informed care.

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

**House File 2231**, by R. Taylor, a bill for an act concerning the use of experimental treatments for patients with a terminal illness.

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

**House File 2232**, by Kaufmann and Jacoby, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

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

**House File 2233**, by Hall, a bill for an act relating to sexual abuse and sexual exploitation by a counselor, therapist, or school employee, related penalties, and the time within which actions may be brought for damages for such injury.

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

**House File 2234**, by Nunn, Sheets, Branhagen, Forristall, Pettengill, Wills, Dawson, Carlson, Brown-Powers, Heartsill, Steckman, Stutsman, Salmon, and Kelley, a bill for an act relating to the authority of peace officers to investigate and enforce human trafficking laws.

Read first time and referred to committee on **Public Safety**.

**House File 2235**, by Hall, a bill for an act providing volunteer leave for certain state employees.

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

**House File 2236**, by T. Taylor, Thede, Kearns, Bearinger, McConkey, Hunter, Jacoby, Staed, Smith, Ourth, Heddens, Prichard, Gaskill, Abdul-Samad, Lensing, Wessel-Kroeschell, H. Miller, Hanson, Wolfe, Anderson, Gaines, Kressig, Brown-Powers, and Kelley, a bill for an act including certain board of regents institution special security officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

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

**House File 2237**, by Nunn, a bill for an act establishing an AmeriCorps program for the economic well-being and health of refugees and making an appropriation.

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

**House File 2238**, by Finkenauer, a bill for an act concerning certain training and employee disclosure requirements for service contract recipients.

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

**House File 2239**, by Highfill, a bill for an act relating to the use of special minor's driver's licenses to travel to private facilities for the purpose of participating in extracurricular activities.

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

**House File 2240**, by T. Taylor, Thede, Kearns, Bearinger, Isenhart, McConkey, Hunter, Jacoby, Staed, Mascher, Smith, Ourth, Heddens, Gaskill, Abdul-Samad, Bennett, Lensing, Stutsman, Wessel-Kroeschell, Finkenauer, H. Miller, Olson, Hanson, Wolfe, Anderson, Gaines, Kressig, Brown-Powers, Kelley, Hall, and Dawson, a bill for an act relating to the construction and maintenance of walkways in rail yards, and providing a penalty.

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

**House File 2241**, by Landon, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

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

**House File 2242**, by Running-Marquardt, a bill for an act increasing the amount available for allocation to the workforce housing tax incentives program under the aggregate tax credit limit for economic development authority programs.

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

On motion by Hagenow of Polk, the House was recessed at 8:49 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:04 p.m., Speaker Upmeyer in the chair.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 11, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2125, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

#### INTRODUCTION OF BILLS

**House Joint Resolution 2006**, by Heddens, Pettengill, Vander Linden, Jones, Olson, and Wessel-Kroeschell, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

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

**House File 2243**, by Isenhart, a bill for an act appropriating funds to the economic development authority to support healthy food choices at farmers' markets for eligible food assistance program participants.

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

**House File 2244**, by Winckler, a bill for an act relating to interest rate limitations and disclosure requirements applicable to specified postsecondary educational loans, and making civil penalties applicable.

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

**House File 2245**, by Oldson, a bill for an act establishing a statewide chemical substance abuse monitoring pilot program.

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

**House File 2246**, by Anderson, a bill for an act requiring minimum paid sick and safe time for employees, providing a penalty, and including applicability provisions.

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

**House File 2247**, by Prichard, Baxter, Ourth, Ruff, Bearinger, Holt, Mommsen, Heartsill, Wolfe, and Branhagen, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses.

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

**House File 2248**, by Bacon, a bill for an act relating to the speed limit on the interstate road system.

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

**House File 2249**, by Hein, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

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

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

AUDITOR OF STATE

Report of Recommendations to Human Services, pursuant to Iowa Code section 11.4.

BOARD OF REGENTS

Minority and Women Educators Enhancement Program Report, pursuant to Iowa Code section 262.82.

Affirmative Action, Diversity and Multicultural Accomplishment Report, pursuant to Iowa Code section 19B.5.

Gifts and Grants Report, pursuant to Iowa Code section 8.11.

DEPARTMENT FOR THE BLIND

Recycling Report, pursuant to Iowa Code section 216B.3(12)(d).

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Watershed Improvement Review Board Administration and Annual Reports, pursuant to Iowa Code section 466A.3.

DEPARTMENT OF CORRECTIONS

Monthly Report, pursuant to Iowa Code section 904.116.

DEPARTMENT OF EDUCATION

Virtual Schools in Iowa Report, pursuant to Iowa Code section 256.7.

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14(21)(c).

School Infrastructure Funding report, pursuant to Iowa Code section 256.9(19).

Association of School Boards Report, pursuant to Iowa Code section 279.38.

DEPARTMENT OF HUMAN RIGHTS

Iowa Collaboration for Youth Development Council Annual Report, pursuant to Iowa Code section 216A.140(7)(g).

## DEPARTMENT OF HUMAN SERVICES

Tobacco Settlement Trust Fund Status Report, pursuant to Iowa Code section 12E.12(9).

Revenue Bonds Capitals Fund Status Report, pursuant to Iowa Code section 12.88(4).

Revenue Bonds Capitals II Fund Status Report, pursuant to Iowa Code section 12.88A(4).

Environment First Fund Report, pursuant to Iowa Code section 8.57A(5).

Technology Reinvestment Fund Report, pursuant to Iowa Code section 8.57C.

Mental Health and Disabilities Services Report, pursuant to Iowa Code section 225C.6(1)(h).

Rebuild Iowa Infrastructure Fund Status Report, pursuant to Iowa Code section 8.57.

## DEPARTMENT OF REVENUE

Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17.

## DEPARTMENT OF TRANSPORTATION

Registered Flexible Fuel Vehicles Report, pursuant to Iowa Code section 452A.33.

## IOWA FINANCE AUTHORITY

Rebuild Iowa Infrastructure Fund Report, pursuant to Iowa Code section 8.57.

## LONG-TERM CARE OMBUDSMAN

Annual Report, pursuant to Iowa Code section 231.42.

## WORLD FOOD PRIZE FOUNDATION

Annual Report, pursuant to Chapter 212.3, 2007 Iowa Acts.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 611 Agriculture**

Requiring that agreements to terminate farm tenancies be in writing.

**H.S.B. 612 Economic Growth**

Relating to the programs and duties of the economic development authority and including effective date provisions.

**H.S.B. 613 State Government**

Permitting the state registrar of voters to retain fees charged by the registrar for furnishing certain voter registration services and information, and including effective date provisions.

**H.S.B. 614 Judiciary**

Relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

**H.S.B. 615 Transportation**

Relating to matters under the purview of, and the collection of certain court debt by, the department of transportation, and making penalties applicable.

**H.S.B. 616 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 effective date provisions.

**H.S.B. 617 Ways and Means**

Establishing the facilitating business rapid response to state-declared disasters Act, and including effective date provisions.

**H.S.B. 618 Agriculture**

Providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

**H.S.B. 619 Local Government**

Authorizing the severance of territory and transfer of services of a sanitary district by resolution.

**H.S.B. 620 Education**

Providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

**H.S.B. 621 Human Resources**

Prohibiting certain actions regarding fetal body parts and providing penalties.

**H.S.B. 622 Transportation**

Providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****House Joint Resolution 2005**

State Government: Watts, Chair; Prichard and Vander Linden.

**House File 2185**

Transportation: B. Moore, Chair; Jacoby and Worthan.

**House File 2193**

Judiciary: Heartsill, Chair; Kaufmann and Olson.

**House File 2195**

Transportation: Carlson, Chair; Holz and Lykam.

**House File 2205**

Education: Byrnes, Chair; Abdul-Samad and Fry.

**House File 2213**

Education: Jorgensen, Chair; T. Moore and Steckman.

**House File 2215**

Transportation: Landon, Chair; Best and Dawson.



**House File 2216**

Agriculture: Klein, Chair; Hanson and Holz.

**House File 2219**

Commerce: Pettengill, Chair; Hall and Landon.

**House File 2223**

State Government: Pettengill, Chair; Kelley and L. Miller.

**House File 2224**

State Government: Watts, Chair; Masher and Vander Linden.

**House File 2225**

State Government: Watts, Chair; Vander Linden and Winckler.

**House File 2226**

State Government: Pettengill, Chair; Mascher and L. Miller.

**House File 2227**

Commerce: Kaufmann, Chair; Carlson and Kressig.

**House File 2235**

State Government: Watts, Chair; Berry and Vander Linden.

**House File 2236**

State Government: Watts, Chair; T. Taylor and Vander Linden.

**House File 2237**

State Government: Watts, Chair; Stutsman and Vander Linden.

**House File 2238**

State Government: Watts, Chair; Hunter and Vander Linden.

**House File 2241**

Transportation: Landon, Chair; Best and Wolfe.

**Senate File 2022**

Judiciary: Baxter, Chair; Jones and Wolfe.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

### **House Study Bill 605**

Judiciary: Nunn, Chair; Rizer and Wolfe.

### **House Study Bill 606**

Judiciary: Nunn, Chair; Dawson and Kaufmann.

### **House Study Bill 612**

Economic Growth: R. Taylor, Chair; Gustafson and McConkey.

### **House Study Bill 613**

State Government: T. Moore, Chair; Prichard and Watts.

### **House Study Bill 614**

Judiciary: Branhagen, Chair; Jones and Meyer.

### **House Study Bill 615**

Transportation: B. Moore, Chair; Best and Stutsman.

### **House Study Bill 616**

Judiciary: Paulsen, Chair; Olson and Windschitl.

### **House Study Bill 619**

Local Government: Branhagen, Chair; Forbes and Koester.

### **House Study Bill 621**

Human Resources: Fry, Chair; L. Miller and Wessel-Kroeschell.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2034), relating to permissible uses of supplemental aid for professional development paid to school districts and area education agencies under the state school foundation program.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 10, 2016.

**Committee Bill** (Formerly House Study Bill 569), relating to the disbursement of all Iowa opportunity scholarships.

Fiscal Note: **No**

Recommendation: **Do Pass** February 10, 2016.

On motion by Hagenow of Polk, the House adjourned at 4:06 p.m., until 1:00 p.m., Monday, February 15, 2016.

# JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 15, 2016

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Peter Salmon, Trinity Bible Church, Cedar Falls. He was the guest of Representative Salmon of Black Hawk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cooper Kellaher from Urbandale. He is the nephew of Representative Brown-Powers of Black Hawk.

The Journal of Thursday, February 11, 2016, was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution File 2007**, by Running-Marquardt, a joint resolution to nullify administrative rules of the racing and gaming commission concerning granting licenses and including effective date provisions.

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

**House File 2250**, by Thede, H. Miller, Steckman, Kearns, Ourth, Berry, Abdul-Samad, Prichard, Winckler, Kelley, Gaines, Nunn, Vander Linden, and Best, a bill for an act making an appropriation from the rebuild Iowa infrastructure fund for a veterans memorial park.

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

**House File 2251**, by Koester, a bill for an act providing an exemption from registration of postsecondary schools by the college student aid commission.

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

**House File 2252**, by Mascher, a bill for an act concerning open enrollment of students in online learning programs.

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

**House File 2253**, by Kelley and Staed, a bill for an act relating to the provision of food to persons in need, including the donation of food to be distributed by food banks and emergency feeding organizations, the establishment of prison gardens, and the exemption from the state sales and use tax of the purchase price of tangible personal property sold and services furnished to food banks, and providing for appropriations.

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

**House File 2254**, by Anderson, a bill for an act relating to nonlawyers providing assistance to landlords or tenants with the electronic filing of small claims forms.

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

**House File 2255**, by Hunter, Kelley, Kearns, and Staed, a bill for an act relating to firearm violence protective orders and making penalties applicable.

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

**House File 2256**, by Gassman, a bill for an act relating to continuing education for certified advanced emergency medical technicians and creating a certified advanced emergency medical technician continuing education tax credit.

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

**House File 2257**, by B. Moore, a bill for an act relating to the gross weight allowed for special trucks and the gross weight information included on registration receipts.

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

**House File 2258**, by B. Moore, a bill for an act relating to gross weight limits on interstate and noninterstate highways.

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

**House File 2259**, by committee on Veterans Affairs, a bill for an act relating to motor vehicle registration fees for disabled veterans.

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

**House File 2260**, by committee on Education, a bill for an act relating to education funding by extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, modifying uses for funding received from the secure an advanced vision for education fund, and authorizing school districts to adopt a district cost per pupil equity budget adjustment.

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

**House File 2261**, by committee on Commerce, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

Read first time and placed on the **calendar**.

**House File 2262**, by committee on Natural Resources, a bill for an act allowing fishing without a license on certain private lakes and ponds and providing a penalty.

Read first time and placed on the **calendar**.

**House File 2263**, by committee on Education, a bill for an act relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners.

Read first time and placed on the **calendar**.

**House File 2264**, by committee on Education, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

Read first time and placed on the **calendar**.

**House File 2265**, by committee on Public Safety, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings.

Read first time and placed on the **calendar**.

**House File 2266**, by committee on Veterans Affairs, a bill for an act concerning unclaimed cremated remains.

Read first time and placed on the **calendar**.

**House File 2267**, by committee on Local Government, a bill for an act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

Read first time and placed on the **calendar**.

**House File 2268**, by committee on Labor, a bill for an act concerning the confidentiality of public employee support information submitted to the public employment relations board.

Read first time and placed on the **calendar**.

**House File 2269**, by committee on Agriculture, a bill for an act providing for the administration of certain excise taxes imposed on the sale of cattle.

Read first time and placed on the **calendar**.

**House File 2270**, by committee on Judiciary, a bill for an act including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

Read first time and placed on the **calendar**.

**House File 2271**, by committee on Judiciary, a bill for an act relating to the criminal offense of identity theft, and providing penalties.

Read first time and placed on the **calendar**.

**House File 2272**, by committee on Appropriations, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Appropriations calendar**.

**House File 2273**, by committee on State Government, a bill for an act relating to elections administration with respect to the address confidentiality program, the printing of ballots, satellite absentee voting, and the conduct of school district elections.

Read first time and placed on the **calendar**.

**House File 2274**, by committee on Labor, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit.

Read first time and placed on the **calendar**.

**House File 2275**, by committee on Education, a bill for an act relating to the disbursement of all Iowa opportunity scholarships.

Read first time and placed on the **calendar**.

**House File 2276**, by committee on Public Safety, a bill for an act prohibiting the state, counties, and cities from limiting or restricting enforcement of federal immigration laws.

Read first time and placed on the **calendar**.

**House File 2277**, by committee on Commerce, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way.

Read first time and placed on the **calendar**.



**House File 2278**, by committee on Judiciary, a bill for an act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

Read first time and placed on the **calendar**.

**House File 2279**, by committee on Judiciary, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2280**, by committee on Judiciary, a bill for an act relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy.

Read first time and placed on the **calendar**.

**House File 2281**, by committee on Judiciary, a bill for an act relating to the possession of a pistol, revolver, or ammunition by persons under fourteen years of age, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2282**, by committee on Judiciary, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding.

Read first time and placed on the **calendar**.

**House File 2283**, by committee on Natural Resources, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

Read first time and placed on the **calendar**.

#### SENATE MESSAGES CONSIDERED

**Senate File 2092**, by committee on Education, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2017.

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

**Senate File 2093**, by committee on Education, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2017.

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

**Senate File 2125**, by committee on Human Resources, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

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

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 623 State Government**

Relating to propane inspection and regulation, imposing an assessment, and making appropriations.

### **H.S.B. 624 State Government**

Relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

### **H.S.B. 625 State Government**

Concerning the licensure of funeral directors licensed in other states.

### **H.S.B. 626 Judiciary**

Relating to grounds for termination of parental rights of an individual relative to sexual abuse.

### **H.S.B. 627 Public Safety**

Relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

**H.S.B. 628 Commerce**

Requiring the licensure of flexible credit lenders, and making civil penalties applicable.

**H.S.B. 629 Commerce**

Concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

**SUBCOMMITTEE ASSIGNMENTS****House File 376 Reassigned**

Public Safety: Anderson, Chair; Baxter and Gaines.

**House File 2152 Reassigned**

Judiciary: Heartsill, Chair; Anderson and Windschitl.

**House File 2164 Reassigned**

Judiciary: Gustafson, Chair; Branhagen and Meyer.

**House File 2206**

Human Resources: Fry, Chair; Dawson and Forristall.

**House File 2214**

Human Resources: Forristall, Chair; Anderson and Fry.

**House File 2220**

Human Resources: Fry, Chair; Forristall and McConkey.

**House File 2230**

Education: Highfill, Chair; Koester and Staed.

**House File 2231**

Human Resources: Forristall, Chair; McConkey and T. Moore.

**House File 2246**

Labor: Forristall, Chair; Hunter and Watts.

**House File 2247**

Natural Resources: Klein, Chair; Hanson and Paustian.

**House File 2248**

Transportation: Worthan, Chair; Landon and Olson.

**House File 2249**

Agriculture: Holz, Chair; Kelley and Maxwell.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 609**

Natural Resources: Fisher, Chair; Bennett and Maxwell.

**House Study Bill 611**

Agriculture: B. Moore, Chair; Deyoe and Kelley.

**House Study Bill 618**

Agriculture: Byrnes, Chair; B. Moore and Ourth.

**House Study Bill 620**

Education: Hanusa, Chair; Byrnes and Ruff.

**House Study Bill 623**

State Government: Hein, Chair; Stutsman and Watts.

**House Study Bill 624**

State Government: Highfill, Chair; Hein and Hunter.

**House Study Bill 625**

State Government: Bacon, Chair; Lensing and Stanerson.

**House Study Bill 626**

Judiciary: Heartsill, Chair; Jones and Meyer.

**House Study Bill 627**

Public Safety: Worthan, Chair; Holt and Kressig.

**House Study Bill 628**

Commerce: Pettengill, Chair; Hall and Nunn.

**House Study Bill 629**

Commerce: Landon, Chair; Holz and Ourth.

**COMMITTEE RECOMMENDATIONS**

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

**COMMITTEE ON ECONOMIC GROWTH**

**Committee Bill** (Formerly House Study Bill 518), relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2016.

**COMMITTEE ON HUMAN RESOURCES**

**Committee Bill** (Formerly House File 235), concerning membership on the commission for the blind.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**Committee Bill** (Formerly House File 2104), relating to subsidized guardianships.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**COMMITTEE ON JUDICIARY**

**House File 2011**, a bill for an act relating to the criminal offense of sexual exploitation by a school employee.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8007** February 4, 2016.

**House File 2077**, a bill for an act relating to the unauthorized placement of a global positioning device and providing a penalty.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8006** February 10, 2016.

**Committee Bill** (Formerly House Study Bill 531), relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 575), relating to the statute of limitations period in an action arising out of the unsafe or defective condition of an improvement to real property.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2120), relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2016.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 2049), relating to controlled substances, including by modifying the penalties for controlled substances containing cocaine base, enhancing the penalties for imitation controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and temporarily designating substances as controlled substances, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**Committee Bill** (Formerly House File 2076), modifying sex offender registry requirements by requiring certain sex offenders from out-of-state whose registration requirements have expired to reregister, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**Committee Bill** (Formerly House File 2109), relating to the regulation of automated traffic law enforcement systems.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**Committee Bill** (Formerly House Study Bill 562), relating to motor vehicle impoundment when the vehicle is operated by a person with a denied, canceled, suspended, or revoked driver's license, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2016.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House File 2145), relating to the age at which a registered voter is eligible to vote in a primary election.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**Committee Bill** (Formerly House Study Bill 539), requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2016.

**Committee Bill** (Formerly House Study Bill 553), relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

**Committee Bill** (Formerly House Study Bill 583), concerning investment of certain public funds in and public contracts with companies that boycott Israel.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 11, 2016.

#### AMENDMENTS FILED

H-8006	H.F.	2077	Committee on Judiciary
H-8007	H.F.	2011	Committee on Judiciary

On motion by Hagenow of Polk, the House adjourned at 1:24 p.m., until 8:30 a.m., Tuesday, February 16, 2016.

# JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 16, 2016

The House met pursuant to adjournment at 8:34 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Bishop Martin Amos, Catholic Diocese, Davenport. He was the guest of Representatives L. Miller, Lykam, Paustian, Thede and Winckler of Scott.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kai Newell, Page from Granger.

The Journal of Monday, February 15, 2016, was approved.

## ADOPTION OF HOUSE RESOLUTION 102

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Resolution 102**, a resolution to recognize the Iowa Small Business Development Centers and honor 2016 award winners.

Hanusa of Pottawattamie moved the adoption of House Resolution 102.

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 8:50 a.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:31 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILLS

**House File 2284**, by Highfill, a bill for an act establishing an education savings grant pilot program by providing education savings



grants for certain pupils attending a nonpublic school, requiring periodic legislative review of the pilot program, establishing an education savings grant fund, making appropriations, providing penalties, and including applicability provisions.

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

**House File 2285**, by Running-Marquardt, a bill for an act requiring the racing and gaming commission to conduct a study on the impact on employees of allowing smoking in casinos.

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

**House File 2286**, by Gustafson, a bill for an act relating to notice and election requirements and limitations for the issuance of certain bonds by political subdivisions of the state.

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

**House File 2287**, by committee on Human Resources, a bill for an act concerning membership on the commission for the blind.

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

**House File 2288**, by committee on Economic Growth, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

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

**House File 2289**, by Salmon, Koester, Staed, Steckman, Ourth, Berry, Mascher, Sheets, Gustafson, Gaines, Brown-Powers, Hanson, and Dolecheck, a bill for an act relating to practitioner preparation in reading and to reading instruction and dyslexia interventions for public school students.

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

**House File 2290**, by Steckman, Salmon, Abdul-Samad, Brown-Powers, Gaines, Hanson, Mascher, Ruff, Winckler, Cohoon, Staed, Gassman, Holt, Heartsill, Sheets, Nunn, Baxter, Rogers, Fisher, Kooiker, Landon, Branhagen, Gustafson, Watts, and Kaufmann, a bill for an act delaying a requirement relating to an annual assessment of public school student progress.

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

**House File 2291**, by Hall, a bill for an act requiring a person convicted of certain domestic abuse offenses to be supervised using an electronic tracking and monitoring system.

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

**House File 2292**, by Hall, a bill for an act relating to carrying weapons on school grounds by a certified peace officer with a professional permit to carry weapons.

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

**House File 2293**, by Hanson, a bill for an act relating to school district transportation costs by establishing a transportation equity program, modifying provisions relating to transportation assistance aid provided by the school budget review committee, and making appropriations.

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

**House File 2294**, by Nunn, a bill for an act relating to the provision of prekindergarten services using innovative financing partnership contracts, providing financing authority to the treasurer of state, and making appropriations.

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

**House File 2295**, by Winckler, a bill for an act relating to the authority, functions, and responsibilities of the college student aid commission.

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

**House File 2296**, by Byrnes, a bill for an act imposing a fee on certain fertilizers to be credited to the water quality initiative fund.

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

**House File 2297**, by Sheets, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties.

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

**House File 2298**, by H. Miller, a bill for an act establishing a study regarding the possible establishment of a jail diversion program for offenders with a mental illness.

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

**House File 2299**, by H. Miller, a bill for an act relating to eligibility to enter into installment agreements for the collection of court debt.

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

**House File 2300**, by Kressig, a bill for an act concerning motor vehicle-related violations committed with a denied, canceled, suspended, revoked, or barred driver's license that result in serious injury or death, and providing penalties.

Read first time and referred to committee on **Public Safety**.

**House File 2301**, by H. Miller, a bill for an act providing for the restoration of the right to register to vote and to vote and hold elective office for certain persons and including effective date provisions.

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

**House File 2302**, by H. Miller, a bill for an act requiring executive branch administrative units that regulate a profession to provide a waiver process to allow persons barred due to a criminal record to apply for a license or other authorization.

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

**House File 2303**, by Lensing, a bill for an act relating to electronic voter registration by requiring the implementation of a statewide electronic voter registration system.

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

**House File 2304**, by Gaskill, a bill for an act requiring a postelection audit after each general election and including effective date and applicability provisions.

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

**House File 2305**, by Berry, a bill for an act relating to the sale of certain unused right-of-way property.

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

**House File 2306**, by Isenhart, a bill for an act requiring an inventory of carcinogens used by the state or its political subdivisions.

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

**House File 2307**, by B. Moore, a bill for an act requiring that vehicles not capable of traveling thirty-five miles per hour be driven on the shoulder of the roadway, and providing a penalty.

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

**House File 2308**, by McConkey, Prichard, and Wolfe, a bill for an act permitting the establishment of online pretrial diversion programs for certain motor vehicle-related offenses, and providing fees.

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

**House File 2309**, by committee on Public Safety, a bill for an act relating to controlled substances, including by modifying the penalties for controlled substances containing cocaine base, enhancing the penalties for imitation controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and temporarily designating substances as controlled substances, and providing penalties.

Read first time and placed on the **calendar**.

**House File 2310**, by committee on State Government, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2311**, by committee on Public Safety, a bill for an act relating to the regulation of automated traffic law enforcement systems.

Read first time and placed on the **calendar**.

**House File 2312**, by committee on Education, a bill for an act relating to permissible uses of supplemental aid for professional development paid to school districts and area education agencies under the state school foundation program.

Read first time and placed on the **calendar**.

**House File 2313**, by Kaufmann, a bill for an act relating to the licensing qualifications of a residential master electrician.

Read first time and referred to committee on **Public Safety**.

**House File 2314**, by committee on Judiciary, a bill for an act relating to the issuance and verification of, and the transfer of records concerning permits to carry weapons and the confidentiality of such records including the confidentiality of records for such permits and for permits to acquire pistols or revolvers, prohibiting fraudulent transfers of firearms and ammunition, providing for a fee and a penalty, and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

**House File 2315**, by Klein, a bill for an act prohibiting the department of natural resources from employing peace officers to enforce the laws of the state or rules and regulations pertaining to the natural resource commission and including coordinating provisions, and including an appropriation.

Read first time and referred to committee on **Public Safety**.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 630 Transportation**

Requiring security interest and lien checks before the disposal of motor vehicles for scrap or junk.

### **H.S.B. 631 Transportation**

Establishing a motor vehicle insurance verification program, establishing fees, and including penalty and effective date provisions.

### **H.S.B. 632 Transportation**

Relating to matters under the purview of the department of transportation, and making penalties applicable.

### **H.S.B. 633 Transportation**

Relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

### **H.S.B. 634 Economic Growth**

Relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

### **H.S.B. 635 Education**

Concerning instruction provided through the Iowa learning online initiative.

## SUBCOMMITTEE ASSIGNMENTS

### **House Joint Resolution 2006**

Education: T. Moore, Chair; Cohoon and Fry.

### **House File 565 Reassigned**

Local Government: Koester, Chair; Carlson and Staed.

### **House File 2228**

Economic Growth: Rogers, Chair; Dunkel and Paustian.

### **House File 2229**

Education: Stanerson, Chair; Ruff and Sieck.

### **House File 2251**

Education: Koester, Chair; Gassman and Winckler.

### **House File 2252**

Education: Highfill, Chair; Mascher and Salmon.

### **House File 2253**

Human Resources: Forristall, Chair; Fry and Gaines.

### **House File 2257**

Transportation: B. Moore, Chair; Best and Lykam.

### **House File 2258**

Transportation: B. Moore, Chair; Best and Lykam.

### **Senate File 87 Reassigned**

Local Government: Branhagen, Chair; Rogers and Staed.

### **Senate File 2092**

Education: Forristall, Chair; Jorgensen and Steckman.

### **Senate File 2093**

Education: Forristall, Chair; Jorgensen and Steckman.

### **Senate File 2125**

Human Resources: L. Miller, Chair; Fry and Heddens.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 634**

Economic Growth: Carlson, Chair; Dunkel and Jorgensen.

**House Study Bill 635**

Education: Gassman, Chair; Hanusa and Steckman.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House File 2187), requiring that state efforts to reduce nutrient loads in surface waters be customized based on a watershed's unique characteristics.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2249), allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 611), requiring that agreements to terminate farm tenancies be in writing.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 618), providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.



## COMMITTEE ON COMMERCE

**Committee Bill** (Formerly House Study Bill 537), relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 596), relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2061), relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 545), relating to reading and literacy requirements for practitioner preparation programs.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 570), authorizing the college student aid commission to write off certain defaulted student loan debt as uncollectible.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 602), relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 603), providing for computer science and computer coding instruction in the minimum state education curriculum and providing for a related computer science advisory council to be convened by the director of the department of education and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

#### COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House File 2154), modifying the penalties for littering.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

#### COMMITTEE ON HUMAN RESOURCES

**Senate File 232**, a bill for an act relating to the regulation of tanning facilities and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8008** February 11, 2016.

**Committee Bill** (Formerly House Study Bill 591), relating to public health including public health modernization and boards of health.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 593), relating to the operation of certain schools under the purview of the college student aid commission.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 621), prohibiting certain actions regarding fetal body parts and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

#### COMMITTEE ON JUDICIARY

**House File 2027**, a bill for an act relating to the displacement and relocation of a business or farm and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2129), relating to the issuance and verification of, and the transfer of records concerning permits to carry weapons and the confidentiality of such records including the confidentiality of records for such permits and for permits to acquire pistols or revolvers, prohibiting fraudulent transfers of firearms and ammunition, providing for a fee and a penalty, and including effective date and applicability provisions

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2192), establishing an office within the department of public safety to oversee efforts to combat human trafficking.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 521), relating to consent decrees in juvenile delinquency proceedings.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 578), providing for voidable commercial transactions and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 598), relating to nonsubstantive Code corrections.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 599), relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 616), 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 effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House Study Bill 619), authorizing the severance of territory and transfer of services of a sanitary district by resolution.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2047), relating to the use of a straight wall cartridge rifle to hunt deer and including penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2247), relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 610), relating to turtle harvesting in the state and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 2132), relating to the possession and administration of emergency drugs by first responders for purposes of treating drug overdose victims.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2155), permitting the establishment of prearrest diversion programs for certain offenders.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2161), relating to peace officer personal information under the control of local officials and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 586), providing for an individual income tax credit for the purchase of a gun safe under certain conditions and including effective date and retroactive and other applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 542), modifying the notice period for public improvement projects.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 585), concerning gambling game licensure requirements and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 594), providing an automated dispensing device privilege for certain liquor control licensees and beer and wine permittees.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2016.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 2051), relating to Iowa community college special registration plates for motor vehicles.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2088), relating to agricultural literacy special registration plates for motor vehicles.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2185), relating to third-party commercial driver's license testers and skills test examiners.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2241), requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

#### AMENDMENT FILED

H-8008      S.F.      232      Committee on Human Resources

On motion by Hagenow of Polk, the House adjourned at 4:57 p.m., until 8:30 a.m., Wednesday, February 17, 2016.

# JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 17, 2016

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Marshall Felderman, First Baptist Church, Russell. He was the guest of Representative Heartsill of Marion.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Payton Sash, Page from LaPorte City.

The Journal of Tuesday, February 16, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2316**, by Hanson, a bill for an act relating to tagging requirements for deer hunting.

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

**House File 2317**, by Running-Marquardt, a bill for an act requiring minimum operating hours for the state historical society research centers in Des Moines and Iowa City.

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

**House File 2318**, by Kooiker, a bill for an act concerning the issuance of temporary visitor driver's licenses to certain foreign nationals.

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

**House File 2319**, by Rizer, a bill for an act providing for the reporting and remittance of use taxes on the Iowa individual income tax return and including retroactive applicability provisions.

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

#### ADOPTION OF HOUSE RESOLUTION 101

Hagenow of Polk called up for consideration **House Resolution 101**, a resolution commemorating the 50th anniversary of Iowa's community colleges.

Koester of Polk moved the adoption of **House Resolution 101**.

The motion prevailed and the resolution was adopted.

#### RULE 57 SUSPENDED

Hagenow of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on Public Safety to meet at 1:00 p.m.

On motion by Hagenow of Polk, the House was recessed at 8:46 a.m., until 12:30 p.m.

#### AFTERNOON SESSION

The House reconvened at 12:37 p.m., Speaker Upmeyer in the chair.

#### INTRODUCTION OF BILLS

**House File 2320**, by Rizer, a bill for an act permitting counties and cities to award competitively bid contracts for purchases and projects to local and in-state bidders under certain circumstances and including applicability provisions.

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

**House File 2321**, by committee on Education, a bill for an act relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education.

Read first time and placed on the **calendar**.



## SPONSORS ADDED

House File 2299	Berry of Black Hawk
Gaskill of Wapello	McConkey of Pottawattamie
Mascher of Johnson	Stutsman of Johnson
Wessel-Kroeschell of Story	Lensing of Johnson
Wolfe of Clinton	Olson of Polk
Brown-Powers of Black Hawk	Hunter of Polk
Abdul-Samad of Polk	Bennett of Linn
House File 2301	Berry of Black Hawk
Gaskill of Wapello	McConkey of Pottawattamie
Mascher of Johnson	Stutsman of Johnson
Wessel-Kroeschell of Story	Lensing of Johnson
Wolfe of Clinton	Olson of Polk
Brown-Powers of Black Hawk	Hunter of Polk
Abdul-Samad of Polk	Bennett of Linn
House File 2302	Berry of Black Hawk
Gaskill of Wapello	McConkey of Pottawattamie
Mascher of Johnson	Stutsman of Johnson
Wessel-Kroeschell of Story	Lensing of Johnson
Wolfe of Clinton	Olson of Polk
Brown-Powers of Black Hawk	Hunter of Polk
Abdul-Samad of Polk	Bennett of Linn

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 636 Commerce**

Relating to the definition of safety standards applicable to the regulation of designated public utilities.

**H.S.B. 637 Education**

Requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

**H.S.B. 638 Transportation**

Modifying allocations from the statutory allocations fund, creating the Iowa tanks fund and Iowa tanks fund financing program,

repealing a tax credit, making transfers and appropriations, and including transition and effective date provisions.

### SUBCOMMITTEE ASSIGNMENTS

#### **House File 2289**

Education: Highfill, Chair; Dolecheck and Staed.

#### **House File 2290**

Education: Jorgensen, Chair; Byrnes and Steckman.

#### **House File 2293**

Education: Highfill, Chair; Hanson and Salmon.

#### **House File 2294**

Education: Forristall, Chair; Koester and Mascher.

#### **House File 2295**

Education: Gassman, Chair; Jorgensen and Winckler.

#### **House File 2313**

Public Safety: Klein, Chair; Brown-Powers and B. Moore.

#### **House File 2315**

Public Safety: Klein, Chair; B. Moore and Staed.

### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

#### **House Study Bill 630**

Transportation: Best, Chair; Carlson and Wolfe.

#### **House Study Bill 636**

Commerce: Carlson, Chair; Dawson and Watts.

#### **House Study Bill 637**

Education: Koester, Chair; Gaines and T. Moore.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House File 2211), relating to water quality improvement, by providing for water quality programs, projects, and practices, the certification of conservation planners, the use or transfer of fertilizer fees, and the approval of designs for soil and water conservation practices, making appropriations to support environmental specialists, and reducing property taxes on land reserved for conservation practices.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 601), relating to water quality by providing funding for water quality financial assistance programs, extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, and modifying allocations of state sales and use tax revenue collections.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

## COMMITTEE ON ECONOMIC GROWTH

**Committee Bill** (Formerly House Study Bill 612), relating to the programs and duties of the economic development authority and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2040), relating to the exercise of a mental health advocate's duties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 532), requiring the dental board to offer an alternative examination for licensure.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House Study Bill 538), removing prohibitions on emergency management organization employees from holding elective office.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 376), relating to untested sexual abuse evidence collection kits stored at law enforcement agencies.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2313), relating to the licensing qualifications of a residential master electrician.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 536), relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House Study Bill 627), relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House File 450), concerning the contract bidding process for public improvement projects and its application to certain government entities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2067), relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House File 2156), concerning the authority of certain beer manufacturers to sell beer at retail.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2223), relating to public notice and the accessibility of meetings of governmental bodies.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2226), relating to member attendance at a closed session of a governmental body.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 541), relating to school corporations by changing the date of the election of directors of local school districts, merged areas, and area education agency boards and including applicability and transition provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 550), relating to the services dental hygienists may perform.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 574), concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 584), relating to continuation of or reenrollment in group accident or health care coverage by certain dependents of public employees and including applicability date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 16, 2016.

**Committee Bill** (Formerly House Study Bill 613), permitting the state registrar of voters to retain fees charged by the registrar for furnishing certain voter registration services and information, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 16, 2016.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House Study Bill 615), relating to matters under the purview of, and the collection of certain court debt by, the department of transportation, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

#### COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly House Study Bill 559), relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 580), concerning veterans preference information.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 582), waiving certain hunter education requirements for residents who are active duty military personnel or honorably discharged veterans.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 595), relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

On motion by Hagenow of Polk, the House adjourned at 12:38 p.m., until 8:30 a.m., Thursday, February 18, 2016.

# JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 18, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Jerry Drake, Free in Jesus Ministries, Clinton. He was the guest of Representative Berry of Black Hawk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Delaney Schwarte, Chief Clerk's Page from Carroll.

The Journal of Wednesday, February 17, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2322**, by committee on State Government, a bill for an act providing an automated dispensing device privilege for certain liquor control licensees and beer and wine permittees.

Read first time and placed on the **calendar**.

**House File 2323**, by committee on Public Safety, a bill for an act relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2324**, by committee on Education, a bill for an act providing for computer science and computer coding instruction in the minimum state education curriculum and providing for a related computer science advisory council to be convened by the director of the department of education and including applicability provisions.

Read first time and placed on the **calendar**.



**House File 2325**, by committee on Local Government, a bill for an act authorizing the severance of territory and transfer of services of a sanitary district by resolution.

Read first time and placed on the **calendar**.

**House File 2326**, by committee on Judiciary, a bill for an act relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions.

Read first time and placed on the **calendar**.

**House File 2327**, by committee on Education, a bill for an act authorizing the college student aid commission to write off certain defaulted student loan debt as uncollectible.

Read first time and placed on the **calendar**.

**House File 2328**, by committee on State Government, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2329**, by committee on Human Resources, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties.

Read first time and placed on the **calendar**.

**House File 2330**, by committee on State Government, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Read first time and placed on the **calendar**.

**House File 2331**, by committee on State Government, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel.

Read first time and placed on the **calendar**.

**House File 2332**, by committee on Judiciary, a bill for an act relating to the statute of limitations period in an action arising out of the unsafe or defective condition of an improvement to real property.

Read first time and placed on the **calendar**.

**House File 2333**, by committee on Judiciary, a bill for an act relating to consent decrees in juvenile delinquency proceedings.

Read first time and placed on the **calendar**.

**House File 2334**, by committee on Human Resources, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

Read first time and placed on the **calendar**.

**House File 2335**, by committee on Judiciary, a bill for an act relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions.

Read first time and placed on the **calendar**.

**House File 2336**, by committee on Education, a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

Read first time and placed on the **calendar**.

**House File 2337**, by committee on Public Safety, a bill for an act relating to peace officer personal information under the control of local officials and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2338**, by committee on State Government, a bill for an act modifying the notice requirements for public improvement projects.

Read first time and placed on the **calendar**.

**House File 2339**, by committee on Agriculture, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

Read first time and placed on the **calendar**.

**House File 2340**, by committee on Agriculture, a bill for an act requiring that state efforts to reduce nutrient loads in surface waters be customized based on a watershed's unique characteristics.

Read first time and placed on the **calendar**.

**House File 2341**, by committee on Human Resources, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission.

Read first time and placed on the **calendar**.

**House File 2342**, by committee on Natural Resources, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses.

Read first time and placed on the **calendar**.

**House File 2343**, by committee on Natural Resources, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

Read first time and placed on the **calendar**.

**House File 2344**, by committee on Agriculture, a bill for an act requiring that agreements to terminate farm tenancies be in writing.

Read first time and placed on the **calendar**.

**House File 2345**, by committee on Transportation, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

Read first time and placed on the **calendar**.

**House File 2346**, by committee on Transportation, a bill for an act relating to Iowa community college special registration plates for motor vehicles.

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

**House File 2347**, by committee on Public Safety, a bill for an act providing for an individual income tax credit for the purchase of a gun safe under certain conditions and including effective date and retroactive and other applicability provisions.

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

**House File 2348**, by committee on Transportation, a bill for an act relating to third-party commercial driver's license testers and skills test examiners.

Read first time and placed on the **calendar**.

On motion by Hagenow of Polk, the House was recessed at 8:41 a.m., until 12:30 p.m.

#### AFTERNOON SESSION

The House reconvened at 12:33 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILLS

**House File 2349**, by committee on State Government, a bill for an act permitting the state registrar of voters to retain fees charged by the registrar for furnishing certain voter registration services and information, and including effective date provisions.

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

**House File 2350**, by committee on State Government, a bill for an act concerning gambling game licensure requirements and fees, and including applicability provisions.

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

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON COMMERCE

**Committee Bill** (Formerly House File 2007), prohibiting persons from opening a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing a criminal penalty.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2219), providing for the regulation of transportation network companies, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 554), relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 18, 2016.

**Committee Bill** (Formerly House Study Bill 555), relating to the purchasing preference requirements for the purchase of industrial lubricants by state agencies and community colleges.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 18, 2016.

**Committee Bill** (Formerly House Study Bill 560), relating to the regulation of persons, including commercial establishments, keeping nonagricultural animals, providing for fees and appropriations, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 18, 2016.

**Committee Bill** (Formerly House Study Bill 571), relating to the ability of certain governmental entities to join local government risk pools.

Fiscal Note: **No**

Recommendation: **Do Pass** February 18, 2016.

**Committee Bill** (Formerly House Study Bill 607), relating to the medical cannabidiol Act, making related modifications, providing for civil and criminal penalties and fees, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 629), concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

Fiscal Note: **No**

Recommendation: **Do Pass** February 18, 2016.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2017), relating to coaching endorsements and authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2229), relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts.

Fiscal Note: **No**

Recommendation: **Do Pass** February 18, 2016.

**Committee Bill** (Formerly House File 2251), providing an exemption from registration of postsecondary schools by the college student aid commission.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 620), providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 18, 2016.

**Committee Bill** (Formerly House Study Bill 635), concerning instruction provided through the Iowa learning online initiative.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

#### COMMITTEE ON JUDICIARY

**House File 2168**, a bill for an act modifying penalties for trespassing.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2016.

**Committee Bill** (Formerly House File 2090), relating to the preference for joint physical care of a child in awarding custody.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 527), relating to annual salary rates for justices, judges, and magistrates, and making appropriations.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 604), relating to the confidentiality of juvenile court records.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 605), relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 606), providing for the establishment of a statewide sobriety and drug monitoring program to be used for certain criminal offenders in participating jurisdictions, and providing a penalty.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 614), relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 626), relating to grounds for termination of parental rights of an individual relative to sexual abuse.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2143), relating to the seizure of property by the department of natural resources.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2144), prohibiting the purchase of weapons seized as a public nuisance by certain persons affiliated with the department of natural resources.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.

**Committee Bill** (Formerly House File 2160), relating to the baiting of deer on public or private property and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 17, 2016.



**Committee Bill** (Formerly House File 2179), relating to tagging requirements for deer carcasses and including penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**Committee Bill** (Formerly House Study Bill 609), relating to the funding and operation of programs to collect and dispose of household hazardous materials.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House Study Bill 638), modifying allocations from the statutory allocations fund, creating the Iowa tanks fund and Iowa tanks fund financing program, repealing a tax credit, making transfers and appropriations, and including transition and effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 18, 2016.

On motion by Hagenow of Polk, the House adjourned at 12:38 p.m., until 11:00 a.m., Friday, February 19, 2016.

# JOURNAL OF THE HOUSE

Fortieth Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 19, 2016

The House met pursuant to adjournment at 11:11 a.m., Hagenow of Polk in the chair.

Prayer was offered by Representative Hagenow of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Allyson Deutsch, Lucas Throckmorton, Alana Throckmorton, Zavian Davis, Josiah Davis and Christiana Ramirez. They were the guests of Representative Fry of Clarke.

The Journal of Thursday, February 18, 2016, was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2008**, by Steckman, a joint resolution nullifying administrative rules of the department of revenue concerning the manufacturing sales and use tax exemptions and providing an effective date.

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

**House File 2351**, by Hunter, Staed, Bennett, T. Taylor, Isenhardt, Lensing, Running-Marquardt, Winckler, H. Miller, Kearns, Brown-Powers, Thede, Hanson, Berry, Steckman, Ourth, Abdul-Samad, Gaskill, and Wessel-Kroeschell, a bill for an act prohibiting employers and employment agencies from seeking the criminal record or criminal history from applicants for employment under certain circumstances, establishing a criminal history employment application task force, providing penalties, and including effective date provisions.

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

**House File 2352**, by Nunn, a bill for an act exempting from the state sales tax the sales price from the sale or furnishing of a water service by a water utility and creating related state and local water service excise taxes.

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

**House File 2353**, by committee on Local Government, a bill for an act removing prohibitions on emergency management organization employees from holding elective office.

Read first time and placed on the **calendar**.

**House File 2354**, by committee on Judiciary, a bill for an act relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

Read first time and placed on the **calendar**.

**House File 2355**, by committee on Judiciary, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

Read first time and placed on the **calendar**.

**House File 2356**, by committee on Agriculture, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

Read first time and placed on the **calendar**.

**House File 2357**, by committee on Natural Resources, a bill for an act relating to turtle harvesting in the state and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2358**, by committee on Natural Resources, a bill for an act relating to the use of a straight wall cartridge rifle to hunt deer and including penalties.

Read first time and placed on the **calendar**.

**House File 2359**, by committee on Judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2360**, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time and placed on the **calendar**.

**House File 2361**, by committee on Veterans Affairs, a bill for an act relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

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

**House File 2362**, by committee on Veterans Affairs, a bill for an act relating to the military service property tax exemption and credit by increasing the exemption amount, and including effective date and applicability provisions.

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

**House File 2363**, by committee on State Government, a bill for an act relating to member attendance at a closed session of a governmental body.

Read first time and placed on the **calendar**.

**House File 2364**, by committee on State Government, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies.

Read first time and placed on the **calendar**.

**House File 2365**, by committee on Veterans Affairs, a bill for an act waiving certain hunter education requirements for residents who are active duty military personnel or honorably discharged veterans.

Read first time and placed on the **calendar**.

**House File 2366**, by committee on Human Resources, a bill for an act relating to the exercise of a mental health advocate's duties.

Read first time and placed on the **calendar**.

**House File 2367**, by committee on Public Safety, a bill for an act permitting the establishment of prearrest diversion programs for certain offenders.

Read first time and placed on the **calendar**.

**House File 2368**, by committee on State Government, a bill for an act requiring a comprehensive study on alcoholic beverage control.

Read first time and placed on the **calendar**.

**House File 2369**, by committee on Education, a bill for an act concerning instruction provided through the Iowa learning online initiative.

Read first time and placed on the **calendar**.

**House File 2370**, by committee on Education, a bill for an act providing an exemption from registration of postsecondary schools by the college student aid commission.

Read first time and placed on the **calendar**.

**House File 2371**, by committee on Public Safety, a bill for an act relating to the licensing qualifications of a residential master electrician.

Read first time and placed on the **calendar**.

**House File 2372**, by committee on Judiciary, a bill for an act relating to the preference for joint physical care of a child in awarding custody.

Read first time and placed on the **calendar**.

**House File 2373**, by committee on Judiciary, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

Read first time and placed on the **calendar**.

**House File 2374**, by committee on Natural Resources, a bill for an act relating to tagging requirements for deer carcasses and including penalties.

Read first time and placed on the **calendar**.

**House File 2375**, by committee on State Government, a bill for an act relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

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

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### BOARD OF REGENTS

Gifts and Grants Reports, pursuant to Iowa Code section 8.44.

### DEPARTMENT OF COMMERCE Banking Division

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20.

### DEPARTMENT OF EDUCATION

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38.

## DEPARTMENT OF REVENUE

Economic Development Award Research Activities Credit Report, pursuant to Iowa Code section 15.335(9).

Central Collections Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17.

Corporate Income Tax Research Activities Credit Report, pursuant to Iowa Code section 422.33(5)(h).

Individual Income Tax Research Activities Credit Report, pursuant to Iowa Code section 422.10(6).

## ECONOMIC DEVELOPMENT AUTHORITY

Industrial New Jobs Training Program Review Report, pursuant to Iowa Code section 260E.7.

Annual Report, pursuant to Iowa Code section 15.107B.

## IOWA STUDENT LOAN

Year in Review Report, pursuant to Iowa Code section 7C.13.

## LEGISLATIVE SERVICES AGENCY

Urban Renewal Tax Increment Financing report, pursuant to Iowa Code section 331.403.

## COMMITTEE RECOMMENDATIONS

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

## COMMITTEE ON JUDICIARY

**House Joint Resolution 2003**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

**House File 2193**, a bill for an act requiring search warrants for certain activities under the jurisdiction of the natural resource commission.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8009** February 17, 2016.

**Senate File 2022**, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement.

Fiscal Note: **No**

Recommendation: **Do Pass** February 17, 2016.

#### AMENDMENT FILED

H-8009            H.F.            2193            Committee on Judiciary

On motion by Nunn of Polk, the House adjourned at 11:17 a.m., until 1:00 p.m., Monday, February 22, 2016.



# JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 22, 2016

The House met pursuant to adjournment at 1:04 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Brian Danner serving St. Francis Church, Rockwell City, St. Thomas Church, Manson and St. Mary's Church, Pomeroy. He was the guest of Representative Sexton of Calhoun.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Devon Severson, Minority Leader's Page from Ottumwa.

The Journal of Friday, February 19, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2376**, by Hunter, Staed, Oldson, Bennett, Isenhardt, Winckler, H. Miller, Brown-Powers, Thede, Berry, Steckman, Ourth, Abdul-Samad, Wessel-Kroeschell, and Lensing, a bill for an act relating to law enforcement profiling by standardizing the collection and centralizing the compilation and reporting of officer stop and complaint data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

Read first time and referred to committee on **Public Safety**.

**House File 2377**, by committee on Human Resources, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

Read first time and placed on the **calendar**.

**House File 2378**, by committee on Judiciary, a bill for an act relating to the time period during which a vacation or appeal of a termination of parental rights order may be requested.

Read first time and placed on the **calendar**.

**House File 2379**, by committee on Public Safety, a bill for an act relating to motor vehicle impoundment when the vehicle is operated by a person with a denied, canceled, suspended, or revoked driver's license, and providing penalties.

Read first time and placed on the **calendar**.

**House File 2380**, by committee on Public Safety, a bill for an act relating to the possession and administration of emergency drugs by first responders for purposes of treating drug overdose victims.

Read first time and placed on the **calendar**.

On motion by Hagenow of Polk, the House was recessed at 1:25 p.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:20 p.m., Speaker Upmeyer in the chair.

#### CONSIDERATION OF BILLS

##### Regular Calendar

**House File 2146**, a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions, was taken up for consideration.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2146)

The ayes were, 87:

Abdul-Samad	Anderson	Bacon	Baltimore
Bearinger	Bennett	Berry	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Hein
Highfill	Holz	Hunter	Huseman
Isenhardt	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Klein	Koester
Kooiker	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 10:

Baudler	Baxter	Gassman	Heaton
Heddens	Holt	Kelley	Pettengill
Sheets	Wessel-Kroeschell		

Absent or not voting, 3:

Hanson	Kressig	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2261**, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board, was taken up for consideration.

Carlson of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2261)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Taед	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Theде
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson	Kressig	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Carlson of Muscatine asked and received unanimous consent to withdraw House File 2035 from further consideration by the House.

**House File 2262**, a bill for an act allowing fishing without a license on certain private lakes and ponds and providing a penalty, was taken up for consideration.

Mommsen of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2262)

The ayes were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heaton	Heddens
Hunter	Isenhart	Jacoby	Kearns
Kelley	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 3:

Hanson	Kressig	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Mommsen of Clinton asked and received unanimous consent to withdraw House File 2046 from further consideration by the House.

**House File 2266**, a bill for an act concerning unclaimed cremated remains, was taken up for consideration.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2266)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson	Kressig	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## HOUSE FILE WITHDRAWN

Salmon of Black Hawk asked and received unanimous consent to withdraw House File 2127 from further consideration by the House.

**House File 2267**, a bill for an act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2267)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 1:

Hunter

Absent or not voting, 4:

Hanson                      Kressig                      Moore, B.                      Running-Marquardt

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

**House File 2270**, a bill for an act including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings, was taken up for consideration.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2270)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.



Absent or not voting, 4:

Hanson                      Kressig                      Moore, B.                      Running-Marquardt

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

**House File 2273**, a bill for an act relating to elections administration with respect to the address confidentiality program, the printing of ballots, satellite absentee voting, and the conduct of school district elections, was taken up for consideration.

Hein of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2273)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson                      Kressig                      Moore, B.                      Running-Marquardt

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

**House File 2274**, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit, was taken up for consideration.

Sheets of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2274)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson                      Kressig                      Moore, B.                      Running-Marquardt

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

### HOUSE FILE WITHDRAWN

Sheets of Appanoose asked and received unanimous consent to withdraw House File 2184 from further consideration by the House.

**House File 2275**, a bill for an act relating to the disbursement of all Iowa opportunity scholarships, was taken up for consideration.

Gassman of Winnebago moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2275)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 1:

Olson

Absent or not voting, 4:

Hanson

Kressig

Moore, B.

Running-Marquardt

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

### HOUSE FILE WITHDRAWN

Gassman of Winnebago asked and received unanimous consent to withdraw House File 283 from further consideration by the House.

**House File 2282**, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding, was taken up for consideration.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2282)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands

Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Kressig	Moore, B.	Running-Marquardt
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Jones of Clay asked and received unanimous consent to withdraw House File 572 from further consideration by the House.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Kressig of Black Hawk
Moore, B. of Jackson	Running-Marquardt of Linn

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2146, 2261, 2262, 2266, 2267, 2270, 2273, 2274, 2275 and 2282.**

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2059, a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2061, a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2144, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2381**, by committee on Transportation, a bill for an act modifying allocations from the statutory allocations fund, creating the Iowa tanks fund and Iowa tanks fund financing program, repealing a tax credit, making transfers and appropriations, and including transition and effective date provisions.

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

**House File 2382**, by committee on Agriculture, a bill for an act relating to water quality by providing funding for water quality financial assistance programs, extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund, modifying and specifying uses for funding received from the secure an advanced vision for education fund, and modifying allocations of state sales and use tax revenue collections.

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

**House File 2383**, by committee on Transportation, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

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

**House File 2384**, by committee on Commerce, a bill for an act relating to the medical cannabidiol Act, making related modifications, and providing for civil and criminal penalties and fees.

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

**House File 2385**, by committee on Environmental Protection, a bill for an act relating to littering and illegal dumping and modifying penalties.

Read first time and placed on the **calendar**.

**House File 2386**, by committee on Judiciary, a bill for an act relating to grounds for termination of parental rights of an individual relative to sexual abuse.

Read first time and placed on the **calendar**.

**House File 2387**, by committee on Human Resources, a bill for an act requiring the dental board to offer an alternative examination for licensure.

Read first time and placed on the **calendar**.

**House File 2388**, by committee on State Government, a bill for an act relating to the services dental hygienists may perform.

Read first time and placed on the **calendar**.

**House File 2389**, by committee on Human Resources, a bill for an act relating to public health including public health modernization and boards of health.

Read first time and placed on the **calendar**.

**House File 2390**, by committee on State Government, a bill for an act concerning the contract bidding process for public improvement projects conducted by the state board of regents.

Read first time and placed on the **calendar**.

**House File 2391**, by committee on Natural Resources, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials.

Read first time and placed on the **calendar**.

**House File 2392**, by committee on Education, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2393**, by committee on Commerce, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2394**, by committee on Commerce, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

Read first time and placed on the **calendar**.

**House File 2395**, by committee on Commerce, a bill for an act relating to the ability of certain governmental entities to join local government risk pools.

Read first time and placed on the **calendar**.

**House File 2396**, by committee on Commerce, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

Read first time and placed on the **calendar**.

**House File 2397**, by committee on Commerce, a bill for an act relating to the purchasing preference requirements for the purchase of industrial lubricants by state agencies and community colleges.

Read first time and placed on the **calendar**.



**House File 2398**, by committee on Commerce, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

Read first time and placed on the **calendar**.

**House File 2399**, by committee on Judiciary, a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

Read first time and placed on the **calendar**.

**House File 2400**, by committee on Judiciary, a bill for an act providing for voidable commercial transactions and including applicability provisions.

Read first time and placed on the **calendar**.

**House File 2401**, by committee on Commerce, a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties.

Read first time and placed on the **calendar**.

**House File 2402**, by committee on State Government, a bill for an act concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

Read first time and placed on the **calendar**.

**House File 2403**, by committee on Natural Resources, a bill for an act relating to the baiting of deer on public or private property and providing penalties.

Read first time and placed on the **calendar**.

**House File 2404**, by committee on State Government, a bill for an act relating to continuation or reenrollment in accident or health care

coverage by certain adult dependents of insureds or enrollees and including effective date provisions.

Read first time and placed on the **calendar**.

**House File 2405**, by committee on Natural Resources, a bill for an act relating to the seizure of property by the department of natural resources.

Read first time and placed on the **calendar**.

#### EXPLANATION OF VOTE

On February 22, 2016, I inadvertently voted “aye” on House File 2146, I meant to vote “nay”.

Salmon of Black Hawk

#### SUBCOMMITTEE ASSIGNMENT

##### **House File 2350**

Ways and Means: Vander Linden, Chair; Jacoby and Pettengill.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### **House Study Bill 617**

Ways and Means: Byrnes, Chair; McConkey and B. Moore.

#### COMMITTEE RECOMMENDATIONS

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

#### COMMITTEE ON HUMAN RESOURCES

**Senate File 453**, a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority.

Fiscal Note: **No**

Recommendation: **Do Pass** February 9, 2016.

#### COMMITTEE ON JUDICIARY

**House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8010** February 4, 2016.

#### AMENDMENTS FILED

H-8010	H.F.	2064	Committee on Judiciary
H-8011	H.F.	2331	Stanerson of Linn
H-8012	H.F.	2331	Kelley of Jasper
H-8013	H.F.	2324	Pettengill of Benton
H-8014	H.F.	2311	T. Taylor of Linn

On motion by Hagenow of Polk, the House adjourned at 5:11 p.m., until 8:30 a.m., Tuesday, February 23, 2016.

# JOURNAL OF THE HOUSE

Forty-fourth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 23, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Alex Post, Redeemer Lutheran Church, Marshalltown. He was the guest of Representative Fisher of Tama.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alex Byrnes, Speaker's Page from Osage.

The Journal of Monday, February 22, 2016, was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 22, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2118, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2009, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including effective date and applicability provisions.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2102, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2110, a bill for an act relating to persons examining and obtaining their own criminal history data.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2111, a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2112, a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2115, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2116, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2136, a bill for an act requiring immunization against meningococcal disease for certain students.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2154, a bill for an act relating to the programs and duties of the economic development authority and including effective date provisions.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2158, a bill for an act relating to the placement of shorthand reporters in exempt status and to the supervision of the board of examiners of shorthand reporters.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2159, a bill for an act relating to public health including public health modernization and boards of health.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2162, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2180, a bill for an act providing for the appointment of members of the general assembly to serve on the water resources coordinating council.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2181, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials.

Also: That the Senate has on February 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2194, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

MICHAEL E. MARSHALL, Secretary

On motion by Fry of Clarke, the House was recessed at 8:43 a.m., until 10:00 a.m.

## MORNING SESSION

The House reconvened at 10:40 a.m., Cownie of Polk in the chair.

## INTRODUCTION OF BILLS

**House File 2406**, by committee on State Government, a bill for an act relating to school corporations and cities by changing the date of the election of directors of local school districts, merged areas, and area education agency boards, by providing for the combined administration of regular and special school and city elections, by requiring city office nomination papers be filed with the city clerk,

and including effective date and applicability and transition provisions.

Read first time and placed on the **calendar**.

**House File 2407**, by committee on Judiciary, a bill for an act relating to the confidentiality of juvenile court records.

Read first time and placed on the **calendar**.

**House File 2408**, by committee on Public Safety, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

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

**House File 2409**, by committee on Judiciary, a bill for an act relating to salaries and apportionment of judicial officers and including effective date provisions.

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

**House File 2410**, by committee on Agriculture, a bill for an act relating to water quality improvement, by providing for water quality programs, projects, and practices, approving designs for soil and water conservation practices, prioritizing watersheds, and reducing property taxes on land reserved for conservation practices.

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

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 2281**, a bill for an act relating to the possession of a pistol, revolver, or ammunition by persons under fourteen years of age, and including effective date provisions, was taken up for consideration.

Pettengill of Benton rose on a point of order regarding Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Pettengill of Benton rose on a point of order regarding Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Highfill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2281)

The ayes were, 62:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Dawson	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Lykam	Maxwell	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Olson	Paulsen	Paustian	Pettengill
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dunkel
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Lensing
Mascher	McConkey	Meyer	Miller, H.
Oldson	Ourth	Prichard	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

Absent or not voting, 2:

Hanson	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Highfill of Polk asked and received unanimous consent to withdraw House File 2042 from further consideration by the House.

**House File 2280**, a bill for an act relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy, was taken up for consideration.

Staed of Linn rose on a point of order regarding Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2280)

The ayes were, 67:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Best	Branhagen	Byrnes
Carlson	Dawson	Deyoe	Dolecheck
Fisher	Forbes	Forristall	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Lykam	Maxwell	McConkey
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Cownie,	
		Presiding	

The nays were, 31:

Abdul-Samad	Anderson	Bennett	Berry
Brown-Powers	Cohoon	Dunkel	Finkenauer
Gaines	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Lensing
Mascher	Meyer	Miller, H.	Oldson
Olson	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

Hanson	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILES WITHDRAWN

Heartsill of Marion asked and received unanimous consent to withdraw House Files 45 and 2044 from further consideration by the House.

**House File 2283**, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle, was taken up for consideration.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2283)

The ayes were, 78:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bennett	Berry	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Dawson	Deyoe	Dolecheck
Dunkel	Fisher	Forbes	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jones
Jorgensen	Kaufmann	Kearns	Klein
Koester	Kooiker	Landon	Lykam

Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, 20:

Abdul-Samad	Anderson	Finkenauer	Gaines
Heddens	Hunter	Isenhart	Jacoby
Kelley	Lensing	Mascher	Meyer
Oldson	Smith	Staed	Steckman
Stutsman	Taylor, T.	Wessel-Kroeschell	Winckler

Absent or not voting, 2:

Hanson	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Best of Carroll asked and received unanimous consent to withdraw House File 2066 from further consideration by the House.

**House File 2279**, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions, was taken up for consideration.

Baxter of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2279)

The ayes were, 74:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Berry	Best	Branhagen
Brown-Powers	Byrnes	Carlson	Dawson
Deyoe	Dolecheck	Fisher	Forbes

Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Hunter	Huseman
Jones	Jorgensen	Kaufmann	Kearns
Klein	Koester	Kooiker	Landon
Lykam	Maxwell	McConkey	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, 24:

Abdul-Samad	Anderson	Bennett	Cohoon
Dunkel	Finkenauer	Gaines	Gaskill
Heddens	Isenhart	Jacoby	Kelley
Lensing	Mascher	Meyer	Oldson
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Wessel-Kroeschell	Winckler

Absent or not voting, 2:

Hanson	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Baxter of Hancock asked and received unanimous consent to withdraw House File 2043 from further consideration by the House.

Speaker Upmeyer in the chair at 12:03 p.m.

**House File 2314**, a bill for an act relating to the issuance and verification of, and the transfer of records concerning permits to carry weapons and the confidentiality of such records including the confidentiality of records for such permits and for permits to acquire pistols or revolvers, prohibiting fraudulent transfers of firearms and ammunition, providing for a fee and a penalty, and including effective date and applicability provisions, was taken up for consideration.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2314)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, 1:

Isenhart

Absent or not voting, 2:

Hanson                      Kressig

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

## HOUSE FILE WITHDRAWN

Windschitl of Harrison asked and received unanimous consent to withdraw House File 2129 from further consideration by the House.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2279, 2280, 2281, 2283 and 2314.**

On motion by Hagenow of Polk, the House was recessed at 12:11 p.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:09 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2145, a bill for an act relating to speech therapy and other benefits for children under the hawk-i program and including effective date and retroactive applicability provisions.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2183, a bill for an act relating to the limitations on criminal actions for the criminal offense of child endangerment.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2189, a bill for an act relating to nonsubstantive Code corrections.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2191, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2195, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2196, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2411**, by Jones, a bill for an act prohibiting the deduction of amounts classified as a penalty reimbursement for purposes of the individual and corporate income tax and franchise tax, and including retroactive applicability provisions.

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

**House File 2412**, by committee on Economic Growth, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

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

**House File 2413**, by committee on Education, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts.

Read first time and placed on the **calendar**.

**House File 2414**, by committee on Commerce, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

Read first time and placed on the **calendar**.

**House File 2415**, by committee on Veterans Affairs, a bill for an act concerning veterans preference information.

Read first time and placed on the **calendar**.

### CONSIDERATION OF BILLS Regular Calendar

**House File 2268**, a bill for an act concerning the confidentiality of public employee support information submitted to the public employment relations board, was taken up for consideration.

Forristall of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2268)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck



Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2311**, a bill for an act relating to the regulation of automated traffic law enforcement systems, was taken up for consideration.

T. Taylor of Linn offered amendment H-8014 filed by him.

T. Taylor of Linn offered amendment H-8015, to amendment H-8014, filed by him from the floor and moved its adoption.

Amendment H-8015, to amendment H-8014, was adopted.

T. Taylor of Linn moved the adoption of amendment H-8014, as amended.

Amendment H-8014, as amended, was adopted.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2311)

The ayes were, 89:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines

Gassman	Grassley	Gustafson	Hagenow
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Landon	Lensing	Mascher
Maxwell	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, 8:

Anderson	Dawson	Gaskill	Hall
Hanusa	Jorgensen	Lykam	McConkey

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE WITHDRAWN

Heartsill of Marion asked and received unanimous consent to withdraw House File 2109 from further consideration by the House.

**House File 2168**, a bill for an act modifying penalties for trespassing, with report of committee recommending passage, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2168)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 2:

Gaskill                      Taylor, R.

Absent or not voting, 3:

Hanson                      Jacoby                      Kressig

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

**House File 2326**, a bill for an act relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions, was taken up for consideration.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2326)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Taed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2335**, a bill for an act relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2335)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2337**, a bill for an act relating to peace officer personal information under the control of local officials and including effective date provisions, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2337)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Heartsill of Marion asked and received unanimous consent to withdraw House File 2161 from further consideration by the House.

**House File 2331**, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel, was taken up for consideration.

Stanerson of Linn offered amendment H-8011 filed by him and moved its adoption.

Amendment H-8011 was adopted.

Kelley of Jasper asked and received unanimous consent to withdraw amendment H-8012 filed by him on February 22, 2016.

Windschitl of Harrison in the chair at 3:08 p.m.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2331)

The ayes were, 70:

Bacon	Baltimore	Baxter	Bearinger
Best	Branhagen	Byrnes	Cohoon
Cownie	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Heartsill	Heaton	Hein	Highfill
Holt	Hunter	Huseman	Jones
Jorgensen	Kaufmann	Kearns	Klein
Koester	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Stanerson
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Winckler
Worthan	Windschitl, Presiding		

The nays were, 25:

Abdul-Samad	Anderson	Baudler	Bennett
Berry	Brown-Powers	Carlson	Dawson
Deyoe	Dunkel	Forristall	Gaines

Hanusa	Heddens	Holz	Isenhart
Kelley	Kooiker	Olson	Ruff
Running-Marquardt	Staed	Steckman	Stutsman
Wolfe			

Absent or not voting, 5:

Hanson	Jacoby	Kressig	Miller, H.
Wessel-Kroeschell			

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

**House File 2312**, a bill for an act relating to permissible uses of supplemental aid for professional development paid to school districts and area education agencies under the state school foundation program, was taken up for consideration.

Gassman of Winnebago moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2312)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	McConkey	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Worthan	Windschitl, Presiding		

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines



Hall	Heddens	Hunter	Isenhart
Jones	Kearns	Kelley	Lensing
Lykam	Mascher	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Gassman of Winnebago asked and received unanimous consent to withdraw House File 2034 from further consideration by the House.

**House File 2344**, a bill for an act requiring that agreements to terminate farm tenancies be in writing, was taken up for consideration.

B. Moore of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2344)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian

Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 1:

Gaskill

Absent or not voting, 3:

Hanson	Jacoby	Kressig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Jacoby of Johnson
Kressig of Black Hawk	

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2168, 2268, 2311, 2312, 2326, 2331, 2335, 2337 and 2344.**

### SENATE MESSAGES CONSIDERED

**Senate File 2158**, by committee on Judiciary, a bill for an act relating to the placement of shorthand reporters in exempt status and to the supervision of the board of examiners of shorthand reporters.

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

**Senate File 2159**, by committee on Human Resources, a bill for an act relating to public health including public health modernization and boards of health.

Read first time and **passed on file**.

**Senate File 2162**, by committee on State Government, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

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

**Senate File 2181**, by committee on Natural Resources and Environment, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials.

Read first time and **passed on file**.

## SUBCOMMITTEE ASSIGNMENTS

### House File 2349

Appropriations: Landon, Chair; Bacon and Mascher.

### House File 2351

Labor: Forristall, Chair; Hunter and Watts.

### House File 2361

Appropriations: Dolecheck, Chair; Forbes and Worthan.

### House File 2408

Appropriations: Worthan, Chair; Huseman and T. Taylor.

### House File 2409

Appropriations: Worthan, Chair; Oldson and Rogers.

## AMENDMENTS FILED

H-8015	H.F.	2311	T. Taylor of Linn
H-8016	H.F.	2339	Isenhardt of Dubuque

H-8017	H.F.	2339	Maxwell of Poweshiek
H-8018	H.F.	2324	Gaines of Polk
H-8019	H.F.	2359	Committee on Judiciary
H-8020	H.F.	2399	Baltimore of Boone
H-8021	H.F.	2325	Branhagen of Winneshiek
H-8022	H.F.	2309	Klein of Washington
H-8023	H.F.	2329	Wessel-Kroeschell of Story
H-8024	H.F.	2386	Heartsill of Marion
H-8025	H.F.	2324	Gaines of Polk

On motion by Hagenow of Polk, the House adjourned at 3:33 p.m., until 8:30 a.m., Wednesday, February 24, 2016.

# JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 24, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Margi Florence, Director of Care Ministry, Basilica of St. John, Des Moines. She was the guest of Representative Anderson of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by IJAG Students from North High School and Lincoln High School, Des Moines. They were the guests of Representative Stanerson of Linn.

The Journal of Tuesday, February 23, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2416**, by committee on Commerce, a bill for an act relating to commercial establishments keeping nonagricultural animals, by establishing a quality assurance council and providing for a quality assurance certificate awarded to selected commercial breeders.

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

## SENATE MESSAGES CONSIDERED

**Senate File 2110**, by committee on Judiciary, a bill for an act relating to persons examining and obtaining their own criminal history data.

Read first time and referred to committee on **Public Safety**.

**Senate File 2111**, by committee on Judiciary, a bill for an act providing that certain peace officers and law enforcement officials are

not required to use a notarial stamp when administering oaths or acknowledging signatures.

Read first time and referred to committee on **Public Safety**.

**Senate File 2112**, by committee on Judiciary, a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

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

**Senate File 2115**, by committee on Judiciary, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

Read first time and referred to committee on **Public Safety**.

**Senate File 2116**, by committee on Human Resources, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

Read first time and referred to committee on **Public Safety**.

**Senate File 2136**, by committee on Human Resources, a bill for an act requiring immunization against meningococcal disease for certain students.

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

**Senate File 2189**, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time and **passed on file**.

**Senate File 2195**, by committee on Education, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2164, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2197, a bill for an act relating to the membership of the medical assistance advisory council and executive committee.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2198, a bill for an act relating to the use of experimental treatments for patients with a terminal illness.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2200, a bill for an act concerning instruction provided through the Iowa learning online initiative.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2205, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2214, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2217, a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2231, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2232, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2233, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2234, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 2:49 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 24, 2016, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 2006, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

Also: That the Senate has on February 24, 2016, adopted the following resolution in which the concurrence of the House is asked:



Senate Joint Resolution 2007, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2109, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2155, a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2185, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2221, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2224, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2242, a bill for an act relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2244, a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by trusts.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2247, a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

### INTRODUCTION OF BILL

**House File 2417**, by Hunter, Staed, Bennett, Bearinger, Stutsman, Isenhardt, Kearns, Brown-Powers, Thede, Hanson, Mascher, Berry, Steckman, Ourth, Abdul-Samad, Gaskill, Winckler, and Lensing, a bill for an act establishing a retirement savings plan trust, and including implementation and effective date provisions.

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

### SENATE MESSAGES CONSIDERED

**Senate File 2009**, by Hart, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including effective date and applicability provisions.

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

**Senate File 2059**, by committee on Judiciary, a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

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

**Senate File 2061**, by committee on Judiciary, a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

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

**Senate File 2102**, by committee on Human Resources, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

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

**Senate File 2144**, by committee on Human Resources, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

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

**Senate File 2145**, by committee on Human Resources, a bill for an act relating to speech therapy and other benefits for children under the hawk-i program and including effective date and retroactive applicability provisions.

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

**Senate File 2180**, by committee on Natural Resources and Environment, a bill for an act providing for the appointment of members of the general assembly to serve on the water resources coordinating council.

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

**Senate File 2183**, by committee on Judiciary, a bill for an act relating to the limitations on criminal actions for the criminal offense of child endangerment.

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

**Senate File 2191**, by committee on Judiciary, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

Read first time and **passed on file**.

**Senate File 2194**, by committee on Labor and Business Relations, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

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

**Senate File 2231**, by committee on State Government, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

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

**Senate File 2232**, by committee on Judiciary, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

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

**Senate File 2233**, by committee on Judiciary, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

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

**Senate File 2234**, by committee on Education, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

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

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 2264**, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying, was taken up for consideration.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2264)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie

Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 1:

Vander Linden

Absent or not voting, 4:

Hanson	Heddens	Jacoby	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2271**, a bill for an act relating to the criminal offense of identity theft, and providing penalties, was taken up for consideration.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2271)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel

Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Jacoby	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2277**, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way, was taken up for consideration.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2277)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman

Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker Upmeyer		

The nays were, 2:

Meyer	Sheets
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Absent or not voting, 4:

Hanson	Heddens	Jacoby	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2356**, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers, was taken up for consideration.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2356)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman

Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Jacoby	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2373**, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa, was taken up for consideration.

Branhagen of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2373)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein



Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Jacoby	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2263**, a bill for an act relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners, was taken up for consideration.

T. Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2263)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen

Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Jacoby	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Heddens of Story
Jacoby of Johnson	Pettengill of Benton

### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2101 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2263, 2264, 2271, 2277, 2356 and 2373.**

## EXPLANATIONS OF VOTE

On February 24, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2263 – “aye”  
 House File 2271 – “aye”  
 House File 2356 – “aye”

House File 2264 – “aye”  
 House File 2277 – “aye”  
 House File 2373 – “aye”

Jacoby of Johnson

On February 22, 2016, I inadvertently voted “nay” on House File 2275, I meant to vote “aye”.

Olson of Polk

On February 23, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2331 – “aye”

Wessel-Kroeschell of Story

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

### **H.S.B. 639 Ways and Means**

Relating to Iowa's urban renewal law by modifying requirements for the annual report prepared by the legislative services agency, establishing restrictions on the use of divided revenues, modifying the conditions for establishing certain urban renewal areas, imposing duration limits on certain urban renewal areas, and including effective date provisions.

## SUBCOMMITTEE ASSIGNMENT

### **Senate File 2158**

Judiciary: Gustafson, Chair; Branhagen and Meyer.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

### House Study Bill 639

Ways and Means: Vander Linden, Chair; Brown-Powers and Nunn.

### RESOLUTION FILED

**H.R. 103**, by Meyer, Paulsen, Wessel-Kroeschell, Olson, Windschitl, Vander Linden, Kelley, Best, Salmon, Pettengill, Kooiker, Brown-Powers, Mommsen, Abdul-Samad, Bennett, Isenhardt, Dolecheck, Kearns, Finkenauer, Heartsill, Lensing, Nunn, Rizer, Byrnes, Jorgensen, Huseman, Sands, Staed, Gassman, Mascher, Carlson, Sieck, Holt, T. Taylor, Smith, Prichard, Lykam, Jacoby, Dawson, Ruff, Hall, Kaufmann, Heddens, Wolfe, Gustafson, Maxwell, Jones, Koester, Fisher, Bacon, Upmeyer, Highfill, Watts, Baudler, Sexton, R. Taylor, L. Miller, Forristall, Heaton, Hagenow, Baxter, Stanerson, Klein, B. Moore, Paustian, Wills, Sheets, Branhagen, Worthan, Deyoe, Grassley, Cownie, Landon, and Holz, a resolution commemorating the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-8026	H.F.	2329	Wessel-Kroeschell of Story
H-8027	H.F.	2370	Dolecheck of Ringgold
H-8028	H.F.	2397	Rizer of Linn
H-8029	H.F.	2011	Dawson of Woodbury Jones of Clay
H-8030	H.F.	2369	Gassman of Winnebago Steckman of Cerro Gordo
H-8031	S.F.	2200	Steckman of Cerro Gordo

On motion by Hagenow of Polk, the House adjourned at 3:18 p.m., until 8:30 a.m., Thursday, February 25, 2016.

# JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 25, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Dave Fleming, St. Pius Catholic Church, Urbandale. He was the guest of Representative Forbes of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Natalie Steinke, Chief Clerk's Page from Gibson.

The Journal of Wednesday, February 24, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2418**, by committee on Human Resources, a bill for an act relating to subsidized guardianships.

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

**House File 2419**, by committee on Transportation, a bill for an act relating to agricultural literacy special registration plates for motor vehicles.

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

**House File 2420**, by committee on Public Safety, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies.

Read first time and placed on the **calendar**.

**House File 2421**, by committee on Education, a bill for an act relating to coaching endorsements and authorizations issued by the board of educational examiners and to certain emergency medical

procedures training requirements, and including applicability provisions.

Read first time and placed on the **calendar**.

**House File 2422**, by committee on Education, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

Read first time and placed on the **calendar**.

**House File 2423**, by committee on Natural Resources, a bill for an act prohibiting the purchase of weapons seized as a public nuisance by certain persons.

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

#### SENATE MESSAGES CONSIDERED

**Senate Joint Resolution 2006**, by committee on Education, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

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

**Senate Joint Resolution 2007**, by committee on Education, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

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

**Senate File 2109**, by committee on Appropriations, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

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

**Senate File 2155**, by committee on Appropriations, a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions.

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

**Senate File 2164**, by committee on Judiciary, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

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

**Senate File 2185**, by committee on Judiciary, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

Read first time and referred to committee on **Public Safety**.

**Senate File 2196**, by committee on Education, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

Read first time and **passed on file**.

**Senate File 2197**, by committee on Human Resources, a bill for an act relating to the membership of the medical assistance advisory council and executive committee.

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

**Senate File 2198**, by committee on State Government, a bill for an act relating to the use of experimental treatments for patients with a terminal illness.

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

**Senate File 2200**, by committee on Education, a bill for an act concerning instruction provided through the Iowa learning online initiative.

Read first time and **passed on file**.

**Senate File 2205**, by committee on Education, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

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

**Senate File 2214**, by committee on Human Resources, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

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

**Senate File 2217**, by committee on Education, a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable.

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

**Senate File 2221**, by committee on Commerce, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

Read first time and **passed on file**.

**Senate File 2224**, by committee on Transportation, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

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

**Senate File 2242**, by committee on State Government, a bill for an act relating to the administration of city elections by permitting



the county commissioner of elections to designate a city clerk to receive city candidate filings.

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

**Senate File 2244**, by committee on Transportation, a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by trusts.

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

**Senate File 2247**, by committee on Transportation, a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable.

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

#### ADOPTION OF HOUSE RESOLUTION 103

Hagenow of Polk called up for consideration **House Resolution 103**, a resolution commemorating the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

Rizer of Linn moved the adoption of House Resolution 103.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:49 a.m., until the fall of the gavel.

The House resumed session at 9:26 a.m., Speaker Upmeyer in the chair.

#### CONSIDERATION OF BILLS Regular Calendar

**House File 2265**, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings, was taken up for consideration.

Fisher of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2265)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 5:

Baltimore	Berry	Hanson	Olson
Stanerson			

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

**House File 2342**, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2342)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker Upmeyer		

The nays were, none.

Absent or not voting, 6:

Baltimore	Berry	Hanson	Heaton
Olson	Stanerson		

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

**House File 2359**, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions,

or remove ambiguities, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Paulsen of Linn offered amendment H-8019 filed by the committee on Judiciary and moved its adoption.

The committee amendment H-8019 was adopted.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2359)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 5:

Baltimore	Berry	Hanson	Olson
Stanerson			

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

**House File 2360**, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

SENATE FILE 2189 SUBSTITUTED FOR HOUSE FILE 2360

Paulsen of Linn asked and received unanimous consent to substitute Senate File 2189 for House File 2360.

**Senate File 2189**, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2189)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Taead	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker
			Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Hanson	Olson	Stanerson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2369**, a bill for an act concerning instruction provided through the Iowa learning online initiative, was taken up for consideration.

Gassman of Winnebago offered amendment H-8030 filed by him and Steckman of Cerro Gordo and moved its adoption.

Amendment H-8030 was adopted.

#### SENATE FILE 2200 SUBSTITUTED FOR HOUSE FILE 2369

Gassman of Winnebago asked and received unanimous consent to substitute Senate File 2200 for House File 2369.

**Senate File 2200**, a bill for an act concerning instruction provided through the Iowa learning online initiative, was taken up for consideration.

Steckman of Cerro Gordo offered amendment H-8031 filed by her and moved its adoption.

Amendment H-8031 was adopted.

Gassman of Winnebago moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2200)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearerger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes

Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Hanson	Olson	Stanerson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House Joint Resolution 2003**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data, with report of committee recommending passage, was taken up for consideration.

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 8 of Article I of the Constitution of the State of Iowa is amended beginning July 1, 2019, to read as follows:

**Personal security — searches and seizures.** SEC. 8. The right of the people to be secure in their persons, houses, papers, and effects, and electronic communications and data, against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized, and the electronic communications and data to be accessed.

Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause the proposed amendment to be published for three consecutive months previous to the date of that election as provided by law.

#### EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This joint resolution proposes an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

The amendment to the Constitution provides that a person's electronic communications and data shall be secure against unreasonable searches and seizures and that such communications and data shall only be subject to search and seizure if a warrant under oath based upon probable cause has first been issued.

The resolution, if adopted, would be published and then referred to the next general assembly (Eighty-seventh) for adoption, before being submitted to the electorate for ratification.

The resolution, if adopted and ratified by the electorate, would take effect July 1, 2019.

Rizer of Linn moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.



On the question "Shall the joint resolution be adopted and agreed to?"  
(H.J.R. 2003)

The yeas were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Hanson	Olson	Stanerson
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Berry of Black Hawk
Hanson of Jefferson	Olson of Polk
Stanerson of Linn	

## HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2074, 2247, 2360 and 2369 from further consideration by the House.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 2003, House Files 2265, 2342, 2359** and **Senate Files 2189** and **2200**.

## HOUSE FILE 2393 REFERRED

The Speaker announced that House File 2393, previously placed on the **calendar** was referred to committee on **Ways and Means**.

## HOUSE FILE 2402 REFERRED

The Speaker announced that House File 2402, previously placed on the **calendar** was referred to committee on **Ways and Means**.

## EXPLANATION OF VOTE

On February 24, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2263 – “aye”

House File 2264 – “aye”

House File 2271 – “aye”

House File 2277 – “aye”

House File 2356 – “aye”

House File 2373 – “aye”

Heddens of Story

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2009

Education: Highfill, Chair; Forristall and Ruff.

**Senate File 2102**

Human Resources: L. Miller, Chair; T. Moore and Winckler.

**Senate File 2144**

Human Resources: Fry, Chair; Anderson and Sieck.

**Senate File 2145**

Human Resources: L. Miller, Chair; Best and Wessel-Kroeschell.

**Senate File 2195**

Education: Salmon, Chair; Gassman and Mascher.

**Senate File 2198**

Human Resources: Gustafson, Chair; Bacon and Wessel-Kroeschell.

**Senate File 2234**

Education: Sieck, Chair; Hanson and T. Moore.

**AMENDMENTS FILED**

H-8032	H.F.	2077	Rizer of Linn
H-8033	H.F.	2403	Fisher of Tama
H-8034	H.F.	2357	Fisher of Tama
H-8035	H.F.	2372	Mommsen of Clinton
H-8036	H.F.	2421	Koester of Polk
H-8037	H.F.	2310	Vander Linden of Mahaska
H-8038	H.F.	2338	Pettengill of Benton

On motion by Hagenow of Polk, the House adjourned at 9:51 a.m., until 1:00 p.m., Monday, February 29, 2016.

# JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 29, 2016

The House met pursuant to adjournment at 1:02 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Barrie Tritle, First Methodist Church, Iowa City. He was the guest of Representative Stutsman of Johnson.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carter Howe from Omaha. He is the cousin of Representative Jones of Clay.

The Journal of Thursday, February 25, 2016, was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 25, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2277, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2151, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2163, a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2254, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2276, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2277, a bill for an act relating to the sources of goods or services under a franchise agreement.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2282, a bill for an act relating to reinstatement of lapsed use restrictions within a common interest community.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2288, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

Also: That the Senate has on February 25, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2289, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

MICHAEL E. MARSHALL, Secretary

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 29, 2016, he approved and transmitted to the Secretary of State the following bill:

**Senate File 2035**, an Act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

## SUBCOMMITTEE ASSIGNMENTS

### Senate Joint Resolution 2006

Education: T. Moore, Chair; Cohoon and Fry.

### Senate Joint Resolution 2007

Education: Highfill, Chair; T. Moore and Winckler.

### Senate File 2136

Human Resources: R. Taylor, Chair; Brown-Powers and T. Moore.

### Senate File 2162

State Government: T. Moore, Chair; Berry and Koester.

### Senate File 2194

Labor: Sheets, Chair; Hanusa and Running-Marquardt.

### Senate File 2205

Education: Byrnes, Chair; Brown-Powers and Stanerson.

### Senate File 2224

Transportation: B. Moore, Chair; Stutsman and Worthan.

### Senate File 2231

State Government: Wills, Chair; T. Taylor and Watts.

### Senate File 2242

State Government: Sexton, Chair; Mascher and Stanerson.

### Senate File 2244

Transportation: Landon, Chair; Best and Wolfe.

### Senate File 2247

Transportation: Maxwell, Chair; Holz and Lykam.

## AMENDMENTS FILED

H-8039	H.F.	2407	Rogers of Black Hawk
H-8040	H.F.	2413	Salmon of Black Hawk

H-8041	H.F.	2324	Gaines of Polk
H-8042	H.F.	2385	Lensing of Johnson Wessel-Kroeschell of Story Bennett of Linn
H-8043	H.F.	2329	Salmon of Black Hawk
H-8044	H.F.	2396	Landon of Polk
H-8045	H.F.	2269	Sexton of Calhoun

On motion by Hagenow of Polk, the House adjourned at 1:17 p.m., until 8:30 a.m., Tuesday, March 1, 2016.

# JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 1, 2016

The House met pursuant to adjournment at 8:36 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Darran Whiting, Liberty Baptist Church, Marion. He was the guest of Representative Rizer of Linn.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Special Olympics Representatives, Aurora Post from Johnston and Landon Gunderson from Conrad. They were the guests of Speaker Upmeyer of Cerro Gordo.

The Journal of Monday, February 29, 2016, was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 29, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 228, a bill for an act relating to transitional coaching authorizations issued by the board of educational examiners and making penalties applicable.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2147, a bill for an act relating to absentee voting by uniformed and overseas citizens.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2271, a bill for an act relating to the criminal offense of identity theft, and providing penalties.



Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2143, a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2147, a bill for an act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2170, a bill for an act modifying the notice requirements for public improvement projects.

Also: That the Senate has on February 29, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2200, a bill for an act concerning instruction provided through the Iowa learning online initiative.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2219, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2222, a bill for an act relating to the prescribing and dispensing of self-administered oral hormonal contraceptives including by pharmacists and providing insurance coverage for such contraceptives prescribed and dispensed.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2257, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2258, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2260, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2263, a bill for an act relating to clerks of court, including the collection of court debt, the filing of medical reports, and the indexing of notices of lis pendens by county recorders, out-of-state-witness mileage expenses, and including effective date and applicability provisions.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2264, a bill for an act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2265, a bill for an act requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2268, a bill for an act relating to the modification of the sex offender registry requirements for certain offenders.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2270, a bill for an act establishing a task force related to extending juvenile court jurisdiction in delinquency matters and proceedings to include persons under the age of twenty-one years.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2274, a bill for an act concerning the establishment of a process for the debarment of a person from entering into certain state contracts with a state agency.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2275, a bill for an act exempting natural hair braiding from the definition of cosmetology.

Also: That the Senate has on February 29, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2279, a bill for an act relating to the credit union division and its regulatory matters.

MICHAEL E. MARSHALL, Secretary

On motion by Hagenow of Polk, the House was recessed at 8:42 a.m., until 2:00 p.m.

### AFTERNOON SESSION

The House reconvened at 2:15 p.m., Windschitl of Harrison in the chair.

### INTRODUCTION OF BILLS

**House File 2424**, by Winckler, a bill for an act relating to county funding of mental health and disability services and the mental health and disability services property tax levy.

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

**House File 2425**, by H. Miller, a bill for an act establishing a sentencing commission.

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

**House File 2426**, by Pettengill, a bill for an act relating to regulation and supervision of executive branch administrative units that regulate a profession.

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

### SENATE MESSAGES CONSIDERED

**Senate File 2143**, by committee on State Government, a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

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

**Senate File 2147**, by committee on State Government, a bill for an act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

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

**Senate File 2151**, by committee on State Government, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Read first time and **passed on file**.

**Senate File 2163**, by committee on Education, a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions.

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

**Senate File 2170**, by committee on State Government, a bill for an act modifying the notice requirements for public improvement projects.

Read first time and **passed on file**.

**Senate File 2219**, by committee on State Government, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

Read first time and **passed on file**.

**Senate File 2222**, by committee on Commerce, a bill for an act relating to the prescribing and dispensing of self-administered oral hormonal contraceptives including by pharmacists and providing insurance coverage for such contraceptives prescribed and dispensed.

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

**Senate File 2254**, by committee on Commerce, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

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

**Senate File 2257**, by committee on Economic Growth, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

Read first time and **passed on file**.

**Senate File 2258**, by committee on Human Resources, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

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

**Senate File 2260**, by committee on Human Resources, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

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

**Senate File 2263**, by committee on Judiciary, a bill for an act relating to clerks of court, including the collection of court debt, the filing of medical reports, and the indexing of notices of lis pendens by county recorders, out-of-state-witness mileage expenses, and including effective date and applicability provisions.

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

**Senate File 2264**, by committee on Judiciary, a bill for an act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

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

**Senate File 2265**, by committee on Judiciary, a bill for an act requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions.

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

**Senate File 2268**, by committee on Judiciary, a bill for an act relating to the modification of the sex offender registry requirements for certain offenders.

Read first time and referred to committee on **Public Safety**.

**Senate File 2270**, by committee on Judiciary, a bill for an act establishing a task force related to extending juvenile court jurisdiction in delinquency matters and proceedings to include persons under the age of twenty-one years.

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

**Senate File 2274**, by committee on State Government, a bill for an act concerning the establishment of a process for the debarment of a person from entering into certain state contracts with a state agency.

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

**Senate File 2275**, by committee on State Government, a bill for an act exempting natural hair braiding from the definition of cosmetology.

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

**Senate File 2276**, by committee on Local Government, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

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

**Senate File 2279**, by committee on Commerce, a bill for an act relating to the credit union division and its regulatory matters.

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

**Senate File 2282**, by committee on Judiciary, a bill for an act relating to reinstatement of lapsed use restrictions within a common interest community.

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

**Senate File 2288**, by committee on Judiciary, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

Read first time and **passed on file**.

The House stood at ease at 2:21 p.m., until the fall of the gavel.

The House resumed session at 2:42 p.m., Speaker Upmeyer in the chair.

## CONSIDERATION OF BILLS Regular Calendar

**House File 2011**, a bill for an act relating to the criminal offense of sexual exploitation by a school employee, with report of committee recommending amendment and passage, was taken up for consideration.

Jones of Clay offered amendment H-8007 filed by the committee on Judiciary.

Dawson of Woodbury offered amendment H-8029, to the committee amendment H-8007, filed by him and Jones of Clay and moved its adoption.

Amendment H-8029, to the committee amendment H-8007, was adopted.

Jones of Clay moved the adoption of the committee amendment H-8007, as amended.

The committee amendment H-8007, as amended, was adopted.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2011)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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



**House File 2321**, a bill for an act relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education, was taken up for consideration.

Fry of Clarke moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2321)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Vander Linden
Watts	Wills	Windschitl	Worthan
Speaker			
Upmeyer			

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 2:

Hanson	Olson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2345**, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2345)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, 1:

Fisher

Absent or not voting, 2:

Hanson

Olson

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

**House File 2387**, a bill for an act requiring the dental board to offer an alternative examination for licensure, was taken up for consideration.

R. Taylor of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2387)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, 1:

Kelley

Absent or not voting, 2:

Hanson

Olson

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

**House File 2407**, a bill for an act relating to the confidentiality of juvenile court records, was taken up for consideration.

Rogers of Black Hawk offered amendment H-8039 filed by him and moved its adoption.

Amendment H-8039 was adopted.

SENATE FILE 2288 SUBSTITUTED FOR HOUSE FILE 2407

Rogers of Black Hawk asked and received unanimous consent to substitute Senate File 2288 for House File 2407.

**Senate File 2288**, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings, was taken up for consideration.

Rogers of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2288)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth

Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, 1:

Salmon

Absent or not voting, 2:

Hanson                      Olson

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

**House File 2336**, a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department, was taken up for consideration.

T. Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2336)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam

Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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

**House File 2377**, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2377)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker

Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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

**House File 2415**, a bill for an act concerning veterans preference information, was taken up for consideration.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2415)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer

Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker Upmeyer		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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

**House File 2341**, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission, was taken up for consideration.

R. Taylor of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2341)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.



Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker Upmeyer		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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

Windschitl of Harrison in the chair at 3:21 p.m.

**House File 2365**, a bill for an act waiving certain hunter education requirements for residents who are active duty military personnel or honorably discharged veterans, was taken up for consideration.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2365)

The ayes were, 72:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jacoby	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Kressig	Landon	Lykam	Maxwell
McConkey	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer

Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

The nays were, 26:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Gaines	Heddens
Hunter	Isenhardt	Kearns	Kelley
Lensing	Mascher	Meyer	Miller, H.
Oldson	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 2:

Hanson	Olson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2370**, a bill for an act providing an exemption from registration of postsecondary schools by the college student aid commission, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8027 filed by him and moved its adoption.

Amendment H-8027 was adopted.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2370)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman

Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Olson	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2324**, a bill for an act providing for computer science and computer coding instruction in the minimum state education curriculum and providing for a related computer science advisory council to be convened by the director of the department of education and including applicability provisions, was taken up for consideration.

Gaines of Polk asked and received unanimous consent to withdraw amendment H-8025 filed by her on February 23, 2016.

Gaines of Polk asked and received unanimous consent that amendment H-8041 be deferred.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8013 filed by her on February 22, 2016.

Gaines of Polk offered amendment H-8018 filed by her and moved its adoption.

Amendment H-8018 was adopted.

Gaines of Polk asked and received unanimous consent to withdraw amendment H-8041, previously deferred, filed by her on February 29, 2016.

Forristall of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2324)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 2:

Pettengill                      Salmon

Absent or not voting, 2:

Hanson                          Olson

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

**House File 2400**, a bill for an act providing for voidable commercial transactions and including applicability provisions, was taken up for consideration.

Rogers of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2400)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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

**House File 2330**, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce, was taken up for consideration.

SENATE FILE 2151 SUBSTITUTED FOR HOUSE FILE 2330

Stanerson of Linn asked and received unanimous consent to substitute Senate File 2151 for House File 2330.

**Senate File 2151**, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce, was taken up for consideration.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2151)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson

Olson

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

**House File 2396**, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location, was taken up for consideration.

Landon of Polk offered amendment H-8044 filed by him and moved its adoption.

Amendment H-8044 was adopted.

#### SENATE FILE 2257 SUBSTITUTED FOR HOUSE FILE 2396

Landon of Polk asked and received unanimous consent to substitute Senate File 2257 for House File 2396.

**Senate File 2257**, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2257)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz

Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Olson

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson

Olson of Polk

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 189, 2010, 2061, 2232, 2241, 2251, 2330, 2396 and 2407 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2011, 2321, 2324, 2336, 2341, 2345, 2365, 2370, 2377, 2387, 2400, 2415** and **Senate Files 2151, 2257** and **2288**.



## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 1, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2142, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election.

Also: That the Senate has on March 1, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2251, a bill for an act providing for the regulation of anhydrous ammonia and including effective date provisions.

Also: That the Senate has on March 1, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2255, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures.

Also: That the Senate has on March 1, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2259, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

Also: That the Senate has on March 1, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2269, a bill for an act relating to studying community violence by the public safety advisory board.

Also: That the Senate has on March 1, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2273, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

MICHAEL E. MARSHALL, Secretary

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 165 Reassigned**

Local Government: Carlson, Chair; Gaskill and Highfill.

**Senate File 2059**

Judiciary: Kaufmann, Chair; Branhagen and Prichard.

**Senate File 2061**

Judiciary: Gustafson, Chair; Baltimore and Oldson.

**Senate File 2110**

Public Safety: Holt, Chair; Brown-Powers and Heartsill.

**Senate File 2111**

Public Safety: Baxter, Chair; Fisher and Gaines.

**Senate File 2115**

Public Safety: Holt, Chair; Baxter and Kressig.

**Senate File 2116**

Public Safety: Klein, Chair; Abdul-Samad and Fry.

**Senate File 2164**

Judiciary: Windschitl, Chair; Baxter and Berry.

**Senate File 2183**

Judiciary: Baxter, Chair; Gustafson and Olson.

**Senate File 2185**

Public Safety: Heartsill, Chair; Holt and Wessel-Kroeschell.

**Senate File 2214**

Human Resources: L. Miller, Chair; Abdul-Samad and Forristall.

**Senate File 2217**

Judiciary: Branhagen, Chair; Anderson and Kaufmann.

**Senate File 2233**

Judiciary: Rizer, Chair; Paulsen and Wolfe.

**Senate File 2234 Reassigned**

Education: Sieck, Chair; T. Moore and Staed.

**Senate File 2276**

Local Government: Branhagen, Chair; Jones and Meyer.

**COMMITTEE RECOMMENDATION**

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON WAYS AND MEANS**

**Committee Bill** (Formerly House File 2350), concerning gambling game licensure requirements and fees, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 1, 2016.

**AMENDMENTS FILED**

H-8046	H.F.	228	Senate Amendment
H-8047	H.F.	2064	Rizer of Linn
H-8048	H.F.	2385	Paustian of Scott
H-8049	H.F.	2403	Fisher of Tama
H-8050	H.F.	2269	Sexton of Calhoun
H-8051	H.F.	2380	Baudler of Adair
H-8052	H.F.	2329	Salmon of Black Hawk Heartsill of Marion
H-8053	H.F.	2403	Ruff of Clayton
H-8054	H.F.	2366	Heaton of Henry
H-8055	H.F.	2329	Salmon of Black Hawk Heartsill of Marion
H-8056	H.F.	2363	Mascher of Johnson
H-8057	H.F.	2386	Heartsill of Marion
H-8058	H.F.	2380	Klein of Washington
H-8059	H.F.	2385	Paustian of Scott
H-8060	H.F.	2420	Anderson of Polk

On motion by Hagenow of Polk, the House adjourned at 3:56 p.m., until 8:30 a.m., Wednesday, March 2, 2016.

# JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 2, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Rabbi Steven Edelman-Blank, Tifereth Israel Synagogue, Des Moines. He was the guest of Representative Abdul-Samad of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sam Anderson, Page from Walker.

The Journal of Tuesday, March 1, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2427**, by committee on Public Safety, a bill for an act modifying sex offender registry requirements by requiring sex offenders whose registration requirements have expired to reregister, and providing penalties.

Read first time and placed on the **calendar**.

## SENATE MESSAGE CONSIDERED

**Senate File 2277**, by committee on Economic Growth, a bill for an act relating to the sources of goods or services under a franchise agreement.

Read first time and referred to committee on **Economic Growth**.

On motion by Hagenow of Polk, the House was recessed at 8:35 a.m., until 3:00 p.m.

## AFTERNOON SESSION

The House reconvened at 3:11 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILL

**House File 2428**, by committee on Judiciary, a bill for an act providing for the establishment of a statewide sobriety and drug monitoring program to be used for certain criminal offenders in participating jurisdictions, and providing a penalty.

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

## SENATE MESSAGES CONSIDERED

**Senate File 2142**, by committee on State Government, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election and including effective date provisions.

Read first time and **passed on file**.

**Senate File 2154**, by committee on Economic Growth, a bill for an act relating to the programs and duties of the economic development authority and including effective date provisions.

Read first time and referred to committee on **Economic Growth**.

**Senate File 2251**, by committee on Agriculture, a bill for an act providing for the regulation of anhydrous ammonia and including effective date provisions.

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

**Senate File 2255**, by committee on State Government, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures.

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

**Senate File 2259**, by committee on Human Resources, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

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

**Senate File 2269**, by committee on Judiciary, a bill for an act relating to studying community violence by the public safety advisory board.

Read first time and referred to committee on **Public Safety**.

**Senate File 2273**, by committee on State Government, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

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

The House stood at ease at 3:13 p.m., until the fall of the gavel.

The House resumed session at 5:00 p.m., Speaker Upmeyer in the chair.

## CONSIDERATION OF BILLS Regular Calendar

**House File 2269**, a bill for an act providing for the administration of certain excise taxes imposed on the sale of cattle, was taken up for consideration.

Sexton of Calhoun asked and received unanimous consent to withdraw amendment H-8045 filed by him on February 29, 2016.

Sexton of Calhoun offered amendment H-8050 filed by him and moved its adoption.

Amendment H-8050 was adopted.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2269)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Meyer	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2278**, a bill for an act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2278)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Meyer	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2339**, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities, was taken up for consideration.

Isenhardt of Dubuque offered amendment H-8016 filed by him and moved its adoption.

Amendment H-8016 lost.



Maxwell of Poweshiek asked and received unanimous consent to withdraw amendment H-8017 filed by him on February 23, 2016.

Holz of Plymouth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2339)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 1:

Watts

Absent or not voting, 4:

Hanson	Heddens	Meyer	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2421**, a bill for an act relating to coaching endorsements and authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions, was taken up for consideration.

Koester of Polk offered amendment H-8036 filed by him and moved its adoption.

Amendment H-8036 was adopted.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2421)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Miller, H.	Miller, L.	Mommsen
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 1:

Holt

Absent or not voting, 4:

Hanson                      Heddens                      Meyer                      Moore, B.

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

**House File 2333**, a bill for an act relating to consent decrees in juvenile delinquency proceedings, was taken up for consideration.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2333)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson                      Heddens                      Meyer                      Moore, B.

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

**House File 2343**, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties, was taken up for consideration.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2343)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson                      Heddens                      Meyer                      Moore, B.

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

**House File 2363**, a bill for an act relating to member attendance at a closed session of a governmental body, was taken up for consideration.

Mascher of Johnson offered amendment H-8056 filed by her and moved its adoption.

Amendment H-8056 was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2363)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson	Heddens	Meyer	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2364**, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2364)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanson                      Heddens                      Moore, B.

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

**House File 2385**, a bill for an act relating to littering and illegal dumping and modifying penalties, was taken up for consideration.

Paustian of Scott asked and received unanimous consent to withdraw amendment H-8048 filed by him on March 1, 2016.

Lensing of Johnson offered amendment H-8042 filed by Lensing, et al.

Lensing of Johnson offered amendment H-8066, to amendment H-8042, filed by her from the floor and moved its adoption.

Amendment H-8066, to amendment H-8042, was adopted.

Lensing of Johnson moved the adoption of amendment H-8042, as amended.

Roll call was requested by Lensing of Johnson and Hunter of Polk.

On the question "Shall amendment H-8042, as amended, be adopted?" (H.F. 2385)

The ayes were, 43:

Abdul-Samad	Anderson	Baudler	Bearinger
Bennett	Berry	Brown-Powers	Cohoon
Dawson	Dunkel	Finkenauer	Forbes
Gaines	Gaskill	Hall	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Pettengill	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 54:

Bacon	Baltimore	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie

Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker		
	Upmeyer		

Absent or not voting, 3:

Hanson	Heddens	Moore, B.
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Amendment H-8042, as amended, lost.

Paustian of Scott asked and received unanimous consent to withdraw amendment H-8059 filed by him on March 1, 2016.

Windschitl of Harrison in the chair at 5:49 p.m.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2385)

The ayes were, 71:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Fisher	Forbes	Forristall	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Isenhart	Jones
Jorgensen	Kaufmann	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lykam	Maxwell	McConkey	Meyer
Miller, L.	Mommsen	Moore, T.	Nunn
Ourth	Paulsen	Paustian	Pettengill
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Staed	Stanerson	Stutsman



Thede Wolfe	Upmeyer, Spkr. Worthan	Vander Linden Windschitl, Presiding	Wills
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The nays were, 26:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Dawson	Dunkel
Finkenauer	Gaines	Hunter	Jacoby
Kearns	Lensing	Mascher	Miller, H.
Oldson	Olson	Prichard	Smith
Steckman	Taylor, R.	Taylor, T.	Watts
Wessel-Kroeschell	Winckler		

Absent or not voting, 3:

Hanson	Heddens	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2401**, a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties, was taken up for consideration.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2401)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher

Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Worthan	Windschitl, Presiding

The nays were, 1:

Wolfe

Absent or not voting, 3:

Hanson                      Heddens                      Moore, B.

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

**House File 2372**, a bill for an act relating to the preference for joint physical care of a child in awarding custody, was taken up for consideration.

Mommsen of Clinton offered amendment H-8035 filed by him.

Dawson of Woodbury rose on a point of order that amendment H-8035 was not germane.

The Speaker ruled the point well taken and amendment H-8035 not germane.

Mommsen of Clinton asked for unanimous consent to suspend the rules to consider amendment H-8035.

Objection was raised.

Mommsen of Clinton moved to suspend the rules to consider amendment H-8035.

Roll call was requested by Dawson of Woodbury and Kressig of Black Hawk.

On the question "Shall the rules be suspended to consider amendment H-8035?" (H.F. 2372)

The ayes were, 53:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Hein
Highfill	Holt	Holz	Huseman
Jorgensen	Kaufmann	Klein	Koester
Kooiker	Landon	Maxwell	Miller, L.
Mommsen	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

The nays were, 44:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Berry	Brown-Powers	Cohoon
Dawson	Dunkel	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heaton
Hunter	Isenhart	Jacoby	Jones
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Hanson	Heddens	Moore, B.
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The motion to suspend the rules prevailed.

Mommsen of Clinton moved the adoption of amendment H-8035.

Amendment H-8035 was adopted.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2372)

The ayes were, 56:

Bacon	Baltimore	Baxter	Bearinger
Bennett	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Hagenow	Hanusa
Heartsill	Hein	Highfill	Holt
Holz	Huseman	Jorgensen	Kaufmann
Kelley	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, T.	Nunn	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

The nays were, 41:

Abdul-Samad	Anderson	Baudler	Berry
Cohoon	Dawson	Dunkel	Finkenauer
Forbes	Gaines	Gaskill	Gustafson
Hall	Heaton	Hunter	Isenhart
Jacoby	Jones	Kearns	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 3:

Hanson	Heddens	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2338**, a bill for an act modifying the notice requirements for public improvement projects, was taken up for consideration.

Pettengill of Benton offered amendment H-8038 filed by her and moved its adoption.

Amendment H-8038 was adopted.

## SENATE FILE 2170 SUBSTITUTED FOR HOUSE FILE 2338

Pettengill of Benton asked and received unanimous consent to substitute Senate File 2170 for House File 2338.

**Senate File 2170**, a bill for an act modifying the notice requirements for public improvement projects, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2170)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Taead	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson                      Heddens                      Moore, B.

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

**House File 2398**, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers, was taken up for consideration.

SENATE FILE 2221 SUBSTITUTED FOR HOUSE FILE 2398

Landon of Polk asked and received unanimous consent to substitute Senate File 2221 for House File 2398.

**Senate File 2221**, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2221)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer

Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Heddens	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Heddens of Story
Meyer of Polk	Moore, B. of Jackson

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 568, 2007, 2017, 2090, 2120, 2154, 2223, 2226, 2249, 2338 and 2398 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2269, 2278, 2333, 2339, 2343, 2363, 2364, 2372, 2385, 2401, 2421** and **Senate Files 2170** and **2221**.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 2, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2213, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 2, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2225, a bill for an act relating to assessing and reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests.

Also: That the Senate has on March 2, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2228, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

Also: That the Senate has on March 2, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2229, a bill for an act requiring the economic development authority to establish a community catalyst building remediation program and fund.

Also: That the Senate has on March 2, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2252, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

Also: That the Senate has on March 2, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2266, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system.

MICHAEL E. MARSHALL, Secretary

## EXPLANATIONS OF VOTE

On March 2, 2016, I inadvertently voted “aye” on House File 2372, I meant to vote “nay”.

Bearinger of Fayette

On March 2, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2269 – “aye”

House File 2278 – “aye”



House File 2333 – “aye”  
House File 2343 – “aye”  
House File 2421 – “aye”

House File 2339 – “aye”  
House File 2363 – “aye”

Meyer of Polk

On March 2, 2016, I inadvertently voted “aye” on House File 2385, I meant to vote “nay”.

Wolfe of Clinton

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 640 Government Oversight**

Relating to the construction, erection, maintenance, operation, or sale of specified electric transmission lines, and including effective date and applicability provisions.

### **H.S.B. 641 Ways and Means**

Excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games.

## SUBCOMMITTEE ASSIGNMENTS

### **House File 339**

Ways and Means: Pettengill, Chair; Kearns and Maxwell.

### **House File 2260**

Ways and Means: Windschitl, Chair; Brown-Powers, Forristall, Ruff and Vander Linden.

### **House File 2381**

Appropriations: Rogers, Chair; Hall, Huseman, R. Taylor and T. Taylor.

### **House File 2382**

Ways and Means: Windschitl, Chair; Forristall, Isenhardt, Ruff and Vander Linden.

**House File 2383**

Ways and Means: B. Moore, Chair; Maxwell and Steckman.

**House File 2393**

Ways and Means: Sands, Chair; Kelley and Maxwell.

**House File 2402**

Ways and Means: Vander Linden, Chair; McConkey and L. Miller.

**House File 2412**

Ways and Means: Nunn, Chair; Finkenauer and Forristall.

**House File 2424**

Human Resources: L. Miller, Chair; Heaton and Winckler.

**House File 2426**

State Government: Pettengill, Chair; Stutsman and Watts.

**Senate File 166**

State Government: Highfill, Chair; Cohoon and Stanerson.

**Senate File 2143**

State Government: L. Miller, Chair; Branhagen and Winckler.

**Senate File 2147**

State Government: Stanerson, Chair; Koester and Mascher.

**Senate File 2163**

Education: Highfill, Chair; T. Moore and Winckler.

**Senate File 2222**

Human Resources: Forristall, Chair; Anderson and Fry.

**Senate File 2258**

Human Resources: Fry, Chair; Dawson and Gustafson.

**Senate File 2260**

Human Resources: Forristall, Chair; Best and Heddens.

**Senate File 2274**

State Government: Wills, Chair; Hein and Prichard.

**Senate File 2275**

State Government: Pettengill, Chair; Berry and Highfill.

**Senate File 2277**

Economic Growth: Rogers, Chair; Bearinger and Jorgensen.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 641**

Ways and Means: Windschitl, Chair; Finkenauer and Vander Linden.

**COMMITTEE RECOMMENDATION**

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

**COMMITTEE ON JUDICIARY**

**Senate File 378**, a bill for an act relating to reimbursement of defense costs of peace officers and corrections officers.

Fiscal Note: **No**

Recommendation: **Do Pass** February 29, 2016.

**AMENDMENTS FILED**

H-8061	H.F.	2406	Hunter of Polk
H-8062	S.F.	2219	Vander Linden of Mahaska
H-8063	H.F.	2386	Wolfe of Clinton
H-8064	H.F.	2366	Heaton of Henry
H-8065	H.F.	2064	Rizer of Linn
H-8066	H.F.	2385	Lensing of Johnson
H-8067	H.F.	2388	L. Miller of Scott Lensing of Johnson
H-8068	H.F.	2414	Pettengill of Benton
H-8069	H.F.	2392	Hanusa of Pottawattamie

On motion by Hagenow of Polk, the House adjourned at 6:19 p.m., until 8:30 a.m., Thursday, March 3, 2016.

# JOURNAL OF THE HOUSE

Fifty-third Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 3, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Tom Butler, Cornerstone Church, Ankeny. He was the guest of Representative Koester of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Plymouth United Church of Christ, Cub Scout Troop, Pack 50 from Des Moines. They were the guests of Representative Wills of Dickinson.

The Journal of Wednesday, March 2, 2016, was approved.

The House stood at ease at 8:36 a.m., until the fall of the gavel.

The House resumed session at 10:49 a.m., Windschitl of Harrison in the chair.

## INTRODUCTION OF BILL

**House File 2429**, by committee on Ways and Means, a bill for an act concerning horse and dog racing medication requirements and gambling game licensure requirements and fees, and including penalty and applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

## SENATE MESSAGES CONSIDERED

**Senate File 2213**, by committee on Human Resources, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

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

**Senate File 2225**, by committee on Education, a bill for an act relating to assessing and reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests.

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

**Senate File 2228**, by committee on Transportation, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

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

**Senate File 2229**, by committee on Economic Growth, a bill for an act requiring the economic development authority to establish a community catalyst building remediation program and fund.

Read first time and referred to committee on **Economic Growth**.

**Senate File 2252**, by committee on Labor and Business Relations, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

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

**Senate File 2266**, by committee on Judiciary, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system.

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

## CONSIDERATION OF BILLS Regular Calendar

**House File 2392**, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions, was taken up for consideration.

Hanusa of Pottawattamie offered amendment H-8069 filed by her.

Ruff of Clayton offered amendment H-8074, to amendment H-8069, filed by her and Hanusa of Pottawattamie from the floor and moved its adoption.

Amendment H-8074, to amendment H-8069, was adopted.

Winckler of Scott offered amendment H-8075, to amendment H-8069, filed by her from the floor.

Hanusa of Pottawattamie rose on a point of order that amendment H-8075 was not germane, to amendment H-8069.

The Speaker ruled the point well taken and amendment H-8075 not germane, to amendment H-8069.

Hanusa of Pottawattamie moved the adoption of amendment H-8069, as amended.

Amendment H-8069, as amended, was adopted.

Hanusa of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2392)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer

Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Moore, B.	Salmon	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2405**, a bill for an act relating to the seizure of property by the department of natural resources, was taken up for consideration.

Baudler of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2405)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer

Rogers	Ruff	Running-Marquardt	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, 1:

Heaton

Absent or not voting, 4:

Heddens	Moore, B.	Salmon	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2406**, a bill for an act relating to school corporations and cities by changing the date of the election of directors of local school districts, merged areas, and area education agency boards, by providing for the combined administration of regular and special school and city elections, by requiring city office nomination papers be filed with the city clerk, and including effective date and applicability and transition provisions, was taken up for consideration.

Hunter of Polk offered amendment H-8061 filed by him and moved its adoption.

Amendment H-8061 lost.

Vander Linden of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2406)

The ayes were, 61:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Best	Branhagen	Byrnes
Carlson	Cownie	Dawson	Deyoe
Dolecheck	Fisher	Forbes	Fry
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton



Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Klein
Kooiker	Landon	Maxwell	Meyer
Miller, L.	Mommsen	Moore, T.	Nunn
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Sands	Sheets	Sieck
Stanerson	Stutsman	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

The nays were, 36:

Abdul-Samad	Anderson	Bennett	Berry
Brown-Powers	Cohoon	Dunkel	Finkenauer
Forristall	Gaines	Gaskill	Hanson
Hunter	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Lensing	Lykam	Mascher	McConkey
Miller, H.	Oldson	Ruff	Sexton
Smith	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2414**, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions, was taken up for consideration.

Pettengill of Benton offered amendment H-8068 filed by her and moved its adoption.

Amendment H-8068 was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2414)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Rizer of Linn asked and received unanimous consent that committee amendment H-8010 be deferred.

Rizer of Linn offered amendment H-8047 filed by him.

Rizer of Linn offered amendment H-8065, to amendment H-8047, filed by him and moved its adoption.

Amendment H-8065, to amendment H-8047, was adopted.

Wolfe of Clinton offered amendment H-8073, to amendment H-8047, filed by her from the floor and moved its adoption.

Amendment H-8073, to amendment H-8047, was adopted.

Rizer of Linn moved the adoption of amendment H-8047, as amended.

Amendment H-8047, as amended, was adopted.

Rizer of Linn asked and received unanimous consent to withdraw amendment H-8010, previously deferred, filed by the committee on Judiciary on February 22, 2016.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2064)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt

Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Upmeyer in the chair at 12:23 p.m.

**House File 2366**, a bill for an act relating to the exercise of a mental health advocate's duties, was taken up for consideration.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8054 filed by him on March 1, 2016.

Heaton of Henry offered amendment H-8064 filed by him and moved its adoption.

Amendment H-8064 was adopted.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2366)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Hein

Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2420**, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies, was taken up for consideration.

Anderson of Polk offered amendment H-8060 filed by her and moved its adoption.

Amendment H-8060 was adopted.

Anderson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2420)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson

Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2325**, a bill for an act authorizing the severance of territory and transfer of services of a sanitary district by resolution, was taken up for consideration.

Branhagen of Winneshiek offered amendment H-8021 filed by him and moved its adoption.

Amendment H-8021 was adopted.

Branhagen of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2325)

The ayes were, 93:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, 3:

Jones	Kooiker	Wills
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Absent or not voting, 4:

Baltimore	Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2354**, a bill for an act relating to electronic recordings of court proceedings within a magistrate's jurisdiction, was taken up for consideration.

Branhagen of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2354)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Heddens	Moore, B.	Salmon
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Heddens of Story	Moore, B. of Jackson
Salmon of Black Hawk	

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 376, 2040, 2143 and 2219 from further consideration by the House.



## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2064, 2325, 2354, 2366, 2392, 2405, 2406, 2414 and 2420.**

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 3, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2187, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status.

Also: That the Senate has on March 3, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2235, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

Also: That the Senate has on March 3, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2261, a bill for an act relating to and providing insurance coverage for medication synchronization.

MICHAEL E. MARSHALL, Secretary

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

## AUDITOR OF STATE

Special Investigation of the City of Davenport Fire Department Report and Review of Certain Unemployment Insurance Payments Report, pursuant to Iowa code section 11.6.

Reports on the Wireless E911 Emergency Communications Fund, Recommendations to DHS Central Distribution Center and Recommendations to the Iowa Public Employees Retirement System, pursuant to Iowa Code section 11.4.

**BOARD OF REGENTS**

Monthly Financial Report, pursuant to Chapter 141.27, 2013 Iowa Acts.

**CHIEF INFORMATION OFFICER**

Annual Report, pursuant to Iowa Code section 8B.9.

**COLLEGE STUDENT AID COMMISSION**

Ethnic Diversity Report, pursuant to Iowa Code section 261.2.

**DEPARTMENT OF COMMERCE**  
Insurance Division

Revolving Fund Revenues and Expenditures Report, pursuant to Iowa Code section 546.12.

**DEPARTMENT OF EDUCATION**

Competency Based Education Pilot and Demonstration Projects Report, pursuant to Iowa Code section 256.24.

**DEPARTMENT OF HUMAN SERVICES**

Mental Health Services for Children and Youth Report, pursuant to Iowa Code section 225C.54(5).

Hospital Health Care Access Trust Fund Report, pursuant to Iowa Code section 249M.4(9)(b)(3).

**DEPARTMENT OF TRANSPORTATION**

Soil and Water Conservation Project Disagreements Annual Report, pursuant to Iowa Code section 306.54.

**ECONOMIC DEVELOPMENT AUTHORITY**

Iowa Commission on Volunteer Services Report, pursuant to Iowa Code section 15H.2.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2225**

Education: Stanerson, Chair; Cohoon and Koester.

**Senate File 2251**

Agriculture: Klein, Chair; Bearinger and Holz.

**Senate File 2252**

Labor: Fry, Chair; Running-Marquardt and Sexton.

**Senate File 2255**

State Government: Bacon, Chair; Mascher and Sexton.

**Senate File 2259**

Human Resources: Gustafson, Chair; Dawson and T. Moore.

**Senate File 2273**

State Government: L. Miller, Chair; Kelley and Watts.

**Senate File 2279**

Commerce: Vander Linden, Chair; Kressig and Landon.

**COMMITTEE RECOMMENDATIONS**

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

**COMMITTEE ON STATE GOVERNMENT**

**Senate File 1**, a bill for an act relating to bidding for purchases through a competitive bidding process by the state.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8071** March 1, 2016.

**COMMITTEE ON WAYS AND MEANS**

**Senate File 503**, a bill for an act relating to certain fees collected by the county sheriff.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8072** March 2, 2016.

**AMENDMENTS FILED**

H-8070      H.F.      2386      Heartsill of Marion

H-8071	S.F.	1	Committee on State Government
H-8072	S.F.	503	Committee on Ways and Means
H-8073	H.F.	2064	Wolfe of Clinton
H-8074	H.F.	2392	Ruff of Clayton Hanusa of Pottawattamie
H-8075	H.F.	2392	Winckler of Scott
H-8076	H.F.	2148	Byrnes of Mitchell
H-8077	H.F.	2390	Hunter of Polk
H-8078	H.F.	2390	Hunter of Polk
H-8079	H.F.	2390	Hunter of Polk

On motion by Hagenow of Polk, the House adjourned at 12:44 p.m., until 1:00 p.m., Monday, March 7, 2016.

## JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 7, 2016

The House met pursuant to adjournment at 1:07 p.m., Speaker Upmeyer in the chair.

Prayer was offered by George Hanusa, retired pastor of ELCA Lutheran Church, Windsor Heights. He was the guest of Representative Hanusa of Pottawattamie.

“God Bless America” was sung by Jordan George from Norwalk. She was the guest of Representative Gustafson of Madison.

The Journal of Thursday, March 3, 2016, was approved.

### SENATE MESSAGES CONSIDERED

**Senate File 2187**, by committee on Veterans Affairs, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status.

Read first time and referred to committee on **Veterans Affairs**.

**Senate File 2235**, by committee on Education, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

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

**Senate File 2261**, by committee on Commerce, a bill for an act relating to and providing insurance coverage for medication synchronization.

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

**Senate File 2289**, by committee on Judiciary, a bill for an act prohibiting the mistreatment of animals other than livestock and

wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

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

On motion by Fry of Clarke, the House was recessed at 1:21 p.m., until 3:30 p.m.

### AFTERNOON SESSION

The House reconvened at 4:45 p.m., Cownie of Polk in the chair.

### CONSIDERATION OF BILLS

#### Regular Calendar

**House File 2413**, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts, was taken up for consideration.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8040 filed by her on February 29, 2016.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2413)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.

Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Cownie, Presiding			

The nays were, none.

Absent or not voting, 3:

Baltimore	Moore, B.	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2148**, a bill for an act relating to the issuance and display of one registration plate on motor vehicles, was taken up for consideration.

Byrnes of Mitchell offered amendment H-8076 filed by him.

The House stood at ease at 5:04 p.m., until the fall of the gavel.

The House resumed session at 5:21 p.m., Cownie of Polk in the chair.

Byrnes of Mitchell offered amendment H-8084, to amendment H-8076, filed by him from the floor and moved its adoption.

Amendment H-8084, to amendment H-8076, was adopted.

Byrnes of Mitchell moved the adoption of amendment H-8076, as amended.

Amendment H-8076, as amended, was adopted.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2148)

The ayes were, 74:

Bacon	Baxter	Bennett	Berry
Best	Brown-Powers	Byrnes	Cohoon
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Forbes	Forristall	Fry
Gaines	Grassley	Hagenow	Hall
Hanson	Heaton	Heddens	Hein
Highfill	Holz	Huseman	Isenhart
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Kressig	Landon
Lykam	Mascher	Maxwell	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sheets	Sieck	Stanerson
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, 23:

Abdul-Samad	Anderson	Baudler	Bearinger
Branhagen	Carlson	Fisher	Gaskill
Gassman	Gustafson	Hanusa	Heartsill
Holt	Hunter	Jacoby	Kearns
Kelley	Lensing	McConkey	Prichard
Sexton	Smith	Staed	

Absent or not voting, 3:

Baltimore	Moore, B.	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2353**, a bill for an act removing prohibitions on emergency management organization employees from holding elective office, was taken up for consideration.

Highfill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.



On the question “Shall the bill pass?” (H.F. 2353)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Cownie, Presiding			

The nays were, none.

Absent or not voting, 3:

Baltimore	Moore, B.	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2390**, a bill for an act concerning the contract bidding process for public improvement projects conducted by the state board of regents, was taken up for consideration.

Hunter of Polk asked and received unanimous consent that amendment H-8077 be deferred.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-8078 filed by him on March 3, 2016.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-8079 filed by him on March 3, 2016.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-8077, previously deferred, filed by him on March 3, 2016.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2390)

The ayes were, 54:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Kaufmann	Klein
Kooiker	Landon	Maxwell	Miller, L.
Mommsen	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Windschitl
Worthan	Cownie, Presiding		

The nays were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Hall	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Jorgensen	Kearns
Kelley	Koester	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 3:

Baltimore	Moore, B.	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2386**, a bill for an act relating to grounds for termination of parental rights of an individual relative to sexual abuse, was taken up for consideration.

Heartsill of Marion asked and received unanimous consent to withdraw amendment H-8057 filed by him on March 1, 2016, placing out of order amendment H-8063, to amendment H-8057, filed by Wolfe of Clinton on March 2, 2016 and amendment H-8070, to amendment H-8057, filed by Heartsill of Marion on March 3, 2016.

Heartsill of Marion offered amendment H-8024 filed by him and moved its adoption.

Amendment H-8024 was adopted.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2386)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sieck	Smith	Staed

Stanerson	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hunter	Moore, B.	Sheets
Stutsman			

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hunter of Polk	Moore, B. of Jackson
Stutsman of Johnson	

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 111, 450, 540, 2078 and 2229 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2148, 2353, 2386, 2390 and 2413.**

### EXPLANATION OF VOTE

On March 2, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2269 – “aye”	House File 2278 – “aye”
House File 2333 – “aye”	House File 2339 – “aye”
House File 2343 – “aye”	House File 2363 – “aye”
House File 2364 – “aye”	House File 2372 – “nay”

Amendment H-8035 – (H.F. 2372) – “nay”

House File 2385 – “aye”

House File 2401 – “aye”

House File 2421 – “aye”

Senate File 2170 – “aye”

Senate File 2221 – “aye”

Also on March 3, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2064 – “aye”

House File 2325 – “aye”

House File 2354 – “aye”

House File 2366 – “aye”

House File 2392 – “aye”

House File 2405 – “aye”

House File 2406 – “nay”

House File 2414 – “aye”

House File 2420 – “aye”

Heddens of Story

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2213

Human Resources: L. Miller, Chair; Fry and Heddens.

### Senate File 2235

Human Resources: L. Miller, Chair; Fry and Winckler.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House File 2409), relating to salaries and apportionment of judicial officers and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 7, 2016.

## COMMITTEE ON EDUCATION

**Senate Joint Resolution 2006**, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

**Senate Joint Resolution 2007**, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

**Senate File 2205**, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

**Senate File 2234**, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

## COMMITTEE ON HUMAN RESOURCES

**Senate File 2144**, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

## COMMITTEE ON PUBLIC SAFETY

**Senate File 2110**, a bill for an act relating to persons examining and obtaining their own criminal history data.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

**Senate File 2115**, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

**Senate File 2185**, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8080** March 3, 2016.

#### COMMITTEE ON STATE GOVERNMENT

**Senate File 2231**, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

Fiscal Note: **No**

Recommendation: **Do Pass** March 3, 2016.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2402), concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 7, 2016.

#### AMENDMENTS FILED

H-8080	S.F.	2185	Committee on Public Safety
H-8081	H.F.	2403	Fisher of Tama
H-8082	H.F.	2357	Fisher of Tama
H-8083	H.F.	2429	Vander Linden of Mahaska
H-8084	H.F.	2148	Byrnes of Mitchell
H-8085	H.F.	2397	Rizer of Linn

On motion by Hagenow of Polk, the House adjourned at 6:06 p.m., until 8:30 a.m., Tuesday, March 8, 2016.

# JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 8, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Corey Stout, Community Alliance Church, Newton. He was the guest of Representative Kelley of Jasper.

The National Anthem was sung by the Brown family from Merrill. They were the guests of Representative Holz of Plymouth.

The Journal of Monday, March 7, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2430**, by Byrnes, a bill for an act exempting the sale of clothing from the sales tax.

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

On motion by Hagenow of Polk, the House was recessed at 8:38 a.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 5:20 p.m., Windschitl of Harrison in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 8, 2016, passed the following bill in which the concurrence of the House is asked:



Senate File 2101, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 8, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2190, a bill for an act providing for the establishment of county chemical substance abuse monitoring pilot programs and modifying temporary restricted license eligibility requirements for operating-while-intoxicated offenders.

Also: That the Senate has on March 8, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2204, a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions.

Also: That the Senate has on March 8, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2218, a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

Also: That the Senate has on March 8, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2284, a bill for an act modifying the elements defining hate crimes, and providing penalties.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF BILLS Regular Calendar

**House File 2399**, a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties, was taken up for consideration.

Baltimore of Boone offered amendment H-8020 filed by him and moved its adoption.

Amendment H-8020 was adopted.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2399)

The ayes were, 86:

Anderson	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lykam	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Taylor, R.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Worthan	Windschitl, Presiding		

The nays were, 12:

Abdul-Samad	Berry	Gaines	Heddens
Hunter	Lensing	Mascher	Olson
Taylor, T.	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 2:

Hanson	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2357**, a bill for an act relating to turtle harvesting in the state and including effective date provisions, was taken up for consideration.

Fisher of Tama asked and received unanimous consent to withdraw amendment H-8034 filed by him on February 25, 2016.

Fisher of Tama offered amendment H-8082 filed by him and moved its adoption.

Amendment H-8082 was adopted.

Fisher of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2357)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 1:

Klein

Absent or not voting, 2:

Hanson                      Stutsman

Under the provision of Rule 76, conflict of interest, Ruff of Clayton refrained from voting.

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

**House File 2389**, a bill for an act relating to public health including public health modernization and boards of health, was taken up for consideration.

SENATE FILE 2159 SUBSTITUTED FOR HOUSE FILE 2389

Forristall of Pottawattamie asked and received unanimous consent to substitute Senate File 2159 for House File 2389.

**Senate File 2159**, a bill for an act relating to public health including public health modernization and boards of health, was taken up for consideration.

Forristall of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2159)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer	Vander Linden	Watts

Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Stutsman of Johnson
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### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2389 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2357, 2399** and **Senate File 2159**.

### BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 8<sup>th</sup> day of March, 2016: House Files 2118, 2147, 2271 and 2277.

CARMINE BOAL  
Chief Clerk of the House

### SUBCOMMITTEE ASSIGNMENTS

#### Senate File 2187

Veterans Affairs: Nunn, Chair; Holt and Prichard.

**Senate File 2228**

Transportation: Landon, Chair; Holz and Jacoby.

**Senate File 2229**

Economic Growth: Gustafson, Chair; Deyoe and Gaskill.

**Senate File 2263**

Judiciary: Rogers, Chair; Baltimore and Wolfe.

**Senate File 2264**

Judiciary: Branhagen, Chair; Jones and Prichard.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 640**

Government Oversight: Kaufmann, Chair; Lensing and Pettengill.

**AMENDMENTS FILED**

H-8086	S.F.	453	Best of Carroll
H-8087	H.F.	2429	Olson of Polk
H-8088	H.F.	2394	Pettengill of Benton
H-8089	S.F.	2185	Heartsill of Marion
H-8090	H.F.	2329	Windschitl of Harrison

On motion by Hagenow of Polk, the House adjourned at 6:21 p.m., until 8:30 a.m., Wednesday, March 9, 2016.

# JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 9, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Muhammed Khan, Mosque Al-Noor, Des Moines. He was the guest of Representative Abdul-Samad of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by IJAG Students, Kyle Fenton and Shastin Morrison from Creston. They were the guests of Representative Stanerson of Linn.

The Journal of Tuesday, March 8, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2431**, by committee on Ways and Means, a bill for an act concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 10:39 a.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 9, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2248, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 2101**, by committee on Human Resources, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

Read first time and **passed on file**.

**Senate File 2190**, by committee on Judiciary, a bill for an act providing for the establishment of county chemical substance abuse monitoring pilot programs and modifying temporary restricted license eligibility requirements for operating-while-intoxicated offenders.

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

**Senate File 2204**, by committee on Commerce, a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions.

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

**Senate File 2284**, by committee on Judiciary, a bill for an act modifying the elements defining hate crimes, and providing penalties.

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

### CONSIDERATION OF BILL

#### Regular Calendar

**House File 2391**, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials, was taken up for consideration.



## SENATE FILE 2181 SUBSTITUTED FOR HOUSE FILE 2391

Fisher of Tama asked and received unanimous consent to substitute Senate File 2181 for House File 2391.

**Senate File 2181**, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials, was taken up for consideration.

Fisher of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2181)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Stutsman

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

#### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2391 from further consideration by the House.

#### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2181** be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 10:45 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:08 p.m., Windschitl of Harrison in the chair.

#### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-four members present, six absent.

Cownie of Polk in the chair at 4:21 p.m.

#### CONSIDERATION OF BILLS

##### Regular Calendar

**House File 2329**, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties, was taken up for consideration.

Wessel-Kroeschell of Story offered amendment H-8023 filed by her.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment H-8026, to amendment H-8023, filed by her on February 24, 2016.

Wessel-Kroeschell of Story offered amendment H-8093, to amendment H-8023, filed by her from the floor and moved its adoption.

Roll call was requested by Wessel-Kroeschell of Story and Smith of Marshall.

On the question "Shall amendment H-8093, to amendment H-8023, be adopted?" (H.F. 2329)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore                      Stutsman

Amendment H-8093, to amendment H-8023, was adopted.

Wessel-Kroeschell of Story moved the adoption of amendment H-8023, as amended.

Roll call was requested by Wessel-Kroeschell of Story and Abdul-Samad of Polk.

On the question "Shall amendment H-8023, as amended, be adopted?" (H.F. 2329)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Byrnes	Cohoon
Dawson	Dunkel	Finkenauer	Forbes
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 55:

Bacon	Baudler	Baxter	Best
Branhagen	Carlson	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jones
Jorgensen	Kaufmann	Klein	Koester
Kooiker	Landon	Maxwell	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Cownie, Presiding	

Absent or not voting, 3:

Baltimore	McConkey	Stutsman
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Amendment H-8023, as amended, lost.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8043 filed by her on February 29, 2016.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8052 filed by her and Heartsill of Marion on March 1, 2016.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8055 filed by her and Heartsill of Marion on March 1, 2016.

Windschitl of Harrison offered amendment H-8090 filed by him and moved its adoption.

Amendment H-8090 was adopted.

Hunter of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Speaker Upmeyer in the chair at 5:33 p.m.

Heartsill of Marion rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Hall of Woodbury rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Fry of Clarke moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2329)

The ayes were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian

Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker Upmeyer

The nays were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kaufmann
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 1:

Stutsman

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

**House File 2394**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties, was taken up for consideration.

Pettengill of Benton offered amendment H-8088 filed by her.

Pettengill of Benton offered amendment H-8096, to amendment H-8088, filed by her from the floor and moved its adoption.

Amendment H-8096, to amendment H-8088, was adopted.

Pettengill of Benton moved the adoption of amendment H-8088, as amended.

Amendment H-8088, as amended, was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2394)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Stutsman

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Stutsman of Johnson

## HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2297 from further consideration by the House.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2329 and 2394.**

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 9, 2016, he approved and transmitted to the Secretary of State the following bill:

**Senate File 2288**, an Act relating to the confidentiality of juvenile court records in delinquency proceedings.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

### **H.S.B. 642 Ways and Means**

Relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 2154**

Economic Growth: Paustian, Chair; Finkenauer and Holz.

### **Senate File 2268**

Public Safety: Holt, Chair; Heartsill and Wessel-Kroeschell.

### **Senate File 2269**

Public Safety: Holt, Chair; Heartsill and Olson.



## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON COMMERCE

**Senate File 2279**, a bill for an act relating to the credit union division and its regulatory matters.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON EDUCATION

**Senate File 2163**, a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8091** March 8, 2016.

## COMMITTEE ON HUMAN RESOURCES

**Senate File 2102**, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

**Senate File 2214**, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

**Senate File 2258**, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8094** March 8, 2016.

## COMMITTEE ON JUDICIARY

**Senate File 2059**, a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

**Senate File 2061**, a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8092** March 8, 2016.

**Senate File 2164**, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

**Senate File 2233**, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON LABOR

**Senate File 2194**, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON LOCAL GOVERNMENT

**Senate File 2276**, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2393), relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 9, 2016.

**Committee Bill** (Formerly House Study Bill 639), relating to Iowa's urban renewal law by modifying requirements for the annual report prepared by the legislative services agency, establishing restrictions on the use of divided revenues, modifying the conditions for establishing certain urban renewal areas, imposing duration limits on certain urban renewal areas, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 9, 2016.

## RESOLUTION FILED

**H.R. 104**, by Thede and Jones, a resolution designating March 2016 as Iowa Women's History Month.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-8091	S.F.	2163	Committee on Education
H-8092	S.F.	2061	Committee on Judiciary
H-8093	H.F.	2329	Wessel-Kroeschell of Story
H-8094	S.F.	2258	Committee on Human Resources
H-8095	H.F.	2429	Vander Linden of Mahaska
H-8096	H.F.	2394	Pettengill of Benton

On motion by Hagenow of Polk, the House adjourned at 6:13 p.m., until 8:30 a.m., Thursday, March 10, 2016.

# JOURNAL OF THE HOUSE

Sixtieth Calendar Day - Thirty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 10, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Joel Nau, St. Paul Lutheran Church, Winterset. He was the guest of Representative Gustafson of Madison.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trevor Johnson, Page from Winterset.

The Journal of Wednesday, March 9, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2432**, by committee on Appropriations, a bill for an act relating to salaries and apportionment of judicial officers and including effective date provisions.

Read first time and placed on the **Appropriations calendar**.

## SENATE MESSAGE CONSIDERED

**Senate File 2248**, by committee on Transportation, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

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

On motion by Hagenow of Polk, the House was recessed at 8:34 a.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:08 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILL

**House File 2433**, by committee on Ways and Means, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

## SENATE MESSAGE CONSIDERED

**Senate File 2218**, by committee on Human Resources, a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

Read first time and **passed on file**.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 10, 2016, he approved and transmitted to the Secretary of State the following bill:

**House File 2147**, an Act relating to absentee voting by uniformed and overseas citizens.

## SUBCOMMITTEE ASSIGNMENT

### **House File 2288**

Ways and Means: Baltimore, Chair; McConkey and Nunn.

## COMMITTEE RECOMMENDATIONS

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

## COMMITTEE ON HUMAN RESOURCES

**Senate File 2259**, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8099** March 9, 2016.

**Senate File 2260**, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

Fiscal Note: **No**

Recommendation: **Do Pass** March 9, 2016.

## COMMITTEE ON PUBLIC SAFETY

**Senate File 2111**, a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

Fiscal Note: **No**

Recommendation: **Do Pass** March 9, 2016.

## COMMITTEE ON STATE GOVERNMENT

**Senate File 166**, a bill for an act relating to fantasy sports contests.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8102** March 9, 2016.

**Referred to the committee on Ways and Means pursuant to Rule 31.7.**

**Senate File 2147**, a bill for an act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

Fiscal Note: **No**

Recommendation: **Do Pass** March 9, 2016.

**Senate File 2162**, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8098** March 9, 2016.

**Senate File 2242**, a bill for an act relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

Fiscal Note: **No**

Recommendation: **Do Pass** March 9, 2016.

**Senate File 2273**, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8100** March 9, 2016.

**Senate File 2275**, a bill for an act exempting natural hair braiding from the definition of cosmetology.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8101** March 9, 2016.

#### COMMITTEE ON TRANSPORTATION

**Senate File 2247**, a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8097** March 8, 2016.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 642), relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 10, 2016.

#### RESOLUTION FILED

**H.R. 105**, by Kaufmann, Hein, and Grassley, a resolution supporting the federal Renewable Fuel Standard through 2022.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-8097	S.F.	2247	Committee on Transportation
H-8098	S.F.	2162	Committee on State Government
H-8099	S.F.	2259	Committee on Human Resources
H-8100	S.F.	2273	Committee on State Government
H-8101	S.F.	2275	Committee on State Government
H-8102	S.F.	166	Committee on State Government

On motion by Hagenow of Polk, the House adjourned at 4:09 p.m., until 10:00 a.m., Friday, March 11, 2016.



# JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 11, 2016

The House met pursuant to adjournment at 10:04 a.m., Koester of Polk in the chair.

Prayer was offered by Representative Koester of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Koester of Polk.

The Journal of Thursday, March 10, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2434**, by Hall, a bill for an act requiring the state board of regents to issue a request for proposals for a higher education needs assessment for northwest Iowa.

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

**House File 2435**, by committee on Ways and Means, a bill for an act relating to Iowa's urban renewal law by modifying requirements for the annual report prepared by the legislative services agency, establishing restrictions on the use of divided revenues, modifying the conditions for establishing certain urban renewal areas, imposing duration limits on certain urban renewal areas, and including effective date provisions.

Read first time and placed on the **Ways and Means calendar**.

**House File 2436**, by committee on Ways and Means, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Read first time and placed on the **Ways and Means calendar**.

## BILLS PLACED ON THE UNFINISHED BUSINESS CALENDAR

Hagenow of Polk asked and received unanimous consent that the following bills be placed on the unfinished business calendar.

House File 228  
 House File 2272 (Attached Senate File 2101)  
 House File 2310 (Attached Senate File 2219)  
 House File 2328 (Attached Senate File 2142)  
 House File 2334  
 House File 2355 (Attached Senate File 2191)  
 House File 2380 (Attached Senate File 2218)  
 House File 2422 (Attached Senate File 2196)  
 House File 2429  
 House File 2431  
 House File 2432  
 House File 2433

## BILLS REREFERRED TO COMMITTEES

The Speaker announced the following bills previously placed on the calendar were rereferred to the following committees:

House File 2027	Judiciary
House File 2077	Judiciary
House File 2149	Public Safety
House File 2193	Judiciary
House File 2276	Public Safety
House File 2309	Public Safety
House File 2322	State Government
House File 2323	Public Safety
House File 2327	Education
House File 2332	Judiciary
House File 2340	Agriculture
House File 2348	Transportation
House File 2358	Natural Resources
House File 2367	Public Safety
House File 2368	State Government
House File 2371	Public Safety
House File 2374	Natural Resources
House File 2378	Judiciary
House File 2379	Public Safety
House File 2388	State Government
House File 2395	Commerce
House File 2397	Commerce
House File 2403	Natural Resources
House File 2404	State Government
House File 2427	Public Safety

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 11, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 2118**, an Act concerning reports of financial irregularities filed by the state auditor with a county attorney.

**House File 2271**, an Act relating to the criminal offense of identity theft, and providing penalties.

**House File 2277**, an Act relating to utility facilities of electric transmission owners within public road rights-of-way.

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### AUDITOR OF STATE

Reports for Special Investigation of the City of Harris, Special Investigation of the Clinton High School Band Boosters, Review of the E911 Cost Data and Review of the Office of Aviation, pursuant to Iowa Code section 11.6.

### BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C(5).

### COLLEGE STUDENT AID COMMISSION

Iowa Minority Academic Grants for Economic Success Program Report, pursuant to Iowa Code section 261.104(5).

### DEPARTMENT OF CORRECTIONS

Monthly Report, pursuant to Iowa Code section 904.116.

### DEPARTMENT OF EDUCATION

Iowa Early Education Block Grant Program Report, pursuant to Iowa Code section 256D.3.

### MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM

Annual Report, pursuant to Iowa Code section 411.5.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON ECONOMIC GROWTH

**Senate File 2154**, a bill for an act relating to the programs and duties of the economic development authority and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 10, 2016.

**Senate File 2229**, a bill for an act requiring the economic development authority to establish a community catalyst building remediation program and fund.

Fiscal Note: **No**

Recommendation: **Do Pass** March 10, 2016.

**Senate File 2277**, a bill for an act relating to the sources of goods or services under a franchise agreement.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8104** March 9, 2016.

## COMMITTEE ON HUMAN RESOURCES

**Senate File 2136**, a bill for an act requiring immunization against meningococcal disease for certain students.

Fiscal Note: **No**

Recommendation: **Do Pass** March 9, 2016.

## COMMITTEE ON PUBLIC SAFETY

**Senate File 2116**, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 9, 2016.

## COMMITTEE ON VETERANS AFFAIRS

**Senate File 2187**, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8103** March 10, 2016.

## AMENDMENTS FILED

H-8103	S.F.	2187	Committee on Veterans Affairs
H-8104	S.F.	2277	Committee on Economic Growth

On motion by Hagenow of Polk, the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, March 14, 2016.

# JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Fortieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 14, 2016

The House met pursuant to adjournment at 1:06 p.m., Windschitl of Harrison in the chair.

Prayer was offered by Representative Ourth of Warren.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Emma Prichard, daughter of Representative Prichard of Floyd and students from the Iowa School for the Deaf, Council Bluffs. They were the guests of Representatives Hanusa, McConkey and Forristall of Pottawattamie.

The Journal of Friday, March 11, 2016, was approved.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

### H.S.B. 643 Ways and Means

Relating to disclosure and filing requirements for certain state credit unions.

## RESOLUTION FILED

**H.R. 106**, by Hein H. Miller, Paustian, Bearinger, Best, Byrnes, Cownie, Deyoe, Grassley, Holz, Klein, Maxwell, Mommsen, B. Moore, Ourth, Stutsman, Wills and Worthan, a resolution recognizing National Agriculture Day.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-8105	S.F.	2258	Dawson of Woodbury
H-8106	S.F.	2144	Anderson of Polk
H-8107	S.F.	2115	Olson of Polk

On motion by Hagenow of Polk, the House adjourned at 1:16 p.m., until 8:30 a.m., Tuesday, March 15, 2016.

# JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Forty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 15, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Terrance Cooley, Second Baptist Church, Marshalltown. He was the guest of Representative Smith of Marshall.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kendric Santos-Briggs from Des Moines. He was the guest of Representative Smith of Marshall.

The Journal of Monday, March 14, 2016 was approved.

## ADOPTION OF HOUSE RESOLUTION 106

Hagenow of Polk called up for consideration **House Resolution 106**, a resolution recognizing National Agriculture Day.

Hein of Jones moved the adoption of House Resolution 106.

The motion prevailed and the resolution was adopted.

## ADOPTION OF HOUSE RESOLUTION 104

Hagenow of Polk called up for consideration **House Resolution 104**, a resolution designating March 2016 as Iowa Women's History Month.

Theede of Scott moved the adoption of House Resolution 104.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 9:56 a.m., Speaker Upmeyer in the chair.

## CONSIDERATION OF BILLS Unfinished Business Calendar

**House File 2433**, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions, was taken up for consideration.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Sands of Louisa rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2433)

The ayes were, 79:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lykam	Maxwell



McConkey	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Stutsman	Thede
Vander Linden	Watts	Wills	Windschitl
Wolfe	Worthan	Speaker Upmeyer	

The nays were, 18:

Abdul-Samad	Anderson	Bennett	Berry
Gaines	Heddens	Hunter	Kearns
Lensing	Mascher	Meyer	Oldson
Olson	Running-Marquardt	Steckman	Taylor, T.
Wessel-Kroeschell	Winckler		

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2433** be immediately messaged to the Senate.

### Regular Calendar

**Senate File 2022**, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement, with report of committee recommending passage, was taken up for consideration.

Baxter of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2022)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes

Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baudler	Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2022** be immediately messaged to the Senate.

The House stood at ease at 10:35 a.m., until the fall of the gavel.

The House resumed session at 11:03 a.m., Windschitl of Harrison in the chair.

**Senate File 2115**, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Olson of Polk offered amendment H-8107 filed by him.

Olson of Polk asked and received unanimous consent to withdraw amendment H-8110, to amendment H-8107, filed by him from the floor.

Olson of Polk asked and received unanimous consent to withdraw amendment H-8107 filed by him on March 14, 2016.

Holt of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2115)

The ayes were, 86:

Bacon	Baltimore	Baudler	Baxter
Bennett	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, 10:

Abdul-Samad	Anderson	Berry	Gaines
Heddens	Hunter	Isenhardt	Oldson
Olson	Wessel-Kroeschell		

Absent or not voting, 4:

Bearinger                      Hanson                      Nunn                      Taylor, R.

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

**Senate File 2144**, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Anderson of Polk asked and received unanimous consent to withdraw amendment H-8106 filed by her on March 14, 2016, placing out of order amendment H-8112, to amendment H-8106, filed by Anderson of Polk from the floor.

Fry of Clarke moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2144)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede

Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Hanson	Nunn	Taylor, R.	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2279**, a bill for an act relating to the credit union division and its regulatory matters, with report of committee recommending passage, was taken up for consideration.

Vander Linden of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2279)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell

Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2061**, a bill for an act relating to the legal representation of indigent persons in criminal proceedings, with report of committee recommending amendment and passage, was taken up for consideration.

Gustafson of Madison offered amendment H-8092 filed by the committee on Judiciary and moved its adoption.

The committee amendment H-8092 was adopted.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2061)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Oldson	Olson	Ourth

Paulsen	Paustian	Pettengill	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 1:

Prichard

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2102**, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy, with report of committee recommending passage, was taken up for consideration.

L. Miller of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2102)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer

Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2110**, a bill for an act relating to persons examining and obtaining their own criminal history data, with report of committee recommending passage, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2110)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.



Moore, T.	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2231**, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances, with report of committee recommending passage, was taken up for consideration.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (S.F. 2231)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommensen	Moore, B.
Moore, T.	Oldson	Olson	Ourth

Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2234**, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program, with report of committee recommending passage, was taken up for consideration.

Sieck of Mills moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2234)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.

Moore, T.	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Cownie of Polk in the chair at 11:47 a.m.

**Senate File 2258**, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims, with report of committee recommending amendment and passage, was taken up for consideration.

Fry of Clarke offered amendment H-8094 filed by the committee on Human Resources and moved its adoption.

The committee amendment H-8094 was adopted.

Dawson of Woodbury offered amendment H-8105 filed by him.

Dawson of Woodbury offered amendment H-8108, to amendment H-8105, filed by him from the floor and moved its adoption.

Amendment H-8108, to amendment H-8105, was adopted.

Dawson of Woodbury moved the adoption of amendment H-8105, as amended.

Amendment H-8105, as amended, was adopted.

Fry of Clarke moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2258)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Cownie, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Taylor, R.	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2164**, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability

provisions, with report of committee recommending passage, was taken up for consideration.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2164)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Cownie, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Taylor, R.	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2061, 2102, 2110, 2115, 2144, 2164, 2231, 2234, 2258 and 2279.**

On motion by Cownie of Polk, the House was recessed at 11:58 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:06 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2146, a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2180, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring or repairing a public hall.

Also: That the Senate has on March 15, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2264, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2265, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2267, a bill for an act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2268, a bill for an act concerning the confidentiality of public employee support information submitted to the public employment relations board.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2325, a bill for an act authorizing the severance of territory and transfer of services of a sanitary district by resolution.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2336, a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2339, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

Also: That the Senate has on March 15, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2341, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2342, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2343, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2354, a bill for an act relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2356, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2357, a bill for an act relating to turtle harvesting in the state and including effective date provisions.

Also: That the Senate has on March 15, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2363, a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties.

Also: That the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2364, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies.

Also: That the Senate has on March 15, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2370, a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson  
Taylor, R. of Dallas

Nunn of Polk

## EXPLANATIONS OF VOTE

On March 15, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2115 – “aye”

Bearinger of Fayette



On March 15, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2433 – “aye”	Senate File 2022 – “aye”
Senate File 2061 – “aye”	Senate File 2102 – “aye”
Senate File 2110 – “aye”	Senate File 2115 – “aye”
Senate File 2144 – “aye”	Senate File 2231 – “aye”
Senate File 2234 – “aye”	Senate File 2279 – “aye”

Nunn of Polk

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

### House Study Bill 643

Ways and Means: Vander Linden, Chair; Baltimore and Jacoby.

### COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

### COMMITTEE ON LOCAL GOVERNMENT

**Senate File 165**, a bill for an act relating to relocating, establishing, and consolidating county seats.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8109** March 8, 2016.

### AMENDMENTS FILED

H-8108	S.F.	2258	Dawson of Woodbury
H-8109	S.F.	165	Committee on Local Government
H-8110	S.F.	2115	Olson of Polk
H-8111	S.F.	166	Vander Linden of Mahaska
H-8112	S.F.	2144	Anderson of Polk
H-8113	H.F.	2264	Senate Amendment
H-8114	H.F.	2341	Senate Amendment

H-8115	H.F.	2370	Senate Amendment
H-8116	H.F.	2363	Senate Amendment
H-8117	H.F.	2429	Olson of Polk
H-8118	S.F.	2214	L. Miller of Scott

On motion by Hagenow of Polk, the House adjourned at 2:08 p.m., until 8:30 a.m., Wednesday, March 16, 2016.

# JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 16, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Fry of Clarke.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amani and Yadi Fry. They are the sons of Representative Fry of Clarke.

The Journal of Tuesday, March 15, 2016, was approved.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 15, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2433, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:38 a.m., until the fall of the gavel.

The House resumed session at 10:07 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

**House File 2355**, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking, was taken up for consideration.

SENATE FILE 2191 SUBSTITUTED FOR HOUSE FILE 2355

Nunn of Polk asked and received unanimous consent to substitute Senate File 2191 for House File 2355.

**Senate File 2191**, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking, was taken up for consideration.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2191)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.

Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Bennett                      Taylor, R.

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

**House File 2429**, a bill for an act concerning horse and dog racing medication requirements and gambling game licensure requirements and fees, and including penalty and applicability provisions, was taken up for consideration.

Olson of Polk offered amendment H-8087 filed by him.

Olson of Polk offered amendment H-8117, to amendment H-8087, filed by him and moved its adoption.

Amendment H-8117, to amendment H-8087, was adopted.

Olson of Polk moved the adoption of amendment H-8087, as amended.

Amendment H-8087, as amended, was adopted.

Vander Linden of Mahaska offered amendment H-8083 filed by him and moved its adoption.

Amendment H-8083 was adopted.

Vander Linden of Mahaska offered amendment H-8095 filed by him and moved its adoption.

Amendment H-8095 was adopted.

Highfill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2429)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Taед	Stanerson	Steckman
Stutsman	Taylor, T.	Theде	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, 2:

Holt                      Kelley

Absent or not voting, 2:

Bennett                Taylor, R.

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

### Regular Calendar

**Senate File 2214**, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription, with report of committee recommending passage, was taken up for consideration.

L. Miller of Scott asked and received unanimous consent to withdraw amendment H-8118 filed by her on March 15, 2016.

L. Miller of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2214)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Bennett                      Taylor, R.

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

**Senate File 378**, a bill for an act relating to reimbursement of defense costs of peace officers and corrections officers, with report of committee recommending passage, was taken up for consideration.

Branhagen of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 378)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Bennett                      Taylor, R.

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



**Senate File 2194**, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board, with report of committee recommending passage, was taken up for consideration.

Sheets of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2194)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Bennett                      Taylor, R.

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

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bennett of Linn

Taylor, R. of Dallas

## HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2192, 2350 and 2355 from further consideration by the House.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2429** and **Senate Files 378, 2191, 2194 and 2214.**

On motion by Hagenow of Polk, the House was recessed at 10:45 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:10 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 16, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 588, a bill for an act relating to the issuance of persons with disabilities removable windshield parking placards, and including effective date and applicability provisions.

Also: That the Senate has on March 16, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 617, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

Also: That the Senate has on March 16, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2266, a bill for an act concerning unclaimed cremated remains.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2269, a bill for an act providing for certain excise taxes imposed on the sale of cattle and including effective date provisions.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2278, a bill for an act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

Also: That the Senate has on March 16, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2345, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2353, a bill for an act removing prohibitions on emergency management organization employees from holding elective office.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2377, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2386, a bill for an act relating to grounds for termination of parental rights of an individual relative to sexual abuse.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2387, a bill for an act requiring the dental board to offer an alternative examination for licensure.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2400, a bill for an act providing for voidable commercial transactions and including applicability provisions.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2401, a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2420, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2297, a bill for an act relating to children's mental health and well-being and including provisions for contingent implementation.

Also: That the Senate has on March 16, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2300, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

MICHAEL E. MARSHALL, Secretary

## SUBCOMMITTEE ASSIGNMENTS

### **House File 530**

Ways and Means: Pettengill, Chair; Finkenauer and L. Miller.

### **House File 2117**

Ways and Means: Pettengill, Chair; Forristall and Jacoby.

### **House File 2375**

Ways and Means: Pettengill, Chair; Kelley and Stanerson.

### **House File 2411**

Ways and Means: Byrnes, Chair; Kearns and Pettengill.

### **Senate File 166**

Ways and Means: Vander Linden, Chair; Ruff and Stanerson.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House File 2408), relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 15, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2288), relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 16, 2016.

**Committee Bill** (Formerly House File 2383), relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** March 15, 2016.

**Committee Bill** (Formerly House Study Bill 617), establishing the facilitating business rapid response to state-declared disasters Act, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 16, 2016.

## AMENDMENTS FILED

H-8119	S.F.	453	Pettengill of Benton
H-8120	H.F.	588	Senate Amendment
H-8121	S.F.	2260	Forristall of Pottawattamie
H-8122	S.F.	2136	Rizer of Linn
H-8123	H.F.	2266	Senate Amendment
H-8124	H.F.	617	Senate Amendment
H-8125	H.F.	2345	Senate Amendment

On motion by Hagenow of Polk, the House adjourned at 2:13 p.m., until 8:30 a.m., Thursday, March 17, 2016.

# JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 17, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Abdul-Samad of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jackson and Ava Smith from Waukee. They were the guests of Representative Best of Carroll.

The Journal of Wednesday, March 16, 2016, was approved.

## SPECIAL PRESENTATION

Jones of Clay introduced to the House, Miss Shamrock 2016, Kayla Joyce from Emmetsburg, her mother Tina Joyce, Andy Joyce, Chairman of the St. Patrick's Association in Emmetsburg and Michael Curran from Ireland.

Jones of Clay introduced to the House, Irish Parliament member, John Deasy, a Teachta Dála for the Waterford constituency since 2002.

The House rose and expressed its welcome.

The House stood at ease at 8:44 a.m., until the fall of the gavel.

The House resumed session at 9:31 a.m., Cownie of Polk in the chair.

## INTRODUCTION OF BILL

**House File 2437**, by committee on Ways and Means, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

Read first time and placed on the **Ways and Means calendar**.

## SENATE MESSAGE CONSIDERED

**Senate File 2297**, by committee on Appropriations, a bill for an act relating to children's mental health and well-being and including provisions for contingent implementation.

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

CONSIDERATION OF BILLS  
Regular Calendar

**Senate File 1**, a bill for an act relating to bidding for purchases through a competitive bidding process by the state, with report of committee recommending amendment and passage, was taken up for consideration.

T. Taylor of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Pettengill of Benton offered amendment H-8071 filed by the committee on State Government and moved its adoption.

Roll call was requested by T. Taylor of Linn and Abdul-Samad of Polk.

On the question "Shall the committee amendment H-8071 be adopted?" (S.F. 1)

The ayes were, 51:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Heartsill	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Cownie, Presiding	



The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heaton
Heddens	Hein	Hunter	Isenhart
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

The committee amendment H-8071 was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1)

The ayes were, 51:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Heartsill	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Cownie, Presiding	

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heaton

Heddens	Hein	Hunter	Isenhart
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 5:

Baltimore Taylor, R.	Hanusa	Moore, B.	Running-Marquardt
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2059**, a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services, with report of committee recommending passage, was taken up for consideration.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2059)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers

Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

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

**Senate File 2260**, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program, with report of committee recommending passage, was taken up for consideration.

Forristall of Pottawattamie offered amendment H-8121 filed by him and moved its adoption.

Amendment H-8121 was adopted.

Forristall of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2260)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen

Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

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

**Senate File 2111**, a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures, with report of committee recommending passage, was taken up for consideration.

Baxter of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2111)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Heartsill
Heaton	Heddens	Hein	Highfill

Holt	Holz	Hunter	Huseman
Isenhardt	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

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

**Senate File 2147**, a bill for an act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system, with report of committee recommending passage, was taken up for consideration.

Windschitl of Harrison in the chair at 10:09 a.m.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2147)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cphoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer

Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

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

**Senate File 2162**, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals, with report of committee recommending amendment and passage, was taken up for consideration.

T. Moore of Cass offered amendment H-8098 filed by the committee on State Government and moved its adoption.

The committee amendment H-8098 was adopted.

T. Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2162)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

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

**Senate File 2242**, a bill for an act relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings, with report of committee recommending passage, was taken up for consideration.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2242)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Baltimore	Hanusa	Moore, B.	Running-Marquardt
Taylor, R.			

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

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 1, 2059, 2111, 2147, 2162, 2242 and 2260.**

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanusa of Pottawattamie	Moore, B. of Jackson
Running-Marquardt of Linn	Taylor, R. of Dallas



## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 17, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2279, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

Also: That the Senate has on March 17, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2301, a bill for an act relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Hagenow of Polk, the House was recessed at 10:19 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:04 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILLS

**House File 2438**, by committee on Ways and Means, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

**House File 2439**, by committee on Appropriations, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

Read first time and placed on the **Appropriations calendar**.

## SENATE MESSAGES CONSIDERED

**Senate File 2300**, by committee on Ways and Means, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

Read first time and **passed on file**.

**Senate File 2301**, by committee on Ways and Means, a bill for an act relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions.

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

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 644 Ways and Means**

Relating to the approval and imposition of local option sales and services taxes.

**H.S.B. 645 Ways and Means**

Relating to the calculation of certain court costs in probate matters, and including applicability provisions.

## COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON TRANSPORTATION

**Senate File 2228**, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8126** March 10, 2016.

#### AMENDMENTS FILED

H-8126	S.F.	2228	Committee on Transportation
H-8127	H.F.	2279	Senate Amendment
H-8128	S.F.	166	Kelley of Jasper
H-8129	S.F.	2233	Rizer of Linn

On motion by Hagenow of Polk, the House adjourned at 2:06 p.m., until 10:00 a.m., Friday, March 18, 2016.

# JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 18, 2016

The House met pursuant to adjournment at 10:05 a.m., Hagenow of Polk in the chair.

Prayer was offered by Representative Hagenow of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Hagenow of Polk.

The Journal of Thursday, March 17, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2440**, by committee on Ways and Means, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

## BILLS PLACED ON THE UNFINISHED BUSINESS CALENDAR

Nunn of Polk asked and received unanimous consent that the following bills be placed on the unfinished business calendar:

Senate File 232  
Senate File 453  
Senate File 2136  
Senate File 2185  
Senate File 2205  
Senate File 2233  
Senate File 2273  
Senate File 2276

Senate File 410  
Senate File 2116  
Senate File 2163  
Senate File 2187  
Senate File 2228  
Senate File 2259  
Senate File 2275  
Senate File 2277

## BILLS REREFERRED TO COMMITTEES

The Speaker announced the following bills previously placed on the calendar were rereferred to the following committees:

House File 2328 (Attached Senate File 2142)	State Government
Senate File 165	Local Government
Senate File 2154	Economic Growth
Senate File 2229	Economic Growth
Senate File 2247	Transportation

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### BOARD OF REGENTS

Data Collection of In-Field Agricultural Practices Report, pursuant to Chapter 132.18, 2015 Iowa Acts.

Gifts and Grants Reports, pursuant to Iowa Code section 8.44.

### DEPARTMENT OF NATURAL RESOURCES

Resources Enhancement and Protection Recommendations Report, pursuant to Iowa Code section 455A.17.

Annual Report, pursuant to Iowa Code section 455A.4(1)(d).

### DEPARTMENT OF VETERANS AFFAIRS

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13(8).

On motion by Nunn of Polk, the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, March 21, 2016.

# JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 21, 2016

The House met pursuant to adjournment at 1:04 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Paul Collier, Mason City Presbyterian Church, Mason City. He was the guest of Representative Steckman of Cerro Gordo.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reagan Brown, Page from Shannon City.

The Journal of Friday, March 18, 2016, was approved.

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 21<sup>st</sup> day of March, 2016: House Files 2180, 2265, 2267, 2268, 2325, 2339, 2343, 2354, 2356, 2357, 2364 and 2433.

CARMINE BOAL  
Chief Clerk of the House

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 492 Reassigned

Appropriations: Bacon, Chair; Fisher and Running-Marquardt.

### Senate File 2109

Appropriations: Rogers, Chair; Bacon and Heddens.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 644**

Ways and Means: Vander Linden, Chair; Gaskill and Nunn.

**House Study Bill 645**

Ways and Means: Baltimore, Chair; Pettengill and Prichard.

**AMENDMENTS FILED**

H-8130	S.F.	2273	L. Miller of Scott
H-8131	H.F.	2432	Worthan of Buena Vista

On motion by Hagenow of Polk, the House adjourned at 1:08 p.m., until 8:30 a.m., Tuesday, March 22, 2016.

# JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 22, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Tommy Ross, Cornerstone Family Church, Des Moines. He was the guest of Representative Abdul-Samad of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kai Newell, Page from Granger.

The Journal of Monday, March 21, 2016, was approved.

## ADOPTION OF HOUSE RESOLUTION 107

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Resolution 107**, a resolution honoring the Iowa State Patrol and recognizing Iowa State Trooper Joseph William Long's meritorious service.

Ourth of Warren moved the adoption of House Resolution 107.

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 8:40 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:08 p.m., Cownie of Polk in the chair.



## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 22, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2261, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

Also: That the Senate has on March 22, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2275, a bill for an act relating to the disbursement of all Iowa opportunity scholarships.

Also: That the Senate has on March 22, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2283, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

Also: That the Senate has on March 22, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2385, a bill for an act relating to littering and illegal dumping and modifying penalties.

Also: That the Senate has on March 22, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2258, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

Also: That the Senate has on March 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2296, a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED  
House Concurred

Baxter of Hancock called up for consideration **House File 2279**, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8127.

The motion prevailed and the House concurred in the Senate amendment H-8127.

Baxter of Hancock moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2279)

The ayes were, 78:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Hunter
Huseman	Jones	Jorgensen	Kaufmann
Kearns	Klein	Koester	Kooiker
Kressig	Landon	Lykam	Maxwell
McConkey	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Salmon	Sands	Sexton	Sheets
Sieck	Staed	Stanerson	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, 21:

Abdul-Samad	Anderson	Bennett	Berry
Finkenauer	Gaines	Gaskill	Heddens

Isenhart	Jacoby	Kelley	Lensing
Mascher	Meyer	Oldson	Running-Marquardt
Smith	Steckman	Stutsman	Wessel-Kroeschell
Winckler			

Absent or not voting, 1:

Hanson

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

### CONSIDERATION OF BILLS Unfinished Business Calendar

**House File 2432**, a bill for an act relating to salaries and apportionment of judicial officers and including effective date provisions, was taken up for consideration.

Baltimore of Boone offered amendment H-8131 filed by Worthan of Buena Vista and moved its adoption.

Amendment H-8131 was adopted.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2432)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen

Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, 4:

Bearinger	Holt	Sheets	Watts
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Absent or not voting, 1:

Hanson

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

### Ways and Means Calendar

**House File 2436**, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions, was taken up for consideration.

Sands of Louisa moved that the bill be read a last time now and passed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2436)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter

Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 1:

Hanson

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

### SENATE AMENDMENTS CONSIDERED House Concurred

Jorgensen of Woodbury called up for consideration **House File 2264**, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying, amended by the Senate, and moved that the House concur in the Senate amendment H-8113.

The motion prevailed and the House concurred in the Senate amendment H-8113.

Jorgensen of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2264)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 1:

Hanson

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

### House Concurred

Salmon of Black Hawk called up for consideration **House File 2266**, a bill for an act concerning unclaimed cremated remains, amended by the Senate, and moved that the House concur in the Senate amendment H-8123.

The motion prevailed and the House concurred in the Senate amendment H-8123.

Salmon of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2266)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 1:

Hanson

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

CONSIDERATION OF BILLS  
Ways and Means Calendar

**Senate File 503**, a bill for an act relating to certain fees collected by the county sheriff, with report of committee recommending amendment and passage, was taken up for consideration.

Byrnes of Mitchell offered amendment H-8072 filed by the committee on Ways and Means.

The committee amendment H-8072 was adopted.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 503)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	



The nays were, none.

Absent or not voting, 1:

Hanson

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

### Unfinished Business Calendar

**Senate File 2276**, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey, with report of committee recommending passage, was taken up for consideration.

Branhagen of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (S.F. 2276)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts

Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 1:

Hanson

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

**Senate File 2233**, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty, with report of committee recommending passage, was taken up for consideration.

Rizer of Linn offered amendment H-8129 filed by him and moved its adoption.

Amendment H-8129 was adopted.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2233)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Huseman
Isenhardt	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn

Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Cownie, Presiding			

The nays were, 2:

Hunter                      Olson

Absent or not voting, 1:

Hanson

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

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson

#### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2393 and 2409 from further consideration by the House.

#### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2264, 2266, 2279, 2432, 2436** and **Senate Files 503, 2233 and 2276**.

#### EXPLANATION OF VOTE

On March 22, 2016, I inadvertently voted “aye” on House File 2279, I meant to vote “nay”.

Staed of Linn

### CONFERENCE COMMITTEE REPORT FILED

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

CARMINE BOAL  
Chief Clerk of the House

**Senate File 174**, a bill for an act establishing the state percent of growth.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

RON JORGENSEN, CHAIR  
CECIL DOLECHECK  
QUENTIN STANERSON

TOD R. BOWMAN, CHAIR  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

### CONFERENCE COMMITTEE REPORT FILED

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

CARMINE BOAL  
Chief Clerk of the House

**Senate File 175**, a bill for an act establishing the categorical state percent of growth.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

RON JORGENSEN, CHAIR  
CECIL DOLECHECK  
QUENTIN STANERSON

TOD R. BOWMAN, CHAIR  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 21, 2016, he approved and transmitted to the Secretary of State the following bill:

**House File 2433**, an Act relating to state taxation by temporarily updating the code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

## SUBCOMMITTEE ASSIGNMENTS

### **House File 2174**

Ways and Means: Pettengill, Chair; Kelley and Maxwell.

### **House File 2428**

Ways and Means: Nunn, Chair; Baltimore and Brown-Powers.

### **Senate File 2301**

Ways and Means: Nunn, Chair; Cownie and Ruff.

## COMMITTEE RECOMMENDATIONS

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 94), eliminating a requirement that taxpayers indicate on their tax returns the presence or absence of health care coverage for their dependent children and apply for certain public health care coverage, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 22, 2016.

**Committee Bill** (Formerly House File 2412), relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring

administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 22, 2016.

### RESOLUTION FILED

**H.R. 108**, by Gassman, a resolution recognizing July 16, 2016, as Iowa Atomic Veterans Day.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-8132	S.F.	2277	Rogers of Black Hawk
H-8133	H.F.	2437	B. Moore of Jackson
H-8134	H.F.	2283	Senate Amendment
H-8135	H.F.	2385	Senate Amendment
H-8136	H.F.	2380	Klein of Washington Abdul-Samad of Polk
H-8137	S.F.	2205	Byrnes of Mitchell
H-8138	H.F.	2440	Byrnes of Mitchell
H-8139	H.F.	2439	Worthan of Buena Vista

On motion by Hagenow of Polk, the House adjourned at 2:54 p.m., until 8:30 a.m., Wednesday, March 23, 2016.

# JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 23, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Chaplain David Doty of the Iowa Air Guard, 132<sup>nd</sup> Wing, from Altoona. He was the guest of Representative Nunn of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amanda Ryner, Page from Winterset.

The Journal of Tuesday, March 22, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2441**, by Wessel-Kroeschell, Hanson, Winckler, Heddens, Ourth, Kelley, and Staed, a bill for an act providing for an increase in the maximum local option sales tax rate to fund local natural resources and outdoor recreation projects.

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

## SENATE MESSAGE CONSIDERED

**Senate File 2296**, by committee on Appropriations, a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

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

On motion by Rogers of Black Hawk, the House was recessed at 8:37 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:02 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 23, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2282, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding.

Also: That the Senate has on March 23, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2359, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date provisions.

Also: That the Senate has on March 23, 2016, adopted the Conference Committee report and passed Senate File 174, a bill for an act establishing the state percent of growth.

Also: That the Senate has on March 23, 2016, adopted the Conference Committee report and passed Senate File 175, a bill for an act establishing the categorical state percent of growth.

Also: That the Senate has on March 23, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2162, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

Also: That the Senate has on March 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2304, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 2:02 p.m., until the fall of the gavel.



The House resumed session at 2:31 p.m., Speaker Upmeyer in the chair.

### INTRODUCTION OF BILLS

**House File 2442**, by committee on Ways and Means, a bill for an act eliminating a requirement that taxpayers indicate on their tax returns the presence or absence of health care coverage for their dependent children and apply for certain public health care coverage, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

**House File 2443**, by committee on Ways and Means, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

Read first time and placed on the **Ways and Means calendar**.

### SENATE MESSAGE CONSIDERED

**Senate File 2304**, by committee on Government Oversight, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

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

CONFERENCE COMMITTEE REPORT CONSIDERED  
(Senate File 174)

Jorgensen of Woodbury called up for consideration the report of the conference committee on **Senate File 174**, a bill for an act establishing the state percent of growth.

L. Miller of Scott rose on a point of order under Rule 10, regarding decorum in debate.

The Speaker ruled the point well taken.

M. Smith of Marshall rose on a point of order under Rule 10, regarding decorum in debate.

The Speaker ruled the point well taken.

Windschitl of Harrison in the chair at 3:27 p.m.

Staed of Linn rose on a point of order under Rule 10, regarding decorum in debate.

The Speaker ruled the point not well taken.

Jorgensen of Woodbury moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Jorgensen of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 174)

The ayes were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill

Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl, Presiding	

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Dunkel
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 4:

Berry	Hanson	Landon	Paulsen
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## INTRODUCTION OF BILL

**House File 2444**, by committee on Ways and Means, a bill for an act relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

Read first time and placed on the **Ways and Means calendar**.

## CONFERENCE COMMITTEE REPORT CONSIDERED (Senate File 175)

Jorgensen of Woodbury called up for consideration the report of the conference committee on **Senate File 175**, a bill for an act establishing

the categorical state percent of growth, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Jorgensen of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 175)

The ayes were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl, Presiding	

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Dunkel
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 4:

Berry	Hanson	Landon	Paulsen
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

**House File 2422**, a bill for an act relating to reading and literacy requirements for practitioner preparation programs, was taken up for consideration.

SENATE FILE 2196 SUBSTITUTED FOR HOUSE FILE 2422

Stanerson of Linn asked and received unanimous consent to substitute Senate File 2196 for House File 2422.

**Senate File 2196**, a bill for an act relating to reading and literacy requirements for practitioner preparation programs, was taken up for consideration.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2196)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands

Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Hanson	Landon	Paulsen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Ways and Means Calendar

**House File 2437**, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable, was taken up for consideration.

B. Moore of Jackson offered amendment H-8133 filed by him.

B. Moore of Jackson offered amendment H-8140, to amendment H-8133, filed by him from the floor and moved its adoption.

Amendment H-8140, to amendment H-8133, was adopted.

B. Moore of Jackson moved the adoption of amendment H-8133, as amended.

Amendment H-8133, as amended, was adopted.

B. Moore of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2437)

The ayes were, 92:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes

Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhardt	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 3:

Fisher	Jones	Ourth
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Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### Unfinished Business Calendar

**Senate File 453**, a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority, with report of committee recommending passage, was taken up for consideration.

Best of Carroll offered amendment H-8086 filed by him.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8119, to amendment H-8086, filed by her on March 16, 2016.

Best of Carroll offered amendment H-8141, to amendment H-8086, filed by him from the floor and moved its adoption.

Amendment H-8141, to amendment H-8086, was adopted.

Best of Carroll moved the adoption of amendment H-8086, as amended.

Amendment H-8086, as amended, was adopted.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 453)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.



Absent or not voting, 6:

Berry	Hanson	Jacoby	Landon
Oldson	Paulsen		

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

**House File 2380**, a bill for an act relating to the possession and administration of emergency drugs by first responders for purposes of treating drug overdose victims, was taken up for consideration.

Klein of Washington offered amendment H-8136 filed by him and Abdul-Samad of Polk and moved its adoption.

Amendment H-8136 was adopted, placing out of order amendment H-8051 filed by Baudler of Adair on March 1, 2016 and amendment H-8058 filed by Klein of Washington on March 1, 2016.

#### SENATE FILE 2218 SUBSTITUTED FOR HOUSE FILE 2380

Klein of Washington asked and received unanimous consent to substitute Senate File 2218 for House File 2380.

**Senate File 2218**, a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2218)

The ayes were, 93:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry

Gaines	Gaskill	Gassman	Grassley
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhardt	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, 2:

Gustafson	Sexton
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Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### Appropriations Calendar

**House File 2439**, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council, was taken up for consideration.

Worthan of Buena Vista offered amendment H-8139 filed by him and moved its adoption.

Amendment H-8139 was adopted.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2439)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### Unfinished Business Calendar

**Senate File 2205**, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Byrnes of Mitchell offered amendment H-8137 filed by him and moved its adoption.

Amendment H-8137 was adopted.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2205)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

SENATE AMENDMENTS CONSIDERED  
House Concurred

Best of Carroll called up for consideration **House File 2283**, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle, amended by the Senate, and moved that the House concur in the Senate amendment H-8134.

The motion prevailed and the House concurred in the Senate amendment H-8134.

Best of Carroll moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2283)

The ayes were, 77:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bennett	Best	Branhagen
Brown-Powers	Byrnes	Carlson	Cohoon
Cownie	Dawson	Deyoe	Dolecheck
Dunkel	Fisher	Forbes	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jones
Jorgensen	Kaufmann	Kearns	Klein
Koester	Kooiker	Kressig	Lykam
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Wolfe	Worthan
Windschitl, Presiding			

The nays were, 18:

Abdul-Samad	Anderson	Finkenauer	Gaines
Heddens	Hunter	Isenhardt	Kelley
Lensing	Mascher	Meyer	Oldson
Smith	Staed	Steckman	Stutsman
Wessel-Kroeschell	Winckler		

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### House Concurred

Byrnes of Mitchell called up for consideration **House File 617**, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8124.

The motion prevailed and the House concurred in the Senate amendment H-8124.

Byrnes of Mitchell moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 617)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill

Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### House Concurred

Gassman of Winnebago called up for consideration **House File 228**, a bill for an act relating to transitional coaching authorizations issued by the board of educational examiners and making penalties applicable, amended by the Senate, and moved that the House concur in the Senate amendment H-8046.

The motion prevailed and the House concurred in the Senate amendment H-8046.

Gassman of Winnebago moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 228)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanuska

Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### House Concurred

Pettengill of Benton called up for consideration **House File 2363**, a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties, amended by the Senate, and moved that the House concur in the Senate amendment H-8116.

The motion prevailed and the House concurred in the Senate amendment H-8116.

Pettengill of Benton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2363)



The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### House Concurred

Koester of Polk called up for consideration **House File 2370**, a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission, amended by the Senate, and moved that the House concur in the Senate amendment H-8115.

The motion prevailed and the House concurred in the Senate amendment H-8115.

Koester of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2370)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

House Concurred

Sheets of Appanoose called up for consideration **House File 588**, a bill for an act relating to the issuance of persons with disabilities

removable windshield parking placards, and including effective date and applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8120.

The motion prevailed and the House concurred in the Senate amendment H-8120.

Sheets of Appanoose moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 588)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Hanson	Jacoby	Landon
Paulsen			

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Berry of Black Hawk  
Jacoby of Johnson  
Paulsen of Linn

Hanson of Jefferson  
Landon of Polk

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2119, 2132, 2380, 2383, 2408 and 2422 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 228, 588, 617, 2283, 2363, 2370, 2437, 2439** and **Senate Files 174, 175, 453, 2196, 2205** and **2218**.

### EXPLANATION OF VOTE

On March 23, 2016, I inadvertently voted “aye” on House File 2437, I meant to vote “nay”.

Wills of Dickinson

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 23, 2016, he approved and transmitted to the Secretary of State the following bill:

**House File 2180**, an Act relating to requirements for the transfer of township funds raised for purposes of acquiring or repairing a public hall.

**House File 2265**, an Act relating to the disclosure of an address confidentiality program participant’s address in certain legal proceedings.

**House File 2267**, an Act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

**House File 2268**, an Act concerning the confidentiality of public employee support information submitted to the Public Employment Relations Board.

**House File 2325**, an Act authorizing the severance of territory and transfer of services of a sanitary district by resolution.

**House File 2339**, an Act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

**House File 2343**, an Act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

**House File 2354**, an Act relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

**House File 2356**, an Act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

**House File 2357**, an Act relating to turtle harvesting in the state and including effective date provisions.

**House File 2364**, an Act relating to public notice and the accessibility of meetings of governmental bodies.

**Senate File 2151**, an Act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the Department of Commerce.

**Senate File 2170**, an Act modifying the notice requirements for public improvement projects.

**Senate File 2181**, an Act relating to the funding of operation of programs to collect and dispose of household hazardous materials.

**Senate File 2189**, an Act relating to nonsubstantive code corrections.

**Senate File 2200**, an Act concerning instruction provided through the Iowa learning online initiative.

**Senate File 2221**, an Act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

**Senate File 2257**, an Act concerning the issuance of bonds authorized by the Iowa Finance Authority relating to projects and bond issuers regardless of location.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 646 Government Oversight**

Requiring state agencies to commence rulemaking within certain time periods in certain circumstances and including effective date and applicability provisions.

### **H.S.B. 647 Government Oversight**

Relating to human growth and development course enrollment at school districts and to pupil attendance at educational conferences or seminars in which human growth and development information is provided.

### **H.S.B. 648 Government Oversight**

Relating to standards for and certification and inspection of children's residential facilities.

### **H.S.B. 649 Ways and Means**

Requiring the licensure of flexible credit lenders, and making civil penalties applicable.

### **H.S.B. 650 Ways and Means**

Relating to county levy authority for mental health and disability services funding.

### **H.S.B. 651 Ways and Means**

Creating an exemption from the sales tax for certain items directly and primarily used in the production of electricity.

### **H.S.B. 652 Ways and Means**

Relating to the distribution of the wine gallonage tax and providing an appropriation.

**H.S.B. 653 Ways and Means**

Establishing an environmental practices tax credit, and including applicability provisions.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 649**

Ways and Means: Pettengill, Chair; McConkey and Nunn.

**House Study Bill 650**

Ways and Means: L. Miller, Chair; Brown-Powers and Forristall.

**House Study Bill 651**

Ways and Means: Stanerson, Chair; Cownie and Kelley.

**House Study Bill 652**

Ways and Means: Maxwell, Chair; L. Miller and Ruff.

**House Study Bill 653**

Ways and Means: Hein, Chair; Byrnes and Isenhardt.

**COMMITTEE RECOMMENDATIONS**

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

**CARMINE BOAL**  
Chief Clerk of the House

**COMMITTEE ON WAYS AND MEANS**

**Committee Bill** (Formerly House File 530), relating to state mandates on counties, including provisions related to county medical examiner fees and the publication of county resolutions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 23, 2016.

**Committee Bill** (Formerly House File 2375), relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 23, 2016.

**Committee Bill** (Formerly House Study Bill 641), excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 23, 2016.

#### AMENDMENTS FILED

H-8140	H.F.	2437	B. Moore of Jackson
H-8141	S.F.	453	Best of Carroll
H-8142	S.F.	2185	Heartsill of Marion Olson of Polk
H-8143	H.F.	2438	Hanusa of Pottawattamie
H-8144	S.F.	2109	Heddens of Story

On motion by Hagenow of Polk, the House adjourned at 4:58 p.m., until 8:30 a.m., Thursday, March 24, 2016.



# JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 24, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Tucker Else, Denver Baptist Church, Denver. He was the guest of Representative Hagenow of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jack and Lucy Stanerson, children of Representative Stanerson of Linn.

The Journal of Wednesday, March 23, 2016, was approved.

## EXPLANATION OF VOTE

On March 23, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 228 – “aye”  
House File 617 – “aye”  
House File 2363 – “aye”  
House File 2437 – “aye”  
Senate File 174 – “aye”  
Senate File 453 – “aye”  
Senate File 2205 – “aye”

House File 588 – “aye”  
House File 2283 – “aye”  
House File 2370 – “aye”  
House File 2439 – “aye”  
Senate File 175 – “aye”  
Senate File 2196 – “aye”  
Senate File 2218 – “aye”

Landon of Polk

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 24, 2016, he approved and transmitted to the Secretary of State the following bill:

**Senate File 2159**, an Act relating to public health including public health modernization and boards of health.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 647**

Government Oversight: Heartsill, Chair; Gaines and Kaufmann.

**House Study Bill 648**

Government Oversight: Kaufmann, Chair; Gaines and Heartsill.

## COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8145** March 23, 2016.

## RESOLUTION FILED

**H.R. 109**, by Gaines, T. Moore, McConkey, Mommsen, Gustafson, Klein, Branhagen, Heaton, Abdul-Samad, Brown-Powers, Jacoby, Meyer, Holt, Hunter, Huseman, Lensing, Kelley, Stutsman, Berry, Finkenauer, Stanerson, Bennett, Maxwell, Best, Thede, Nunn, Ruff, Dunkel, and Gassman, a resolution recognizing and congratulating the Grand View University Wrestling Team and program on its outstanding athletic achievements.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-8145	S.F.	2109	Committee on Appropriations
H-8146	S.F.	2228	Landon of Polk

On motion by Hagenow of Polk, the House adjourned at 8:38 a.m., until 1:00 p.m., Monday, March 28, 2016.

# JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 28, 2016

The House met pursuant to adjournment at 1:03 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Dr. John Shaull, Metro Baptist Association, Winterset. He was the guest of Representative Gustafson of Madison.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hope Heidemann, a first grader at Collins-Maxwell School. She was the guest of Speaker Upmeyer.

The Journal of Thursday, March 24, 2016, was approved.

## INTRODUCTION OF BILLS

**House File 2445**, by committee on Ways and Means, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation.

Read first time and placed on the **Ways and Means calendar**.

**House File 2446**, by committee on Ways and Means, a bill for an act relating to county medical examiner fees.

Read first time and placed on the **Ways and Means calendar**.

On motion by Hagenow of Polk, the House was recessed at 1:07 p.m., until 3:00 p.m.

## AFTERNOON SESSION

The House reconvened at 3:24 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS  
Ways and Means Calendar

**House File 2438**, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions, was taken up for consideration.

Hanusa of Pottawattamie offered amendment H-8143 filed by her and moved its adoption.

Amendment H-8143 was adopted.

SENATE FILE 2300 SUBSTITUTED FOR HOUSE FILE 2438

Hanusa of Pottawattamie asked and received unanimous consent to substitute Senate File 2300 for House File 2438.

**Senate File 2300**, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions, was taken up for consideration.

Hanusa of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2300)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel

Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, 1:

Hunter

Absent or not voting, 4:

Hanson                      Moore, B.                      Running-Marquardt      Stanerson

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

### Unfinished Business Calendar

**Senate File 2228**, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Landon of Polk offered amendment H-8126 filed by the committee on Transportation and moved its adoption.

The committee amendment H-8126 was adopted.

Landon of Polk offered amendment H-8146 filed by him and moved its adoption.

Amendment H-8146 was adopted.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2228)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Hanson	Moore, B.	Running-Marquardt	Stanerson
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**Senate File 2273**, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a

home food establishment, with report of committee recommending amendment and passage, was taken up for consideration.

L. Miller of Scott offered amendment H-8100 filed by the committee on State Government.

L. Miller of Scott offered amendment H-8130, to the committee amendment H-8100, filed by her and moved its adoption.

Amendment H-8130, to the committee amendment H-8100, was adopted.

L. Miller of Scott moved the adoption of the committee amendment H-8100, as amended.

The committee amendment H-8100, as amended, was adopted.

L. Miller of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2273)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman



Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Hanson	Moore, B.	Running-Marquardt	Stanerson
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### Regular Calendar

**Senate Joint Resolution 2006**, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

T. Moore of Cass moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 2006)

The yeas were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.

Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Hanson	Moore, B.	Running-Marquardt	Stanerson
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

### SENATE AMENDMENTS CONSIDERED House Concurred

Landon of Polk called up for consideration **House File 2345**, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction, amended by the Senate, and moved that the House concur in the Senate amendment H-8125.

The motion prevailed and the House concurred in the Senate amendment H-8125.

Landon of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2345)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall

Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Hanson                      Moore, B.                      Running-Marquardt      Stanerson

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

### House Concurred

Paustian of Scott called up for consideration **House File 2385**, a bill for an act relating to littering and illegal dumping and modifying penalties, amended by the Senate, and moved that the House concur in the Senate amendment H-8135.

The motion prevailed and the House concurred in the Senate amendment H-8135.

Paustian of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2385)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, 2:

Taylor, R.                      Watts

Absent or not voting, 4:

Hanson                      Moore, B.                      Running-Marquardt      Stanerson

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson

Running-Marquardt of Linn

## HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Joint Resolution 2006, House Files 2288 and 2438 from further consideration by the House.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2345, 2385, Senate Joint Resolution 2006, Senate Files 2228, 2273 and 2300.**

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 28<sup>th</sup> day of March, 2016: House Files 2146, 2261, 2266, 2269, 2275, 2278, 2279, 2336, 2342, 2353, 2377, 2386, 2387, 2400, 2401 and 2420.

CARMINE BOAL  
Chief Clerk of the House

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 646**

Government Oversight: Pettengill, Chair; Baudler and Lensing.

## AMENDMENTS FILED

H-8147	S.F.	2109	Hunter of Polk
H-8148	S.F.	166	Lensing of Johnson Hunter of Polk
H-8149	S.F.	166	Mascher of Johnson
H-8150	S.F.	2185	Jones of Clay

On motion by Hagenow of Polk, the House adjourned at 3:54 p.m., until 8:30 a.m., Tuesday, March 29, 2016.

# JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fiftieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 29, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Seth Denney, Mount Ayr Regular Baptist Church, Mount Ayr. He was the guest of Representative Dolecheck of Ringgold.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Natalie Shoultz, Page from Iowa City.

The Journal of Monday, March 28, 2016, was approved.

## SPECIAL PRESENTATION

Vander Linden of Mahaska introduced to the House, the 2016 Pella Tulip Queen and her court.

The House rose and expressed its welcome.

On motion by Hagenow of Polk, the House was recessed at 8:41 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:38 p.m., Sands of Louisa in the chair.

## CONSIDERATION OF BILLS Unfinished Business Calendar

**Senate File 2185**, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Heartsill of Marion offered amendment H-8080 filed by the committee on Public Safety.

Heartsill of Marion offered amendment H-8089, to the committee amendment H-8080, filed by him and moved its adoption.

Amendment H-8089, to the committee amendment H-8080, was adopted.

Heartsill of Marion moved the adoption of the committee amendment H-8080, as amended.

The committee amendment H-8080, as amended, was adopted.

Heartsill of Marion offered amendment H-8142 filed by him and Olson of Polk.

Jones of Clay asked and received unanimous consent to withdraw amendment H-8150, to amendment H-8142, filed by her on March 28, 2016.

Heartsill of Marion moved the adoption of amendment H-8142.

Amendment H-8142 was adopted.

On the question "Shall the bill pass?" (S.F. 2185)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.

Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Salmon	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Sands, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Running-Marquardt

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

### Regular Calendar

**Senate Joint Resolution 2007**, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Highfill of Polk moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 2007)

The yeas were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns



Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Salmon	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Sands, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Running-Marquardt

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

### SENATE AMENDMENT CONSIDERED House Concurred

R. Taylor of Dallas called up for consideration **House File 2341**, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission, amended by the Senate, and moved that the House concur in the Senate amendment H-8114.

The motion prevailed and the House concurred in the Senate amendment H-8114.

R. Taylor of Dallas moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2341)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie

Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Salmon	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Sands, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Running-Marquardt

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson                      Running-Marquardt of Linn

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2341**, **Senate Joint Resolution 2007** and **Senate File 2185**.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

**H.S.B. 654 Ways and Means**

Relating to water quality by modifying the wastewater treatment financial assistance program, creating a water service excise tax and a related sales tax exemption, making appropriations, and including effective date provisions.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 654**

Ways and Means: Cownie, Chair; Hein, Isenhardt, Nunn and Prichard.

## AMENDMENT FILED

H-8151      H.F.      2443      Nunn of Polk

On motion by Hagenow of Polk, the House adjourned at 2:55 p.m., until 8:30 a.m., Wednesday, March 30, 2016.

# JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 30, 2016

The House met pursuant to adjournment at 8:34 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Kent Hillesland, Lakota Community Chapel, Lakota. He was the guest of Representative Gassman of Winnebago.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carlee, Cade and Bree Gassman from Norwalk. They are the grandchildren of Representative Gassman of Winnebago.

The Journal of Tuesday, March 29, 2016, was approved.

## SPECIAL PRESENTATION

Kaufmann of Cedar announced the Hoover Uncommon Public Service Award winner for 2016, Speaker Linda Upmeyer.

The House rose and expressed its appreciation.

Windschitl of Harrison in the chair at 8:42 a.m.

On motion by Hagenow of Polk, the House was recessed at 8:49 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:15 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

**House File 2310**, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions, was taken up for consideration.

Vander Linden of Mahaska offered amendment H-8037 filed by him and moved its adoption.

Amendment H-8037 was adopted.

SENATE FILE 2219 SUBSTITUTED FOR HOUSE FILE 2310

Vander Linden of Mahaska asked and received unanimous consent to substitute Senate File 2219 for House File 2310.

**Senate File 2219**, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions, was taken up for consideration.

Vander Linden of Mahaska offered amendment H-8062 filed by him and moved its adoption.

Amendment H-8062 was adopted.

Vander Linden of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2219)

The ayes were, 87:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heaton
Heddens	Hein	Holz	Hunter

Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paustian
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Sexton	Sheets	Sieck
Smith	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	

The nays were, 9:

Baltimore	Branhagen	Heartsill	Highfill
Holt	Paulsen	Pettengill	Salmon
Windschitl, Presiding			

Absent or not voting, 4:

Hanson	Miller, L.	Sands	Staed
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2116**, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2116)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens

Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Miller, L.	Staed
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Ways and Means Calendar

**House File 2442**, a bill for an act eliminating a requirement that taxpayers indicate on their tax returns the presence or absence of health care coverage for their dependent children and apply for certain public health care coverage, and including effective date and retroactive applicability provisions, was taken up for consideration.

Vander Linden of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2442)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel

Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Hanson	Miller, L.	Staed
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 2:26 p.m., until the fall of the gavel.

The House resumed session at 3:10 p.m., Windschitl of Harrison in the chair.

### INTRODUCTION OF BILL

**House File 2447**, by committee on Ways and Means, a bill for an act relating to the calculation of certain court costs in probate matters, and including applicability provisions.

Read first time and placed on the **Ways and Means calendar**.



### Appropriations Calendar

**Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Rogers of Black Hawk offered amendment H-8145 filed by the committee on Appropriations and moved its adoption.

The committee amendment H-8145 was adopted.

Heddens of Story asked and received unanimous consent that amendment H-8144 be deferred.

Hunter of Polk offered amendment H-8147 filed by him.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Rogers of Black Hawk rose on a point of order that amendment H-8147 was not germane.

The Speaker ruled the point well taken and amendment H-8147 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8147.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8147.

Roll call was requested by Hunter of Polk and T. Taylor of Linn.

On the question "Shall the rules be suspended to consider amendment H-8147?" (S.F. 2109)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 54:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Worthan	Windschitl, Presiding		

Absent or not voting, 6:

Hanson	Miller, H.	Miller, L.	Moore, B.
Staed	Upmeyer, Spkr.		

The motion to suspend the rules lost.

Heddens of Story offered amendment H-8144, previously deferred, filed by her.

Ruff of Clayton offered amendment H-8152, to amendment H-8144, filed by her from the floor.

Rogers of Black Hawk rose on a point of order that amendment H-8152 was not germane, to amendment H-8144.

The Speaker ruled the point well taken and amendment H-8152 not germane, to amendment H-8144.

Ruff of Clayton asked for unanimous consent to suspend the rules to consider amendment H-8152, to amendment H-8144.

Objection was raised.

Ruff of Clayton moved to suspend the rules to consider amendment H-8152, to amendment H-8144.

Roll call was requested by Ruff of Clayton and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8152, to amendment H-8144?" (S.F. 2109)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Byrnes	Cohoon
Cownie	Dawson	Dunkel	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 53:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Carlson	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 5:

Hanson	Miller, H.	Miller, L.	Staed
Upmeyer, Spkr.			

The motion to suspend the rules lost.

Rogers of Black Hawk rose on a point of order that amendment H-8144 was not germane.

The Speaker ruled the point well taken and amendment H-8144 not germane.

Heddens of Story asked for unanimous consent to suspend the rules to consider amendment H-8144.

Objection was raised.

Heddens of Story moved to suspend the rules to consider amendment H-8144.

Roll call was requested by Heddens of Story and Hunter of Polk.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-8144?" (S.F. 2109)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian

Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

Absent or not voting, 4:

Hanson	Miller, H.	Miller, L.	Staed
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The motion to suspend the rules lost.

Deyoe of Story rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Rogers of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2109)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Hanson                      Miller, H.                      Miller, L.                      Staed

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Miller, H. of Webster
Miller, L. of Scott	Staed of Linn

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 94 and 2310 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2442** and **Senate Files 2109, 2116** and **2219**.

### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

#### **H.S.B. 655 Ways and Means**

Modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

### SUBCOMMITTEE ASSIGNMENTS

#### **House File 2175**

Ways and Means: Byrnes, Chair; Hein and Kearns.

#### **House File 2284**

Appropriations: Rogers, Chair; Deyoe and Mascher.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 655**

Ways and Means: Stanerson, Chair; Byrnes and Steckman.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly House Study Bill 640), relating to the construction, erection, maintenance, operation, or sale of specified electric transmission lines, and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 30, 2016.

**Committee Bill** (Formerly House Study Bill 646), requiring state agencies to commence rulemaking within certain time periods in certain circumstances and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2016.

**Committee Bill** (Formerly House Study Bill 647), relating to human growth and development course enrollment at school districts and to pupil attendance at educational conferences or seminars in which human growth and development information is provided.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2174), creating a geothermal tax credit available against the individual income tax and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 30, 2016.

**Committee Bill** (Formerly House Study Bill 645), relating to the calculation of certain court costs in probate matters, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2016.

### RESOLUTION FILED

**H.R. 110**, by H. Miller and Sexton, a resolution recognizing and congratulating the Iowa Central Community College men's and women's track, women's soccer, and men's cross country teams and programs on their outstanding athletic accomplishments.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-8152	S.F.	2109	Ruff of Clayton
H-8153	H.F.	2443	Nunn of Polk

On motion by Hagenow of Polk, the House adjourned at 4:00 p.m., until 8:30 a.m., Thursday, March 31, 2016.



# JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 31, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor John Benson, St. John's Lutheran Church, Council Bluffs. He was the guest of Representative Sieck of Mills.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Stefani Metzger, Page from Davenport.

The Journal of Wednesday, March 30, 2016, was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2009**, by Kelley, Bennett, Stutsman, Steckman, Prichard, Wolfe, Anderson, Gaines, Dawson, Brown-Powers, Hanson, Olson, Jacoby, Heddens, Wessel-Kroeschell, Kressig, Kerns, Thede, and Meyer, a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States relating to free and fair elections.

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

**House File 2448**, by committee on Government Oversight, a bill for an act relating to the construction, erection, maintenance, operation, or sale of specified electric transmission lines, and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

**House File 2449**, by committee on Government Oversight, a bill for an act requiring state agencies to commence rulemaking within

certain time periods in certain circumstances and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

**House File 2450**, by committee on Government Oversight, a bill for an act relating to human growth and development course enrollment at school districts and to pupil attendance at educational conferences or seminars in which human growth and development information is provided.

Read first time and placed on the **calendar**.

On motion by Fry of Clarke, the House was recessed at 8:33 a.m., until 2:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 2:17 p.m., Speaker Upmeyer in the chair.

#### INTRODUCTION OF BILLS

**House File 2451**, by committee on Ways and Means, a bill for an act relating to water quality by modifying the wastewater treatment financial assistance program, creating a water service excise tax and a related sales tax exemption, making appropriations, and including effective date provisions.

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

**House File 2452**, by committee on Ways and Means, a bill for an act creating a geothermal tax credit available against the individual income tax and including effective date and applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 2146**, an Act Authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

**House File 2261**, an Act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with governmental accounting standards board.

**House File 2266**, an Act concerning unclaimed cremated remains.

**House File 2275**, an Act relating to the disbursement of all Iowa opportunity scholarships.

**House File 2278**, an Act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

**House File 2336**, an Act relating to the duties and authority of the State Board of Education, the Department of Education, and local school districts and to the programs and activities under the purview of the state board and the department.

**House File 2342**, an Act relating to signatures and other writing applications for hunting, fishing, and fur harvester licenses.

**House File 2377**, an Act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

**House File 2387**, an Act requiring the dental board to offer an alternative examination for licensure.

**House File 2400**, an Act providing for voidable commercial transactions and including applicability provisions.

**House File 2401**, an Act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties.

**House File 2420**, an Act relating to untested sexual abuse evidence collection kits stored at the law enforcement agencies.

**Senate File 2115**, an Act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

**Senate File 2231**, an Act relating to disaster aid payment authorization requirements under specified circumstances.

**Senate File 2234**, an Act relating to the credit hours of educational assistance under the National Guard Educational Assistance Program.

**Senate File 2279**, an Act relating to the credit union division and its regulatory matters.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON GOVERNMENT OVERSIGHT

**Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8154** March 30, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 654), relating to water quality by modifying the wastewater treatment financial assistance program, creating a water service excise tax and a related sales tax exemption, making appropriations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 31, 2016.

## AMENDMENT FILED

H-8154      S.F.      2304      Committee on Government Oversight

On motion by Hagenow of Polk, the House adjourned at 2:17 p.m., until 9:00 a.m., Friday, April 1, 2016.

# JOURNAL OF THE HOUSE

Eighty-second Calendar Day - Fifty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 1, 2016

The House met pursuant to adjournment at 9:04 a.m., Cownie of Polk in the chair.

Prayer was offered by Representative Cownie of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by John Henry Cownie from Des Moines. He is the son of Representative Cownie of Polk.

The Journal of Thursday, March 31, 2016, was approved.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 31, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 2269**, an Act providing for certain excise taxes imposed on the sale of cattle and including effective date provisions.

**House File 2279**, an Act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

**House File 2353**, an Act removing prohibitions on emergency management organization employees from holding elective office.

**House File 2386**, an Act relating to grounds for termination of parental rights of an individual relative to sexual abuse.

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

## DEPARTMENT OF EDUCATION

Statewide Assessment of Academic Indicators Task Force Addendum Report, pursuant to Iowa Code section 256.7.

## DEPARTMENT OF NATURAL RESOURCES

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134(14).

## RESOLUTION FILED

**H.R. 111**, by H. Miller, a resolution recognizing the Hoover Uncommon Public Service Award winner for 2016, Speaker of the House of Representatives Linda Upmeyer.

Laid over under **Rule 25**.

On motion by Nunn of Polk, the House adjourned at 9:07 a.m., until 1:00 p.m., Monday, April 4, 2016.

# JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 4, 2016

The House met pursuant to adjournment at 1:03 p.m., Windschitl of Harrison in the chair.

Prayer was offered by Reverend Deborah Parkison, Our Savior United Methodist Church, Manson. She was the guest of Representative Sexton of Calhoun.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ben Lanham, Majority Leader's Page from Urbandale.

The Journal of Friday, April 1, 2016, was approved.

On motion by Hagenow of Polk, the House was recessed at 1:12 p.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:04 p.m., Cownie of Polk in the chair.

## CONSIDERATION OF BILL Ways and Means Calendar

**House File 2445**, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation, was taken up for consideration.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2445)

The ayes were, 73:

Abdul-Samad	Bacon	Baxter	Bearinger
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Dolecheck
Dunkel	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Hein
Highfill	Holz	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Klein	Koester	Kressig
Landon	Lykam	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, T.	Nunn	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Sands	Sexton
Sieck	Smith	Stanerson	Steckman
Taylor, R.	Thede	Upmeyer, Spkr.	Vander Linden
Wills	Windschitl	Wolfe	Worthan
Cownie, Presiding			

The nays were, 23:

Anderson	Baudler	Bennett	Deyoe
Forristall	Gassman	Heddens	Holt
Hunter	Kelley	Kooiker	Lensing
Mascher	Oldson	Running-Marquardt	Salmon
Sheets	Staed	Stutsman	Taylor, T.
Watts	Wessel-Kroeschell	Winckler	

Absent or not voting, 4:

Baltimore	Berry	Moore, B.	Paulsen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2445** be immediately messaged to the Senate.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Berry of Black Hawk
Moore, B. of Jackson	Paulsen of Linn



## EXPLANATION OF VOTE

On March 30, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2442 – “aye”	Senate File 2109 – “aye”
Senate File 2116 – “aye”	Senate File 2219 – “aye”
Amendment H–8144 suspend the rules – (S.F. 2109) – “aye”	
Amendment H–8147 suspend the rules – (S.F. 2109) – “aye”	
Amendment H–8152 to H–8144 suspend the rules – (S.F. 2109) – “aye”	

Staed of Linn

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 4<sup>th</sup> day of April, 2016: House Files 228, 588, 617, 2264, 2282, 2283, 2341, 2345, 2359, 2363, 2370 and 2385.

CARMINE BOAL  
Chief Clerk of the House

## SUBCOMMITTEE ASSIGNMENT

### House File 2451

Appropriations: Grassley, Chair; Bearinger, Mommsen, Rizer and Running-Marquardt.

## AMENDMENTS FILED

H–8155	H.F.	2448	Kaufmann of Cedar
H–8156	H.F.	2450	Kaufmann of Cedar

On motion by Hagenow of Polk, the House adjourned at 4:08 p.m., until 8:30 a.m., Tuesday, April 5, 2016.

# JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 5, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Bacon of Story.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amanda Ryner, Page from Winterset.

The Journal of Monday, April 4, 2016, was approved.

## ADOPTION OF HOUSE RESOLUTION 109

Hagenow of Polk called up for consideration **House Resolution 109**, a resolution recognizing and congratulating the Grand View University Wrestling Team and program on its outstanding athletic achievements.

Olson of Polk moved the adoption of House Resolution 109.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

Ourth of Warren introduced to the House, former Congressman Leonard Boswell.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 111

Hagenow of Polk called up for consideration **House Resolution 111**, a resolution recognizing the Hoover Uncommon Public Service Award winner for 2016, Speaker of the House of Representatives Linda Upmeyer.

Hagenow of Polk moved the adoption of House Resolution 111.

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 8:42 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:00 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 1:01 p.m., until the fall of the gavel.

The House resumed session at 1:23 p.m., Windschitl of Harrison in the chair.

#### CONSIDERATION OF BILL Regular Calendar

**House File 2448**, a bill for an act relating to the construction, erection, maintenance, operation, or sale of specified electric transmission lines, and including effective date and applicability provisions, was taken up for consideration.

Smith of Marshall rose on a point of order that House File 2448 be referred to the committee on Commerce.

The Speaker ruled the point not well taken.

Smith of Marshall moved to suspend Rule 31 to refer House File 2448 to the committee on Commerce.

Hagenow of Polk rose on a point of order that the motion is not in order.

The Speaker ruled the point well taken.

Smith of Marshall moved to suspend Rule 31.

Roll call was requested by Smith of Marshall and Hall of Woodbury.

On the question "Shall the rules be suspended?" (H.F. 2448)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Dunkel
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 55:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl, Presiding	

Absent or not voting, 4:

Baltimore	Berry	Finkenauer	Huseman
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The motion to suspend the rules lost.

Kaufmann of Cedar offered amendment H-8155 filed by him and moved its adoption.

Amendment H-8155 was adopted.

Kaufmann of Cedar offered amendment H-8157 filed by him from the floor and moved its adoption.

Amendment H-8157 was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2448)

The ayes were, 63:

Bacon	Baudler	Baxter	Bearinger
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Dunkel
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanson	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Huseman	Kaufmann
Klein	Koester	Kooiker	Landon
Lensing	Maxwell	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Olson	Paulsen	Paustian	Pettengill
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Stutsman	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Worthan	Windschitl,	
		Presiding	

The nays were, 33:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Dawson	Forbes	Forristall
Gaines	Gaskill	Hall	Hanusa
Hunter	Isenhart	Jacoby	Jorgensen
Kearns	Kelley	Kressig	Lykam
Mascher	McConkey	Meyer	Oldson
Ourth	Prichard	Running-Marquardt	Smith
Staed	Steckman	Taylor, T.	Thede
Wolfe			

Absent or not voting, 3:

Baltimore	Berry	Finkenauer
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Under the provision of Rule 76, conflict of interest, Jones of Clay refrained from voting.

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

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone  
Finkenauer of Dubuque

Berry of Black Hawk

## IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2448** be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 1:56 p.m., until 5:00 p.m.

## AFTERNOON SESSION

The House reconvened at 5:47 p.m., Mommsen of Clinton in the chair.

## INTRODUCTION OF BILL

**House File 2453**, by committee on Ways and Means, a bill for an act creating an exemption from the sales tax for certain items directly and primarily used in the production of electricity.

Read first time and placed on the **Ways and Means calendar**.

## COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**House File 2451**, a bill for an act relating to water quality by modifying the wastewater treatment financial assistance program, creating a water service excise tax and a related sales tax exemption, making appropriations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8161** April 5, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 651), creating an exemption from the sales tax for certain items directly and primarily used in the production of electricity.

Fiscal Note: **No**

Recommendation: **Do Pass** April 5, 2016.

## AMENDMENTS FILED

H-8157	H.F.	2448	Kaufmann of Cedar
H-8158	S.F.	2275	Wills of Dickinson
H-8159	S.F.	2275	Wills of Dickinson
H-8160	H.F.	2443	Nunn of Polk
H-8161	H.F.	2451	Committee on Appropriations

On motion by Hein of Jones, the House adjourned at 5:49 p.m., until 8:30 a.m., Wednesday, April 6, 2016.

# JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Fifty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 6, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Kathryn Saunders, Saint Stephen Lutheran Church, Urbandale. She was the guest of Representative Forbes of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Natalie Steinke, Chief Clerk's Page from Gibson.

The Journal of Tuesday, April 5, 2016, was approved.

## ADOPTION OF HOUSE RESOLUTION 108

Fry of Clarke called up for consideration **House Resolution 108**, a resolution recognizing July 16, 2016, as Iowa Atomic Veterans Day.

Gassman of Winnebago moved the adoption of House Resolution 108.

The motion prevailed and the resolution was adopted.

On motion by Fry of Clarke, the House was recessed at 8:37 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:06 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 1:07 p.m., until the fall of the gavel.

The House resumed session at 3:02 p.m., Speaker Upmeyer in the chair.

L. Miller of Scott in the chair at 3:10 p.m.



CONSIDERATION OF BILLS  
Regular Calendar

**House File 2449**, a bill for an act requiring state agencies to commence rulemaking within certain time periods in certain circumstances and including effective date and applicability provisions, was taken up for consideration.

Jones of Clay offered amendment H-8164 filed by her and Pettengill of Benton from the floor and moved its adoption.

Amendment H-8164 was adopted.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2449)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhardt
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Miller, L., Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Dawson of Woodbury in the chair at 3:26 p.m.

### Unfinished Business Calendar

**Senate File 2259**, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order, with report of committee recommending amendment and passage, was taken up for consideration.

Gustafson of Madison offered amendment H-8099 filed by the committee on Human Resources and moved its adoption.

The committee amendment H-8099 was adopted.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2259)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.

Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Dawson, Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Byrnes of Mitchell in the chair at 3:38 p.m.

### Ways and Means Calendar

**House File 2443**, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions, was taken up for consideration.

Nunn of Polk asked and received unanimous consent to withdraw amendment H-8151 filed by him on March 29, 2016.

Nunn of Polk offered amendment H-8153 filed by him.

Nunn of Polk offered amendment H-8169, to amendment H-8153, filed by him from the floor and moved its adoption.

Amendment H-8169, to amendment H-8153, was adopted.

Isenhart of Dubuque rose on a point of order that amendment H-8153, as amended, was not germane.

The Speaker ruled the point not well taken and amendment H-8153, as amended, germane.

Nunn of Polk moved the adoption of amendment H-8153, as amended.

Amendment H-8153, as amended, was adopted.

Nunn of Polk asked and received unanimous consent to withdraw amendment H-8160 filed by him on April 5, 2016.

Nunn of Polk offered amendment H-8168 filed by him from the floor and moved its adoption.

Amendment H-8168 was adopted.

R. Taylor of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2443)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Gustafson	Hagenow	Hall
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard

Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Byrnes, Presiding	

The nays were, 1:

Grassley

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2412 from further consideration by the House.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Berry of Black Hawk	Finkenauer of Dubuque
Hanson of Jefferson	Hanusa of Pottawattamie

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2443, 2449** and **Senate File 2259**.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 493, a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2270, a bill for an act including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2335, a bill for an act relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2344, a bill for an act requiring that agreements to terminate farm tenancies be in writing.

Also: That the Senate has on April 6, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2373, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

Also: That the Senate has on April 6, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2399, a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2415, a bill for an act concerning veterans preference information.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2429, a bill for an act concerning gambling game licensure fees, and including penalty and applicability provisions.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2437, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 503, a bill for an act relating to certain fees collected by the county sheriff.

Also: That the Senate has on April 6, 2016, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2061, a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2185, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and modifying penalties for invasion of privacy.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2188, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2219, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2228, a bill for an act relating to the activities of motor vehicle dealers and wholesalers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the use of licenses and advertisements, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2233, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2260, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program, and including effective date provisions.

Also: That the Senate has on April 6, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2273, a bill for an act relating to licensure of home food establishments.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2306, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 6, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2308, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

MICHAEL E. MARSHALL, Secretary

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 6, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 228**, an Act relating to transitional coaching authorizations issued by the board of educational examiners and making penalties applicable.

**House File 588**, an Act relating to the issuance of persons with disabilities removable windshield parking placards, and including effective date and applicability provisions.

**House File 617**, an Act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

**House File 2282**, an Act relating to the appointment of guardian ad litem in an adoption proceeding.



**House File 2283**, an Act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

**House File 2341**, an Act relating to the operation of certain schools under the purview of the college student aid commission.

**House File 2345**, an Act relating to annual reports by county engineers and the department of transportation, including reports on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

**House File 2359**, an Act relating statutory corrections which may adjust language to reflect current practices, insert earlier omission, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date provisions.

**House File 2363**, an Act relating to member attendance at a closed session of a governmental body.

**House File 2370**, an Act relating to exemptions from registration of postsecondary schools by the college student aid commission.

**House File 2385**, an Act relating to littering and illegal dumping and modifying penalties.

**Senate File 174**, an Act establishing the state percent of growth and including effective date provisions.

**Senate File 175**, an Act establishing the categorical state percent of growth and including effective date provisions.

**Senate File 378**, an Act relating to reimbursement of defense costs of peace officers and corrections officers.

**Senate File 2022**, an Act relating to criminal jurisdiction on the sac and fox Indian settlement.

**Senate File 2059**, an Act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

**Senate File 2102**, an Act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

**Senate File 2110**, an Act relating to persons examining and obtaining their own criminal history data.

**Senate File 2111**, an Act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

**Senate File 2144**, an Act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

**Senate File 2147**, an Act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

**Senate File 2162**, an Act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspection and appeals.

**Senate File 2164**, an Act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when finding of contempt has been entered, and including applicability provisions.

**Senate File 2194**, an Act concerning administrative law judges appointed or employed by the public employment relations board.

**Senate File 2214**, an Act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

**Senate File 2218**, an Act relating to the possession and administration of emergency drugs by first responders and other persons in the position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

**Senate File 2242**, an Act relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

**Senate File 2258**, an Act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

**Senate File 2276**, an Act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

#### AMENDMENTS FILED

H-8162	S.F.	2304	Gaines of Polk Kaufmann of Cedar
H-8163	S.F.	2304	Gaines of Polk Lensing of Johnson
H-8164	H.F.	2449	Jones of Clay Pettengill of Benton
H-8165	H.F.	2446	Heddens of Story

H-8166	H.F.	2435	R. Taylor of Dallas
H-8167	S.F.	2061	Senate Amendment
H-8168	H.F.	2443	Nunn of Polk
H-8169	H.F.	2443	Nunn of Polk
H-8170	H.F.	493	Senate Amendment
H-8171	H.F.	2373	Senate Amendment
H-8172	H.F.	2451	Wills of Dickinson
H-8173	H.F.	2451	Wills of Dickinson
H-8174	H.F.	2399	Senate Amendment

On motion by Hagenow of Polk, the House adjourned at 4:01 p.m., until 8:30 a.m., Thursday, April 7, 2016.

# JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 7, 2016

The House met pursuant to adjournment at 8:35 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Cindy Johnson, Saint John Evangelical Lutheran Church, Carroll. She was the guest of Representative Best of Carroll.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Delaney Schwarte, Chief Clerk's Page from Carroll.

The Journal of Wednesday, April 6, 2016, was approved.

## ADOPTION OF HOUSE RESOLUTION 110

Hagenow of Polk called up for consideration **House Resolution 110**, a resolution recognizing and congratulating the Iowa Central Community College men's and women's track, women's soccer, and men's cross country teams and programs on their outstanding athletic accomplishments.

H. Miller of Webster moved the adoption of House Resolution 110.

The motion prevailed and the resolution was adopted.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 6, 2016, he approved and transmitted to the Secretary of State the following bill:

Senate File 2300, an Act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

BOARD OF REGENTS

Center for Health Effects of Environmental Contamination Report, pursuant to Iowa Code section 263.17(4)(b).

Monthly Financial Report, pursuant to Chapter 141.27, 2013 Iowa Acts.

DEPARTMENT OF EDUCATION

Core Curriculum Report, pursuant to Iowa Code section 256.9(54).

DEPARTMENT OF REVENUE

Retailer Motor Fuel Gallons Report, pursuant to Iowa Code section 452A.33.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4(6).

OFFICE OF OMBUDSMAN

Annual Report, pursuant to Iowa Code section 2C.18.

AMENDMENTS FILED

H-8175	H.F.	2451	Wills of Dickinson
H-8176	H.F.	2451	Wills of Dickinson

On motion by Hagenow of Polk, the House adjourned at 8:42 a.m., until 1:00 p.m., Monday, April 11, 2016.

# JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 11, 2016

The House met pursuant to adjournment at 1:06 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Del Olivier, Augustana Lutheran Church, Sioux City. He was the guest of Representative Hall of Woodbury.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Devon Severson, Minority Leader's Page from Ottumwa.

The Journal of Thursday, April 7, 2016, was approved.

## SENATE MESSAGES CONSIDERED

**Senate File 2188**, by committee on Human Resources, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

Read first time and **passed on file**.

**Senate File 2306**, by committee on Ways and Means, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

Read first time and **passed on file**.

**Senate File 2308**, by committee on Appropriations, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

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

On motion by Hagenow of Polk, the House was recessed at 1:14 p.m., until 3:00 p.m.

### EVENING SESSION

The House reconvened at 6:50 p.m., Speaker Upmeyer in the chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2016, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 453, a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority.

Also: That the Senate has on April 11, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2259, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 6:51 p.m., until the fall of the gavel.

The House resumed session at 7:18 p.m., Speaker Upmeyer in the chair.

### CONSIDERATION OF BILLS Ways and Mean Calendar

**House File 2446**, a bill for an act relating to county medical examiner fees, was taken up for consideration.

Heddens of Story offered amendment H-8165 filed by her and moved its adoption.

Amendment H-8165 lost.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2446)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

Berry	Kaufmann	Moore, B.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Appropriations Calendar

**House File 2451**, a bill for an act relating to water quality by modifying the wastewater treatment financial assistance program,



creating a water service excise tax and a related sales tax exemption, making appropriations, and including effective date provisions, was taken up for consideration.

Grassley of Butler offered amendment H-8161 filed by the committee on Appropriations.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8192, to the committee amendment H-8161, filed by him from the floor.

Grassley of Butler offered amendment H-8182, to the committee amendment H-8161, filed by him from the floor and moved its adoption.

Amendment H-8182, to the committee amendment H-8161, was adopted.

Isenhart of Dubuque offered amendment H-8186, to the committee amendment H-8161, filed by Isenhart, et al., from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Meyer of Polk.

On the question "Shall amendment H-8186, to the committee amendment H-8161, be adopted?" (H.F. 2341)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher

Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

Absent or not voting, 2:

Kaufmann                      Moore, B.

Amendment H-8186, to the committee amendment H-8161, lost.

Prichard of Floyd asked and received unanimous consent that amendment H-8187, to the committee amendment H-8161, be deferred.

Nunn of Polk offered amendment H-8179, to the committee amendment H-8161, filed by him from the floor and moved its adoption.

Roll call was requested by Nunn of Polk and Heartsill of Marion.

On the question "Shall amendment H-8179, to the committee amendment H-8161, be adopted?" (H.F. 2451)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer

Miller, H.	Miller, L.	Mommsen	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker Upmeyer		

The nays were, none.

Absent or not voting, 2:

Kaufmann                      Moore, B.

Amendment H–8179, to the committee amendment H–8161, was adopted.

Prichard of Floyd offered amendment H–8189, to the committee amendment H–8161, filed by him from the floor and moved its adoption.

Amendment H–8189, to the committee amendment H–8161, lost.

Isenhart of Dubuque offered amendment H–8184, to the committee amendment H–8161, filed by Isenhart, et al., from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Jacoby of Johnson.

On the question "Shall amendment H–8184, to the committee amendment H–8161, be adopted?" (H.F. 2451)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed

Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

Absent or not voting, 2:

Kaufmann	Moore, B.
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Amendment H-8184, to the committee amendment H-8161, lost.

Bearinger of Fayette offered amendment H-8191, to the committee amendment H-8161, filed by him from the floor and moved its adoption.

Roll call was requested by Bearinger of Fayette and Steckman of Cerro Gordo.

On the question "Shall amendment H-8191, to the committee amendment H-8161, be adopted?" (H.F. 2451)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

Absent or not voting, 2:

Kaufmann                      Moore, B.

Amendment H–8191, to the committee amendment H–8161, lost.

Wills of Dickinson asked and received unanimous consent to withdraw amendment H–8175, to the committee amendment H–8161, filed by him on April 7, 2016.

Windschitl of Harrison in the chair at 8:04 p.m.

Running-Marquardt of Linn offered amendment H–8183, to the committee amendment H–8161, filed by her from the floor and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Wolfe of Clinton.

On the question "Shall amendment H–8183, to the committee amendment H–8161, be adopted?" (H.F. 2451)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kearns

Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl,	
		Presiding	

Absent or not voting, 2:

Kaufmann	Moore, B.
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Amendment H-8183, to the committee amendment H-8161, lost.

Prichard of Floyd offered amendment H-8188, to the committee amendment H-8161, filed by him from the floor and moved its adoption.

Roll call was requested by Smith of Marshall and Berry of Black Hawk.

On the question "Shall amendment H-8188, to the committee amendment H-8161, be adopted?" (H.F. 2451)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.

Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl, Presiding	

Absent or not voting, 2:

Kaufmann                      Moore, B.

Amendment H–8188, to the committee amendment H–8161, lost.

Prichard of Floyd offered amendment H–8190, to the committee amendment H–8161, filed by him from the floor and moved its adoption.

Amendment H–8190, to the committee amendment H–8161, lost.

Wills of Dickinson asked and received unanimous consent to withdraw amendment H–8176, to the committee amendment H–8161, filed by him on April 7, 2016.

Isenhart of Dubuque offered amendment H–8185, to the committee amendment H–8161, filed by Isenhart, et al., from the floor and moved its adoption.

Amendment H–8185, to the committee amendment H–8161, lost.

Grassley of Butler offered amendment H–8181, to the committee amendment H–8161, filed by him from the floor and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Steckman of Cerro Gordo.

On the question "Shall amendment H-8181, to the committee amendment H-8161, be adopted?" (H.F. 2451)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jones	Jorgensen	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, 1:

Jacoby

Absent or not voting, 2:

Kaufmann                      Moore, B.

Amendment H-8181, to the committee amendment H-8161, was adopted.

Prichard of Floyd asked and received unanimous consent to withdraw amendment H-8187, to the committee amendment H-8161, previously deferred, filed by him from the floor.



Grassley of Butler moved the adoption of the committee amendment H-8161, as amended.

The committee amendment H-8161, as amended, was adopted.

Sands of Louisa offered amendment H-8177 filed by him from the floor and moved its adoption.

Amendment H-8177 was adopted.

Grassley of Butler offered amendment H-8178 filed by him from the floor and moved its adoption.

Amendment H-8178 was adopted.

Prichard of Floyd offered amendment H-8193 filed by him from the floor and moved its adoption.

Amendment H-8193 was adopted.

Wills of Dickinson asked and received unanimous consent to withdraw amendment H-8172 filed by him on April 6, 2016.

Wills of Dickinson asked and received unanimous consent to withdraw amendment H-8173 filed by him on April 6, 2016.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2451)

The ayes were, 65:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Best	Branhagen	Byrnes
Carlson	Cownie	Deyoe	Dolecheck
Dunkel	Fisher	Forbes	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Holt	Holz
Huseman	Jones	Jorgensen	Klein
Koester	Kooiker	Landon	Maxwell
Meyer	Miller, H.	Miller, L.	Mommsen

Moore, T.	Nunn	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Stutsman	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

The nays were, 33:

Abdul-Samad	Anderson	Bennett	Berry
Brown-Powers	Cohoon	Dawson	Finkenauer
Gaines	Hall	Hanson	Heddens
Highfill	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Oldson
Olson	Smith	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 2:

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Kaufmann of Cedar	Moore, B. of Jackson
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### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 530 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2446 and 2451.**

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 7, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 2264**, an Act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying and including effective date provisions.

**Senate File 2191**, an Act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

**Senate File 2196**, an Act relating to reading and literacy requirements for practitioner preparation programs.

## AMENDMENTS FILED

H-8177	H.F.	2451	Sands of Louisa
H-8178	H.F.	2451	Grassley of Butler
H-8179	H.F.	2451	Nunn of Polk
H-8180	S.F.	453	Senate Amendment
H-8181	H.F.	2451	Grassley of Butler
H-8182	H.F.	2451	Grassley of Butler
H-8183	H.F.	2451	Running-Marquardt of Linn
H-8184	H.F.	2451	Isenhart of Dubuque
			Kelley of Jasper
			Lensing of Johnson
			Winckler of Scott
			Mascher of Johnson
			Meyer of Polk
H-8185	H.F.	2451	Isenhart of Dubuque
			Kelley of Jasper
			Staed of Linn
			Meyer of Polk
H-8186	H.F.	2451	Isenhart of Dubuque
			Anderson of Polk
			Brown-Powers of Black Hawk
			Forbes of Polk
			Hanson of Jefferson
			Lensing of Johnson
			Olson of Polk
			Staed of Linn
			Wessel-Kroeschell of Story
			Wolfe of Clinton
			Berry of Black Hawk
			Finkenauer of Dubuque
			Gaskill of Wapello
			Kelley of Jasper
			Meyer of Polk
			Prichard of Floyd
			Stutsman of Johnson
			Winckler of Scott

H-8187	H.F.	2451	Prichard of Floyd
H-8188	H.F.	2451	Prichard of Floyd
H-8189	H.F.	2451	Prichard of Floyd
H-8190	H.F.	2451	Prichard of Floyd
H-8191	H.F.	2451	Bearinger of Fayette
H-8192	H.F.	2451	Isenhart of Dubuque
H-8193	H.F.	2451	Prichard of Floyd
H-8194	S.F.	2304	Gaines of Polk Lensing of Johnson

On motion by Hagenow of Polk, the House adjourned at 9:27 p.m., until 8:30 a.m., Tuesday, April 12, 2016.

# JOURNAL OF THE HOUSE

Ninety-third Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 12, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father William Reynolds, Sacred Heart Catholic Church, Newton. He was the guest of Representative Kelley of Jasper.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Zara Trigg, Page from Hawarden.

The Journal of Monday, April 11, 2016, was approved.

## SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Upmeyer invited the following House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives:

Samantha Anderson	Reagan Brown	Alexandra Byrnes
Wyatt English	Casey Jergens	Trevor Johnson
Benjamin Lanham	Stefani Metzger	Kai Newell
Amanda Ryner	Payton Sash	Delaney Schwarte
Devon Severson	Natalie Shoultz	Natalie Steinke
Zara Trigg		

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Eighty-sixth General Assembly were presented to the House Pages by Speaker Linda Upmeyer, Majority Leader Chris Hagenow and Minority Leader Mark Smith.

The House rose and expressed its appreciation.

On motion by Hagenow of Polk, the House was recessed at 9:07 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:52 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 2:00 p.m., until the fall of the gavel.

The House resumed session at 2:13 p.m., Berry of Black Hawk in the chair.

#### CONSIDERATION OF BILL Ways and Means Calendar

**House File 2440**, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions, was taken up for consideration.

Byrnes of Mitchell offered amendment H-8138 filed by him and moved its adoption.

Amendment H-8138 was adopted.

#### SENATE FILE 2306 SUBSTITUTED FOR HOUSE FILE 2440

Byrnes of Mitchell asked and received unanimous consent to substitute Senate File 2306 for House File 2440.

**Senate File 2306**, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions, was taken up for consideration.

Abdul-Samad of Polk rose on a point of order.

The Speaker ruled the point well taken.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2306)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Berry, Presiding

The nays were, none.

Absent or not voting, 4:

Forristall	Kaufmann	Paulsen	Sexton
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED  
House Concurred

Best of Carroll called up for consideration **Senate File 453**, a bill for an act relating to the board of pharmacy, including nonresident

pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8180, to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8180, to the House amendment.

Best of Carroll moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 453)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Berry, Presiding

The nays were, none.



Absent or not voting, 4:

Forristall

Kaufmann

Paulsen

Sexton

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

### House Concurred

Branhagen of Winneshiek called up for consideration **House File 2373**, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa, amended by the Senate, and moved that the House concur in the Senate amendment H-8171.

The motion prevailed and the House concurred in the Senate amendment H-8171.

Branhagen of Winneshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2373)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sheets
Sieck	Smith	Staed	Stanerson

Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Berry, Presiding	

The nays were, none.

Absent or not voting, 5:

Forristall	Kaufmann	Nunn	Paulsen
Sexton			

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Forristall of Pottawattamie	Kaufmann of Cedar
Paulsen of Linn	Sexton of Calhoun

### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2440 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2373** and **Senate Files 453** and **2306**.

### BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 12<sup>th</sup> day of April, 2016: House Files 2270, 2335, 2344, 2415 and 2429.

CARMINE BOAL  
Chief Clerk of the House

On motion by Hagenow of Polk, the House adjourned at 2:41 p.m., until 8:30 a.m., Wednesday, April 13, 2016.

# JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixtieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 13, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dan Kuckuck, Saint Stephen Lutheran Church, Urbandale. He was the guest of Representative Forbes of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Casey Jergens, Page from Eagle Grove.

The Journal of Tuesday, April 12, 2016, was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2064, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

Also: That the Senate has on April 12, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2274, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit.

Also: That the Senate has on April 12, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2394, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:50 a.m., until the fall of the gavel.

The House resumed session at 9:06 a.m., Speaker Upmeyer in the chair.

The House stood at ease at 9:09 a.m., until the fall of the gavel.

The House resumed session at 10:02 a.m., Windschitl of Harrison in the chair.

### CONSIDERATION OF BILL Regular Calendar

**Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities, with report of committee recommending amendment and passage, was taken up for consideration.

Kaufmann of Cedar offered amendment H-8154 filed by the committee on Government Oversight.

Gaines of Polk asked and received unanimous consent to withdraw amendment H-8163, to the committee amendment H-8154, filed by her and Lensing of Johnson on April 6, 2016.

Gaines of Polk offered amendment H-8194, to the committee amendment H-8154, filed by her and Lensing of Johnson and moved its adoption.

Roll call was requested by Smith of Marshall and Mascher of Johnson.

On the question "Shall amendment H-8194, to the committee amendment H-8154, be adopted?" (S.F. 2304)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Hall	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey

Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl, Presiding	

Absent or not voting, 4:

Byrnes	Gaskill	Hanson	Paulsen
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Amendment H-8194, to the committee amendment H-8154, lost.

Gaines of Polk offered amendment H-8195, to the committee amendment H-8154, filed by her and Kaufmann of Cedar, from the floor, and moved its adoption.

Roll call was requested by Gaines of Polk and Abdul-Samad of Polk.

On the question "Shall amendment H-8195, to the committee amendment H-8154, be adopted?" (S.F. 2304)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Carlson	Cphoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill

Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhardt	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Byrnes	Gaskill	Hanson	Paulsen
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Amendment H-8195, to the committee amendment H-8154, was adopted.

Gaines of Polk asked and received unanimous consent to withdraw amendment H-8162, to the committee amendment H-8154, filed by her and Kaufmann of Cedar on April 6, 2016.

Branhagen of Winneshiek in the chair at 10:24 a.m.

Kaufmann of Cedar moved the adoption of the committee amendment H-8154, as amended.

Roll call was requested by Dawson of Woodbury and Wolfe of Clinton.

On the question "Shall the committee amendment H-8154, as amended, be adopted?" (S.F. 2304)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Best	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heartsill	Heaton	Hein

Highfill	Holt	Holz	Huseman
Jones	Jorgensen	Kaufmann	Kearns
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Olson	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Windschitl	Worthan
Branhagen, Presiding			

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 2:

Byrnes	Paulsen
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The committee amendment H-8154, as amended, was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2304)

The ayes were, 74:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Best	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Isenhart
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker



Kressig	Landon	Lykam	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Windschitl
Worthan	Branhagen, Presiding		

The nays were, 24:

Anderson	Bearinger	Bennett	Berry
Dawson	Dunkel	Gaskill	Hanson
Heddens	Hunter	Jacoby	Lensing
Mascher	Oldson	Olson	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 2:

Byrnes	Paulsen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Upmeyer in the chair at 11:32 a.m.

The House stood at ease at 11:42 a.m., until the fall of the gavel.

The House resumed session at 11:54 a.m., Speaker Upmeyer in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Byrnes of Mitchell	Gaskill of Wapello
Hanson of Jefferson	Paulsen of Linn

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2304** be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 11:55 a.m., until 4:00 p.m.

### AFTERNOON SESSION

The House reconvened at 4:30 p.m., Speaker Upmeyer in the chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 13, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2413, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts.

Also: That the Senate has on April 13, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2299, a bill for an act relating to the early childhood Iowa initiative.

Also: That the Senate has on April 13, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2309, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

### INTRODUCTION OF BILLS

**House File 2454**, by committee on Appropriations, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Read first time and placed on the **Appropriations calendar**.

**House File 2455**, by committee on Appropriations, a bill for an act 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, and the state board of regents and certain regents institutions.

Read first time and placed on the **Appropriations calendar**.

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 13, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 2270**, an Act including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

**House File 2335**, an Act relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions.

**House File 2344**, an Act requiring that agreements to terminate farm tenancies be in writing.

**House File 2415**, an Act concerning veterans preference information.

**House File 2429**, an Act concerning gambling game licensure fees, and including penalty and applicability provisions.

**Senate File 503**, an Act relating to certain fees collected by the county sheriff.

**Senate File 2116**, an Act adding substances to schedule I of the controlled substance schedules, and providing penalties.

**Senate File 2185**, an Act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and modifying penalties for invasion of privacy.

**Senate File 2228**, an Act relating to the activities of motor vehicle dealers and wholesalers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the use of licenses and advertisements, the furnishing of surety bonds, and the assessment of documentary fees, and making penalties applicable.

**Senate File 2233**, an Act creating the uniform deployed parents custody and visitation act, and repealing current code provisions relating to parents on active military duty.

**Senate File 2260**, an Act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program, and including effective date provisions.

**Senate File 2273**, an Act relating to licensure of the home food establishments.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

### **H.S.B. 656 Appropriations**

Relating to state and local finances by making appropriations, providing for legal responsibilities, and providing for other properly related matters.

### SUBCOMMITTEE ASSIGNMENT

#### **Senate File 2308**

Appropriations: Deyoe, Chair; Bacon and Hall.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

### **House Study Bill 656**

Appropriations: Rizer, Chair; Dunkel and Sexton.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

### COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly LSB 5011JB), relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 13, 2016.

**Committee Bill** (Formerly LSB 5012JB), 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, and the state board of regents and certain regents institutions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 13, 2016.

## AMENDMENTS FILED

H-8195	S.F.	2304	Gaines of Polk Kaufmann of Cedar
H-8196	H.F.	2064	Senate Amendment
H-8197	H.F.	2394	Senate Amendment

On motion by Hagenow of Polk, the House adjourned at 4:30 p.m., until 8:30 a.m., Thursday, April 14, 2016.

# JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day - Sixty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 14, 2016

The House met pursuant to adjournment at 8:36 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Ken Gehling, Mercy Medical Center-North Iowa, Mason City. He was the guest of Representative Steckman of Cerro Gordo.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Wyatt English, Page from Altoona.

The Journal of Wednesday, April 13, 2016, was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 13, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2392, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

Also: That the Senate has on April 13, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2414, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate File 2299**, by committee on Appropriations, a bill for an act relating to the early childhood Iowa initiative.

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

**Senate File 2309**, by committee on Ways and Means, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions.

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

### SPECIAL PRESENTATION

Highfill of Polk introduced to the House, former Japanese Ambassador Ken Shimanouchi and the Walk in U.S., Talk on Japan Delegation.

The House rose and expressed its welcome.

On motion by Fry of Clarke, the House was recessed at 9:02 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 2:19 p.m., Speaker Upmeyer in the chair.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 14, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2273, a bill for an act relating to elections administration with respect to the address confidentiality program, the printing of ballots, satellite absentee voting, and the conduct of school district elections.

MICHAEL E. MARSHALL, Secretary

### INTRODUCTION OF BILL

**House File 2456**, by committee on Ways and Means, a bill for an act relating to county levy authority for mental health and disability services funding.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 2:41 p.m., until the fall of the gavel.

The House resumed session at 3:32 p.m., Speaker Upmeyer in the chair.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of House File 2454.

### CONSIDERATION OF BILL Appropriations Calendar

**House File 2454**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, was taken up for consideration.

Isenhart of Dubuque offered amendment H-8206 filed by Isenhart, et al., from the floor.

Mommsen of Clinton rose on a point of order that amendment H-8206 was not germane.

The Speaker ruled the point well taken and amendment H-8206 not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8206.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8206.

Roll call was requested by Isenhart of Dubuque and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8206?" (H.F. 2454)

The ayes were, 36:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Dawson	Dunkel	Finkenauer
Forbes	Gaines	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Mascher	McConkey	Meyer	Miller, H.



Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

The nays were, 55:

Bacon	Baltimore	Baudler	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

Absent or not voting, 9:

Baxter	Bearinger	Berry	Gaskill
Holz	Lykam	Ruff	Stutsman
Wolfe			

The motion to suspend the rules lost.

Hanson of Jefferson asked and received unanimous consent to withdraw amendment H-8201 filed by him and Gaskill of Wapello from the floor.

Mommsen of Clinton offered amendment H-8200 filed by him from the floor and moved its adoption.

Amendment H-8200 was adopted.

Stanerson of Linn in the chair at 3:53 p.m.

Mascher of Johnson offered amendment H-8202 filed by her from the floor and moved its adoption.

Roll call was requested by Mascher of Johnson and Hunter of Polk.

On the question "Shall amendment H-8202 be adopted?" (H.F. 2454)

The ayes were, 36:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Dawson	Dunkel	Finkenauer
Forbes	Gaines	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

The nays were, 55:

Bacon	Baltimore	Baudler	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Stanerson, Presiding	

Absent or not voting, 9:

Baxter	Bearinger	Berry	Gaskill
Holz	Lykam	Ruff	Stutsman
Wolfe			

Amendment H-8202 lost.

Running-Marquardt of Linn asked and received unanimous consent to withdraw amendment H-8203 filed by her from the floor.

The House stood at ease at 4:01 p.m., until the fall of the gavel.

The House resumed session at 4:46 p.m., Stanerson of Linn in the chair.

Isenhart of Dubuque offered amendment H-8207 filed by him from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Steckman of Cerro Gordo.

On the question "Shall amendment H-8207 be adopted?" (H.F. 2454)

The ayes were, 36:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Dawson	Dunkel	Finkenauer
Forbes	Gaines	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

The nays were, 55:

Bacon	Baltimore	Baudler	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Stanerson, Presiding	

Absent or not voting, 9:

Baxter	Bearinger	Berry	Gaskill
Holz	Lykam	Ruff	Stutsman
Wolfe			

Amendment H-8207 lost.

Mommsen of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2454)

The ayes were, 71:

Anderson	Bacon	Baltimore	Baudler
Bennett	Best	Branhagen	Byrnes
Carlson	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Fisher	Forbes
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
McConkey	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Steckman	Taylor, R.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Windschitl	Worthan	Stanerson, Presiding	

The nays were, 21:

Abdul-Samad	Brown-Powers	Cphoon	Finkenauer
Gaines	Gaskill	Hunter	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Lensing	Mascher	Meyer	Oldson
Olson	Staed	Taylor, T.	Wessel-Kroeschell
Winckler			

Absent or not voting, 8:

Baxter	Bearinger	Berry	Holz
Lykam	Ruff	Stutsman	Wolfe

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2454** be immediately messaged to the Senate.

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baxter of Hancock  
Berry of Black Hawk  
Holz of Plymouth  
Ruff of Clayton  
Wolfe of Clinton

Bearinger of Fayette  
Gaskill of Wapello  
Lykam of Scott  
Stutsman of Johnson

On motion by Hagenow of Polk, the House was recessed at 5:05 p.m., until the conclusion of the committee on Appropriations.

## EVENING SESSION

The House reconvened at 7:38 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILLS

**House File 2457**, by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

Read first time and placed on the **Appropriations calendar**.

**House File 2458**, by committee on Appropriations a bill for an act relating to appropriations to the justice system.

Read first time and placed on the **Appropriations calendar**.

**House File 2459**, by committee on Appropriations, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, and providing for other properly related matters.

Read first time and placed on the **Appropriations calendar**.

**House File 2460**, by committee on Appropriations, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions.

Read first time and placed on the **Appropriations calendar**.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 14, 2016, he approved and transmitted to the Secretary of State the following bill:

**Senate File 2219**, an Act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

## COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly LSB 5014HB), relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 14, 2016.

**Committee Bill** (Formerly LSB 5015HB), relating to appropriations to the justice system.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 14, 2016.

**Committee Bill** (Formerly LSB 5016HB), relating to appropriations to the judicial branch.

Fiscal Note: **No**

Recommendation: **Do Pass** April 14, 2016.

**Committee Bill** (Formerly House Study Bill 656), relating to state and local finances by making appropriations, providing for legal responsibilities, and providing for other properly related matters.

Fiscal Note: **No**

Recommendation: **Do Pass** April 14, 2016.

COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 650), relating to county levy authority for mental health and disability services funding.

Fiscal Note: **No**

Recommendation: **Do Pass** April 14, 2016.

AMENDMENTS FILED

H-8198	H.F.	2392	Senate Amendment
H-8199	H.F.	2414	Senate Amendment
H-8200	H.F.	2454	Mommsen of Clinton
H-8201	H.F.	2454	Hanson of Jefferson Gaskill of Wapello
H-8202	H.F.	2454	Mascher of Johnson
H-8203	H.F.	2454	Running-Marquardt of Linn
H-8204	H.F.	2394	Pettengill of Benton
H-8205	H.F.	2273	Senate Amendment
H-8206	H.F.	2454	Isenhart of Dubuque
			Anderson of Polk
			Hanson of Jefferson
			Hunter of Polk
			Kearns of Lee
			Mascher of Johnson
			H. Miller of Webster
			Olson of Polk
			Staed of Linn
			Wessel-Kroeschell of Story
H-8207	H.F.	2454	Winckler of Scott Isenhart of Dubuque

On motion by Windschitl of Harrison, the House adjourned at 7:40 p.m., until 10:00 a.m., Friday, April 15, 2016.

# JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day - Sixty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 15, 2016

The House met pursuant to adjournment at 10:05 a.m., Highfill of Polk in the chair.

Prayer was offered by Representative Koester of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Highfill of Polk.

The Journal of Thursday, April 14, 2016, was approved.

## COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

### AUDITOR OF STATE

Report of Recommendations to UNI eBusiness Payroll and Human Resources System, pursuant to Iowa Code section 11.4.

On motion by Koester of Polk, the House adjourned at 10:07 a.m., until 10:00 a.m., Monday, April 18, 2016.



# JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day - Sixty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 18, 2016

The House met pursuant to adjournment at 10:07 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Steckman of Cerro Gordo.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Payton Sash, Page from LaPorte City.

The Journal of Friday, April 15, 2016, was approved.

## SPECIAL PRESENTATION

Kooiker of Sioux introduced to the House, the Orange City Tulip Festival Queen and her court.

The House rose and expressed its welcome.

The House stood at ease at 10:14 a.m., until the fall of the gavel.

The House resumed session at 3:54 p.m., Speaker Upmeyer in the chair.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of House File 2457 and House File 2458.

## CONSIDERATION OF BILLS

### Appropriations Calendar

**House File 2457**, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

T. Taylor of Linn offered amendment H-8217 filed by him from the floor and moved its adoption.

Amendment H-8217 lost.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2457)

The ayes were, 53:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Landon	Maxwell	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sieck	Stanerson	Taylor, R.	Vander Linden
Watts	Wills	Windschitl	Worthan
Speaker			
Upmeyer			

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Dunkel
Finkenauer	Forbes	Gaines	Gaskill
Hall	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kooiker	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Sheets	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Baltimore	Berry	Holz
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2458**, a bill for an act relating to appropriations to the justice system, was taken up for consideration.

Pettengill of Benton offered amendment H-8214 filed by her from the floor and moved its adoption.

Amendment H-8214 was adopted.

T. Taylor of Linn offered amendment H-8218 filed by him from the floor and moved its adoption.

Roll call was requested by T. Taylor of Linn and Abdul-Samad of Polk.

On the question "Shall amendment H-8218 be adopted?" (H.F. 2458)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 56:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Dunkel	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker
			Upmeyer

Absent or not voting, 3:

Baltimore	Berry	Holz
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Amendment H-8218 lost.

The House stood at ease at 4:40 p.m., until the fall of the gavel.

The House resumed session at 8:14 p.m., Speaker Upmeyer in the chair.

Hunter of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2458)

The ayes were, 59:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Holt	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	McConkey	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Ourth	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Dunkel
Finkenauer	Gaines	Gaskill	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Meyer	Miller, H.
Oldson	Olson	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman

Stutsman Winckler	Taylor, T. Wolfe	Thede	Wessel-Kroeschell
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Absent or not voting, 3:

Baltimore	Berry	Holz
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**SENATE AMENDMENT CONSIDERED**  
House Concurred

Pettengill of Benton called up for consideration **House File 2414**, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8199.

The motion prevailed and the House concurred in the Senate amendment H-8199.

Pettengill of Benton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2414)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Hunter	Huseman
Isenhardt	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen

Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

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

### CONSIDERATION OF BILL Appropriations Calendar

**House File 2455**, a bill for an act 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, and the state board of regents and certain regents institutions, was taken up for consideration.

Isenhart of Dubuque asked and received unanimous consent that amendment H-8209 be deferred.

Isenhart of Dubuque offered amendment H-8211 filed by him from the floor.

Deyoe of Story rose on a point of order that amendment H-8211 was not germane.

The Speaker ruled the point well taken and amendment H-8211 not germane.

Grassley of Butler asked and received unanimous consent to withdraw amendment H-8208 filed by him from the floor.

Running-Marquardt of Linn asked and received unanimous consent to withdraw amendment H-8213 filed by her from the floor.

Grassley of Butler asked and received unanimous consent to withdraw amendment H-8212 filed by him from the floor, placing out of order amendment H-8222, to amendment H-8212, filed by Finkenauer of Dubuque from the floor.

The House stood at ease at 9:00 p.m., until the fall of the gavel.

The House resumed session at 11:22 p.m., Windschitl of Harrison in the chair.

Anderson of Polk asked and received unanimous consent to withdraw amendment H-8210 filed by her and Finkenauer of Dubuque from the floor, placing out of order amendment H-8220, to amendment H-8210 and amendment H-8221, to amendment H-8210, filed by Forristall of Pottawattamie from the floor.

Finkenauer of Dubuque asked and received unanimous consent to withdraw amendment H-8224 filed by Finkenauer, et al., from the floor, placing out of order amendment H-8225, to amendment H-8224, filed by Forristall of Pottawattamie from the floor.

Isenhardt of Dubuque asked and received unanimous consent to withdraw amendment H-8209, previously deferred, filed by him from the floor.

Deyoe of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2455)

The ayes were, 60:

Bacon	Baudler	Baxter	Bearinger
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Huseman	Jones
Jorgensen	Kaufmann	Klein	Koester
Kooiker	Landon	Maxwell	McConkey
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Ourth	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon

Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

The nays were, 36:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Dawson	Dunkel	Finkenauer
Gaines	Gaskill	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
Meyer	Miller, H.	Oldson	Olson
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 4:

Baltimore	Berry	Hanson	Holz
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2016, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2304, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

Also: That the Senate has on April 18, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2311, a bill for an act relating to the department of public defense by providing for the gold star military museum.

Also: That the Senate has on April 18, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2313, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.



Also: That the Senate has on April 18, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2314, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 18, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2316, a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Berry of Black Hawk
Hanson of Jefferson	Holz of Plymouth

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2414, 2455, 2457 and 2458.**

## SUPPLEMENTAL REPORT OF THE COMMITTEE ON ADMINISTRATION AND RULES

March 8, 2016

To: Administration and Rules Committee  
From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade - Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legis. Sec.	Nolan C. Bursch	16-1	S-O	01-13-16
Legis. Sec.	Elizabeth A. Maassen	16-1	S-O	01-18-16
Legis. Sec.	Chad R. Norris	16-1	S-O	01-19-16

<u>Position</u>	<u>Name</u>	<u>Grade - Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Asst. Sgt.-at-Arms	Stephen J. Balderson	14-2 to 14-3	S-O	01-29-16
Legis. Sec.	Jordan N. Sabine	16-1	S-O	02-03-16
Legis. Comm. Sec.	Susan M. Mahedy-Ridgway	18-8 to 16-3	S-O	02-03-16
Legis. Sec.	Kerrigan L. Owens	16-1	S-O	02-08-16
Admin. Serv. Officer	Katherine G. Kenline	23-5 to 23-6	E-FT	02-12-16
Legis. Sec.	Fran D. Smith	16-3 to 16-4	S-O	02-12-16
Legis. Sec.	Austin H. Carter	16-1	S-O	02-15-16
Legis. Sec.	Beverly A. Burns	17-4 to 17-5	S-O	03-11-16
Legis. Sec.	Randy H. Ross	12-1 to 12-2	S-O	03-11-16
Legis. Sec.	Zaakary T. Barnes	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Nickalaus J. Boeyink	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Anna E. Determann	17-1 to 17-2	S-O	03-25-16
Legis. Sec.	Chayce C. Glienke	15-1 to 15-2	S-O	03-25-16
Legis. Sec.	Micah D. Heartsill	17-1 to 17-2	S-O	03-25-16
Legis. Sec.	Nicholas J. Huffman	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Victoria B. Johnson	16-7 to 16-8	S-O	03-25-16
Legis. Sec.	Logan A. Kentner	18-1 to 18-2	S-O	03-25-16
Legis. Sec.	Nicholas J. Huffman	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Briana A. Klein	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Sheryl L. Kooiker	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Zachary S. Krawiec	17-1 to 17-2	S-O	03-25-16
Legis. Sec.	Rachelle M. Link	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Brenda R. Olson	15-3 to 15-4	S-O	03-25-16
Legis. Sec.	Jule L. Reynolds	16-1 to 16-2	S-O	03-25-16
Legis. Sec.	Judith F. Stephens-Wilson	15-1 to 15-2	S-O	03-25-16
Legis. Comm. Sec.	Kelvey O. Vander Hart	17-1 to 17-2	S-O	03-25-16
Recording Clerk II	Diane K. Burget	24-6 to 24-7	E-FT	04-08-16
Legis. Comm. Sec.	Linda V. Koester	17-1 to 17-2	S-O	04-08-16

The following are resignations from the officers and employees of the House:

Admin. Asst. III to Speaker	Louis A. Vander Streek	P-FT	01-16-16
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March 8, 2016

To: Administration & Rules Committee  
From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

<u>Position</u>	<u>Name</u>	<u>Grade - Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legis. Sec. Officer I	Curt L. Henderson	20-1	P-FT	01-13-16
Legis. Sec. Officer I	Jody W. Elliott	20-1	P-FT	01-29-16
Legis. Sec. Officer I	Barbara A. Malone	20-6 to 20-7	P-FT	04-22-16

### EXPLANATION OF VOTE

On April 14, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2454 – “aye”

Ruff of Clayton

### AMENDMENTS FILED

H-8208	H.F.	2455	Grassley of Butler
H-8209	H.F.	2455	Isenhart of Dubuque
H-8210	H.F.	2455	Anderson of Polk Finkenauer of Dubuque
H-8211	H.F.	2455	Isenhart of Dubuque
H-8212	H.F.	2455	Grassley of Butler
H-8213	H.F.	2455	Running-Marquardt of Linn
H-8214	H.F.	2458	Pettengill of Benton
H-8215	H.F.	2459	Hall of Woodbury
H-8216	H.F.	2334	L. Miller of Scott
H-8217	H.F.	2457	T. Taylor of Linn
H-8218	H.F.	2458	T. Taylor of Linn
H-8219	H.F.	2460	Salmon of Black Hawk
H-8220	H.F.	2455	Forristall of Pottawattamie
H-8221	H.F.	2455	Forristall of Pottawattamie
H-8222	H.F.	2455	Finkenauer of Dubuque

H-8223	H.F.	2460	Heaton of Henry
H-8224	H.F.	2455	Finkenauer of Dubuque
			Anderson of Polk
			Bennett of Linn
			Cohoon of Des Moines
			Dunkel of Dubuque
			Gaines of Polk
			Hall of Woodbury
			Heddens of Story
			Isenhart of Dubuque
			Kearns of Lee
			Kressig of Black Hawk
			Lykam of Scott
			McConkey of Pottawattamie
			H. Miller of Webster
			Olson of Polk
			Prichard of Floyd
			Running-Marquardt of Linn
			Staed of Linn
			Stutsman of Johnson
			Thede of Scott
			Winckler of Scott
			Wolfe of Clinton
H-8225	H.F.	2455	Fornistall of Pottawattamie
H-8226	H.F.	2460	H. Miller of Webster
H-8227	H.F.	2459	Hall of Woodbury

On motion by Hagenow of Polk, the House adjourned at 11:34 p.m., until 8:30 a.m., Tuesday, April 19, 2016.

# JOURNAL OF THE HOUSE

One Hundredth Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 19, 2016

The House met pursuant to adjournment at 8:32 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Pastor Jim Bonser, Stavanger Friends Church, Marshalltown. He was the guest of Representative Fisher of Tama.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reagan Brown, Page from Shannon City.

The Journal of Monday, April 18, 2016, was approved.

## INTRODUCTION OF BILL

**House File 2461**, by Isenhardt, a bill for an act relating to water quality and soil conservation efforts, including related powers and duties of commissioners of soil and water conservation districts, county boards of supervisors, county treasurers, the state soil conservation committee, the department of agriculture and land stewardship's division of soil and water conservation, and the attorney general.

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

## SENATE MESSAGES CONSIDERED

**Senate File 2313**, by committee on Appropriations, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

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

**Senate File 2314**, by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

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

**Senate File 2316**, by committee on Appropriations, a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

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

On motion by Hagenow of Polk, the House was recessed at 8:36 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:14 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 1:17 p.m., until the fall of the gavel.

The House resumed session at 5:16 p.m., Speaker Upmeyer in the chair.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2439, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

Also: That the Senate has on April 19, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2454, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Also: That the Senate has on April 19, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2320, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 5:26 p.m., until the fall of the gavel.

The House resumed session at 5:50 p.m., Speaker Upmeyer in the chair.

### CONSIDERATION OF BILL Appropriations Calendar

**House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, and providing for other properly related matters, was taken up for consideration.

Hall of Woodbury offered amendment H-8227 filed by him.

Hall of Woodbury offered amendment H-8245, to amendment H-8227, filed by him from the floor.

Rizer of Linn rose on a point of order that amendment H-8245 was not germane, to amendment H-8227.

The Speaker ruled the point well taken and amendment H-8245 not germane, to amendment H-8227.

Hall of Woodbury asked for unanimous consent to suspend the rules to consider amendment H-8245, to amendment H-8227.

Objection was raised.

Hall of Woodbury moved to suspend the rules to consider amendment H-8245, to amendment H-8227.

Roll call was requested by Hall of Woodbury and Dawson of Woodbury.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-8245, to amendment H-8227?" (H.F. 2459)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 54:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Kooiker	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker Upmeyer		

Absent or not voting, 3:

Koester	Landon	Nunn
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The motion to suspend the rules lost.

Hall of Woodbury asked and received unanimous consent to withdraw amendment H-8227 filed by him on April 18, 2016.

Forristall of Pottawattamie asked and received unanimous consent that amendment H-8248 be deferred.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8233 filed by her from the floor.



Isenhart of Dubuque asked and received unanimous consent that amendment H-8241 be deferred.

Rizer of Linn offered amendment H-8238 filed by him from the floor and moved its adoption.

Amendment H-8238 was adopted.

Rizer of Linn offered amendment H-8236 filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and T. Taylor of Linn.

On the question "Shall amendment H-8236 be adopted?" (H.F. 2459)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Koester

Amendment H-8236 was adopted.

Hall of Woodbury asked and received unanimous consent to withdraw amendment H-8215 filed by him on April 18, 2016.

Heddens of Story offered amendment H-8235 filed by her from the floor.

Rizer of Linn rose on a point of order that amendment H-8235 was not germane.

The Speaker ruled the point well taken and amendment H-8235 not germane.

Rizer of Linn offered amendment H-8237 filed by him from the floor and moved its adoption.

Roll call was requested by Ruff of Clayton and Steckman of Cerro Gordo.

On the question "Shall amendment H-8237 be adopted?" (H.F. 2459)

The ayes were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Hanusa

Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 1:

Koester

Amendment H-8237 was adopted.

Thede of Scott asked and received unanimous consent to withdraw amendment H-8242 filed by Thede, et al., from the floor.

The House stood at ease at 6:43 p.m., until the fall of the gavel.

The House resumed session at 6:45 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2445, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation.

Also: That the Senate has on April 19, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2323, 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 and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILL

**House File 2462**, by committee on Ways and Means, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 6:45 p.m., until the fall of the gavel.

The House resumed session at 9:08 p.m., Speaker Upmeyer in the chair.

## INTRODUCTION OF BILL

**House File 2463**, by committee on Ways and Means, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

Read first time and placed on the **Ways and Means calendar**.

## SENATE MESSAGES CONSIDERED

**Senate File 2311**, by committee on Appropriations, a bill for an act relating to the department of public defense by providing for the gold star military museum.

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

**Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

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

**Senate File 2323**, by committee on Appropriations, 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 and applicability date provisions.

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

## CONSIDERATION OF BILLS Appropriations Calendar

The House resumed consideration of House File 2459.

Forristall of Pottawattamie offered amendment H-8248, previously deferred, filed by him from the floor.

Forristall of Pottawattamie offered amendment H-8250, to amendment H-8248, filed by him from the floor.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Forristall of Pottawattamie moved the adoption of amendment H-8250, to amendment H-8248.

Roll call was requested by Hunter of Polk and Running-Marquardt of Linn.

On the question "Shall amendment H-8250, to amendment H-8248, be adopted?" (H.F. 2459)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns

Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Hanson

Amendment H-8250, to amendment H-8248, was adopted.

Forristall of Pottawattamie moved the adoption of amendment H-8248, as amended.

Amendment H-8248, as amended, was adopted.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8241, previously deferred, filed by him from the floor.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2459)

The ayes were, 54:

Bacon	Baltimore	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holz	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker		
	Upmeyer		

The nays were, 45:

Abdul-Samad	Anderson	Baudler	Bearinger
Bennett	Berry	Brown-Powers	Cohoon
Dawson	Dunkel	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Holt	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Pettengill	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 1:

Hanson

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

## INTRODUCTION OF BILL

**House File 2464**, by committee on Appropriations, a bill for an act eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions.

Read first time and placed on the **Appropriations calendar**.

## IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2459** be immediately messaged to the Senate.

**House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8219 filed by her on April 18, 2016.

Heaton of Henry offered amendment H-8223 filed by him.

Windschitl of Harrison in the chair at 10:30 p.m.

Wessel-Kroeschell of Story offered amendment H-8230, to amendment H-8223, filed by her from the floor and moved its adoption.

Roll call was requested by Wessel-Kroeschell of Story and Heddens of Story.

On the question "Shall amendment H-8230, to amendment H-8223, be adopted?" (H.F. 2460)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson



Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 1:

Hanson

Amendment H–8230, to amendment H–8223, lost.

Heaton of Henry moved the adoption of amendment H–8223.

Amendment H–8223 was adopted.

Smith of Marshall offered amendment H–8239 filed by him from the floor and moved its adoption.

Amendment H–8239 was adopted.

Heddens of Story offered amendment H–8247 filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Hunter of Polk.

On the question "Shall amendment H–8247 be adopted?" (H.F. 2460)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff

Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 1:

Hanson

Amendment H-8247 lost.

Jones of Clay asked and received unanimous consent to withdraw amendment H-8234 filed by her from the floor.

Heddens of Story asked and received unanimous consent to withdraw amendment H-8228 filed by her from the floor.

Isenhart of Dubuque asked and received unanimous consent that amendment H-8231 be deferred.

Isenhart of Dubuque offered amendment H-8243 filed by him and Abdul-Samad of Polk from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Staed of Linn.

On the question "Shall amendment H-8243 be adopted?" (H.F. 2460)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 1:

Hanson

Amendment H-8243 lost.

Klein of Washington offered amendment H-8249 filed by him from the floor and moved its adoption.

Roll call was requested by L. Miller of Scott and Branhagen of Winneshiek.

On the question "Shall amendment H-8249 be adopted?" (H.F. 2460)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 1:

Hanson

Amendment H-8249 was adopted.

Klein of Washington asked and received unanimous consent to withdraw amendment H-8232 filed by him from the floor.

Byrnes of Mitchell asked and received unanimous consent to withdraw amendment H-8240 filed by him from the floor.

L. Miller of Scott offered amendment H-8251 filed by her from the floor and moved its adoption.

Amendment H-8251 was adopted.

H. Miller of Webster offered amendment H-8226 filed by her and moved its adoption.

Roll call was requested by H. Miller of Webster and Olson of Polk.

On the question "Shall amendment H-8226 be adopted?" (H.F. 2460)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 1:

Hanson

Amendment H-8226 lost.

Hall of Woodbury offered amendment H-8229 filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Dawson of Woodbury.

On the question "Shall amendment H-8229 be adopted?" (H.F. 2460)

The ayes were, 46:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Cownie
Dawson	Dunkel	Finkenauer	Forbes
Gaines	Gaskill	Hagenow	Hall
Heddens	Hunter	Isenhart	Jacoby
Jorgensen	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Paustian	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 53:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jones	Kaufmann	Klein	Koester
Kooiker	Landon	Maxwell	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 1:

Hanson

Amendment H-8229 lost.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8231, previously deferred, filed by him and Abdul-Samad of Polk from the floor.

Hagenow of Polk asked and received unanimous consent that House File 2460 be deferred and that the bill retain its place on the calendar.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson

Koester of Polk

### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

#### **H.S.B. 657 Ways and Means**

Relating to the income tax checkoffs for the Iowa state fair foundation fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

### SUBCOMMITTEE ASSIGNMENTS

#### **Senate File 2299**

Appropriations: Heaton, Chair; Dolecheck and Mascher.

#### **Senate File 2313**

Appropriations: Deyoe, Chair; Running-Marquardt and R. Taylor.

#### **Senate File 2314**

Appropriations: Landon, Chair; Forbes and Worthan.

#### **Senate File 2316**

Appropriations: Worthan, Chair; Oldson and R. Taylor.

### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

#### **House Study Bill 657**

Ways and Means: Maxwell, Chair; B. Moore and Ruff.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 2314**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 19, 2016.

**Committee Bill** (Formerly House File 2381), modifying allocations from the statutory allocations fund, creating the Iowa tanks fund and Iowa tanks fund financing program, repealing a tax credit, making transfers and appropriations, and including transition and effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 19, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2175), providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 19, 2016.

**Committee Bill** (Formerly House Study Bill 655), modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 19, 2016.



## AMENDMENTS FILED

H-8228	H.F.	2460	Heddens of Story
H-8229	H.F.	2460	Hall of Woodbury
H-8230	H.F.	2460	Wessel-Kroeschell of Story
H-8231	H.F.	2460	Isenhart of Dubuque Abdul-Samad of Polk
H-8232	H.F.	2460	Klein of Washington
H-8233	H.F.	2459	Pettengill of Benton
H-8234	H.F.	2460	Jones of Clay
H-8235	H.F.	2459	Heddens of Story
H-8236	H.F.	2459	Rizer of Linn
H-8237	H.F.	2459	Rizer of Linn
H-8238	H.F.	2459	Rizer of Linn
H-8239	H.F.	2460	Smith of Marshall
H-8240	H.F.	2460	Byrnes of Mitchell
H-8241	H.F.	2459	Isenhart of Dubuque
H-8242	H.F.	2459	Thede of Scott Winckler of Scott Lykam of Scott
H-8243	H.F.	2460	Isenhart of Dubuque Abdul-Samad of Polk
H-8244	H.F.	2454	Senate Amendment
H-8245	H.F.	2459	Hall of Woodbury
H-8246	H.F.	2439	Senate Amendment
H-8247	H.F.	2460	Heddens of Story
H-8248	H.F.	2459	Forristall of Pottawattamie
H-8249	H.F.	2460	Klein of Washington
H-8250	H.F.	2459	Forristall of Pottawattamie
H-8251	H.F.	2460	L. Miller of Scott

On motion by Hagenow of Polk, the House adjourned at 11:53 p.m., until 8:30 a.m., Wednesday, April 20, 2016.

# JOURNAL OF THE HOUSE

One Hundred-first Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 20, 2016

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Ed Hurley, retired priest from Des Moines Diocese, Des Moines. He was the guest of Representative Forbes of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ben Lanham, Majority Leader's Page from Urbandale.

The Journal of Tuesday, April 19, 2016, was approved.

## CONSIDERATION OF BILL Appropriations Calendar

The House resumed consideration of **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, previously deferred.

The House stood at ease at 9:13 a.m., until the fall of the gavel.

The House resumed session at 9:42 a.m., Speaker Upmeyer in the chair.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2460)

The ayes were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker Upmeyer

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 2:

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2460** be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 9:54 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:12 p.m., Windschitl of Harrison in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2443, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILL

**House File 2465**, by Isenhart and Anderson, a bill for an act providing for a state assessment for clean water imposed on agricultural commodities, including establishing procedures for referendums to establish, continue, or terminate the state assessment, the transfer of moneys to the department of agriculture and land stewardship, and the appropriation of moneys.

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

The House stood at ease at 1:41 p.m., until the fall of the gavel.

The House resumed session at 5:22 p.m., Kooiker of Sioux in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2455, a bill for an act 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, and the state board of regents and certain regents institutions.

Also: That the Senate has on April 20, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2324, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

## SENATE AMENDMENTS CONSIDERED House Concurred

Hein of Jones called up for consideration **House File 2273**, a bill for an act relating to elections administration with respect to the address confidentiality program, the printing of ballots, satellite absentee voting, and the conduct of school district elections, amended by the Senate, and moved that the House concur in the Senate amendment H-8205.

The motion prevailed and the House concurred in the Senate amendment H-8205.

Hein of Jones moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2273)

The ayes were, 98:

Abdul-Samad  
Baudler

Anderson  
Baxter

Bacon  
Bearinger

Baltimore  
Bennett

Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Kooiker, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Pettengill

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

### House Concurred

Hanusa of Pottawattamie called up for consideration **House File 2392**, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8198.

The motion prevailed and the House concurred in the Senate amendment H-8198.

Hanusa of Pottawattamie moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2392)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Kooiker,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Hanson                      Pettengill

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

House Concurred

Mommsen of Clinton called up for consideration **House File 2454**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8244.

The motion prevailed and the House concurred in the Senate amendment H-8244.

Mommsen of Clinton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2454)

The ayes were, 91:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Jones	Jorgensen	Kaufmann
Kearns	Klein	Koester	Kressig
Landon	Lykam	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Windschitl
Wolfe	Worthan	Kooiker, Presiding	

The nays were, 7:

Gaskill	Isenhart	Jacoby	Kelley
Lensing	Mascher	Winckler	

Absent or not voting, 2:

Hanson	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.



Windschitl of Harrison in the chair 5:37 p.m.

### INTRODUCTION OF BILL

**House File 2466**, by Isenhardt, a bill for an act creating a citizen trade policy council, establishing powers and duties for the council, creating a citizen trade policy council fund, and making an appropriation.

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

### SENATE MESSAGE CONSIDERED

**Senate File 2324**, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

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

### HOUSE INSISTS

Kaufmann of Cedar called up for consideration **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities and moved that the House insist on its amendment.

Roll call was requested by Smith of Marshall and Bearinger of Fayette.

Rule 75 was invoked.

On the question "Shall the House insist?" (S.F. 2304)

The ayes were, 59:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hanusa

Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jones
Jorgensen	Kaufmann	Kearns	Klein
Koester	Kooiker	Landon	Lykam
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wills	Worthan	Windschitl, Presiding	

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Dawson	Dunkel
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhardt
Jacoby	Kelley	Kressig	Lensing
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

Hanson	Pettengill
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The motion prevailed and the House insisted on its amendment.

#### CONFERENCE COMMITTEE APPOINTED (Senate File 2304)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **Senate File 2304**: Kaufmann of Cedar, Chair; Heartsill of Marion, Highfill of Polk, Gaines of Polk and Lensing of Johnson.

#### CONSIDERATION OF BILL Appropriations Calendar

**Senate File 2314**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive

applicability provisions, with report of committee recommending passage, was taken up for consideration.

Berry of Black Hawk offered amendment H-8252 filed by her from the floor and moved its adoption.

Roll call was requested by Berry of Black Hawk and Dawson of Woodbury.

On the question "Shall amendment H-8252 be adopted?" (S.F. 2314)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cohoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Koiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

Absent or not voting, 2:

Hanson	Pettengill
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Amendment H-8252 lost.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-8253 filed by him from the floor.

Kelley of Jasper offered amendment H-8254 filed by him from the floor and moved its adoption.

Amendment H-8254 lost.

Hunter of Polk offered amendment H-8255 filed by him from the floor and moved its adoption.

Amendment H-8255 lost.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2314)

The ayes were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Berry	Brown-Powers	Cphoon	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Ruff

Running-Marquardt	Smith	Staed	Steckman
Stutsman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 2:

Hanson                      Pettengill

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson	Paulsen of Linn
Pettengill of Benton	

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2273, 2392, 2454** and **Senate Files 2304** and **2314**.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2312, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

MICHAEL E. MARSHALL, Secretary

On motion by Hagenow of Polk, the House was recessed at 6:25 p.m., until the conclusion of the committee on Appropriations.

### EVENING SESSION

The House reconvened at 7:51 p.m., Speaker Upmeyer in the chair.

## REPORT OF THE CHIEF CLERK OF THE HOUSE

MADAM SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following correction was made:

**House File 2460**

1. Page 22, Lines 6-13- Underscoring added to new language

CARMINE BOAL  
Chief Clerk of the House

## HOUSE FILE 2464 REFERRED

The Speaker announced that House File 2464, previously placed on the **calendar** was referred to committee on **Ways and Means**.

## SENATE FILE 2309 REFERRED

The Speaker announced that Senate File 2309, previously referred to committee on **Ways and Means** was **passed on file**.

## SPONSORS ADDED

House File 2465

Kearns of Lee  
Meyer of Polk

## EXPLANATION OF VOTE

On April 19, 2016, I inadvertently voted “nay” on amendment H-8229 to House File 2460, I meant to vote “aye”.

Landon of Polk

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 20<sup>th</sup> day of April, 2016: House Files 2274, 2373, 2437 and 2445.

CARMINE BOAL  
Chief Clerk of the House

## SUBCOMMITTEE ASSIGNMENTS

**Senate File 2311**

Appropriations: Fisher, Chair; Bacon and Bearinger.

**Senate File 2320**

Appropriations: Huseman, Chair; Dunkel and Mommsen.

**Senate File 2323**

Appropriations: Dolecheck, Chair; Mascher and Sexton.

## COMMITTEE RECOMMENDATIONS

**MADAM SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 492**, a bill for an act creating a disaster case management grant fund and program.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8264** April 20, 2016.

**Senate File 2316**, a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

Fiscal Note: **No**

Recommendation: **Do Pass** April 20, 2016.

**Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8265** April 20, 2016.

**Senate File 2323**, 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 and applicability date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 20, 2016.

#### AMENDMENTS FILED

H-8252	S.F.	2314	Berry of Black Hawk
H-8253	S.F.	2314	Hunter of Polk
H-8254	S.F.	2314	Kelley of Jasper
H-8255	S.F.	2314	Hunter of Polk
H-8256	H.F.	2443	Senate Amendment
H-8257	S.F.	2323	Vander Linden of Mahaska
H-8258	S.F.	2187	Nunn of Polk
H-8259	H.F.	2455	Senate Amendment
H-8260	S.F.	2323	Jorgensen of Woodbury
H-8261	S.F.	2323	Rogers of Black Hawk
H-8262	S.F.	2323	Paustian of Scott
H-8263	S.F.	2323	Heartsill of Marion
H-8264	S.F.	492	Committee on Appropriations
H-8265	S.F.	2320	Committee on Appropriations

On motion by Hagenow of Polk, the House adjourned at 7:51 p.m., until 8:30 a.m., Thursday, April 21, 2016.



# JOURNAL OF THE HOUSE

One Hundred-second Calendar Day - Sixty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 21, 2016

The House met pursuant to adjournment at 8:38 a.m., Speaker Upmeyer in the chair.

Prayer was offered by retired Pastor Dick Dayton, currently chaplain for the Urbandale Police Department and Iowa Highway Patrol. He was the guest of Representative Forbes of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Al Thrasher, doorkeeper from Des Moines.

The Journal of Wednesday, April 20, 2016, was approved.

On motion by Hagenow of Polk, the House was recessed at 8:47 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:07 p.m., Windschitl of Harrison in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 21, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2449, a bill for an act concerning the implementation and administration of Acts of the general assembly through administrative rulemakings and including effective date and applicability provisions.

Also: That the Senate has on April 20, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2457, a bill for an act relating to appropriations to the judicial branch.

Also: That the Senate has on April 21, 2016, appointed the Conference Committee to Senate File 2304, a bill for an act relating to standards for and certification and inspection of children's residential facilities and the members of the Conference Committee on the part of the Senate are: The Senator from Linn, Senator Hogg; The Senator from Johnson, Senator Bolckom; The Senator from Story, Senator Quirnbach; The Senator from Wayne, Senator Sinclair; The Senator from Webster, Senator Kraayenbrink.

MICHAEL E. MARSHALL, Secretary

**SENATE AMENDMENT CONSIDERED**  
House Concurred

Pettengill of Benton called up for consideration **House File 2394**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties, amended by the Senate amendment H-8197.

Pettengill of Benton offered amendment H-8204, to the Senate amendment H-8197, filed by her and moved its adoption.

Amendment H-8204, to the Senate amendment H-8197, was adopted.

Pettengill of Benton moved that the House concur in the Senate amendment H-8197, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8197, as amended.

Pettengill of Benton moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2394)

The ayes were, 92:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines

Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhardt	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 8:

Baudler	Finkenauer	Hanson	Koester
Meyer	Nunn	Upmeyer, Spkr.	Wolfe

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2394** be immediately messaged to the Senate.

The House stood at ease at 1:13 p.m., until the fall of the gavel.

The House resumed session at 3:25 p.m., Speaker Upmeyer in the chair.

### CONSIDERATION OF BILLS Ways and Means Calendar

**House File 2452**, a bill for an act creating a geothermal tax credit available against the individual income tax and including effective date and applicability provisions, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2452)

The ayes were, 91:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 5:

Anderson	Gassman	Hunter	Olson
Sheets			

Absent or not voting, 4:

Berry	Dunkel	Finkenauer	Hanson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2456**, a bill for an act relating to county levy authority for mental health and disability services funding, was taken up for consideration.

L. Miller of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2456)

The ayes were, 72:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Maxwell	McConkey	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker Upmeyer

The nays were, 24:

Anderson	Brown-Powers	Cohoon	Dawson
Forbes	Gaines	Hall	Heddens
Hunter	Isenhart	Jacoby	Lensing
Lykam	Mascher	Meyer	Oldson
Olson	Ourth	Prichard	Steckman
Stutsman	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 4:

Berry	Dunkel	Finkenauer	Hanson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Unfinished Business Calendar

**Senate File 2187**, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status, with report of committee recommending amendment and passage, was taken up for consideration.

Nunn of Polk offered amendment H-8103 filed by the committee on Veterans Affairs.

Nunn of Polk offered amendment H-8258, to the committee amendment H-8103, filed by him and moved its adoption.

Amendment H-8258, to the committee amendment H-8103, was adopted.

Nunn of Polk moved the adoption of the committee amendment H-8103, as amended.

The committee amendment H-8103, as amended, was adopted.

Running-Marquardt of Linn offered amendment H-8266 filed by her from the floor and moved its adoption.

Amendment H-8266 was adopted.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2187)

The ayes were, 91:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns

Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Paulsen	Paustian
Pettengill	Prichard	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, 4:

Branhagen	Miller, H.	Olson	Ourth
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Absent or not voting, 5:

Berry	Dunkel	Finkenauer	Hanson
Rizer			

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

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2320.

### Appropriations Calendar

**Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, with report of committee recommending amendment and passage, was taken up for consideration.

Huseman of Cherokee offered amendment H-8265 filed by the committee on Appropriations and moved its adoption.

Roll call was requested by Dawson of Woodbury and Cohoon of Des Moines.

On the question "Shall the committee amendment H-8265 be adopted?" (S.F. 2320)

The ayes were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Byrnes	Cphoon	Dawson
Forbes	Gaines	Hall	Heaton
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 5:

Berry	Dunkel	Finkenauer	Hanson
Moore, B.			

The committee amendment H-8265 was adopted.

Byrnes of Mitchell asked and received unanimous consent to withdraw amendment H-8268 filed by him from the floor.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2320)



The ayes were, 54:

Bacon	Baudler	Baxter	Best
Branhagen	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker		
	Upmeyer		

The nays were, 41:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Brown-Powers	Byrnes	Cohoon
Dawson	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 5:

Berry	Dunkel	Finkenauer	Hanson
Moore, B.			

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

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2323.

**Senate File 2323**, 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 and applicability date provisions,

with report of committee recommending passage, was taken up for consideration.

Jorgensen of Woodbury offered amendment H-8260 filed by him and moved its adoption.

Roll call was requested by Jorgensen of Woodbury and Stanerson of Linn.

On the question "Shall amendment H-8260 be adopted?" (S.F. 2323)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 6:

Berry	Dunkel	Finkenauer	Hanson
Moore, B.	Sands		

Amendment H-8260 was adopted.

McConkey of Pottawattamie offered amendment H-8270 filed by Winckler of Scott, et al., from the floor and moved its adoption.

Roll call was requested by Winckler of Scott and Hunter of Polk.

On the question "Shall amendment H-8270 be adopted?" (S.F. 2323)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Cownie	Dawson
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, T.
Nunn	Paulsen	Paustian	Pettengill
Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Stanerson
Taylor, R.	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

Absent or not voting, 5:

Berry	Dunkel	Finkenauer	Hanson
Moore, B.			

Amendment H-8270 lost.

Windschitl of Harrison in the chair at 4:50 p.m.

Kressig of Black Hawk offered amendment H-8271 filed by Kressig, et al., from the floor and moved its adoption.

Roll call was requested by Kressig of Black Hawk and Abdul-Samad of Polk.

On the question "Shall amendment H-8271 be adopted?" (S.F. 2323)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, T.	Nunn	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

Absent or not voting, 5:

Berry	Dunkel	Finkenauer	Hanson
Moore, B.			

Amendment H-8271 lost.

Rogers of Black Hawk asked and received unanimous consent to withdraw amendment H-8261 filed by him on April 20, 2016.

Heartsill of Marion asked and received unanimous consent to withdraw amendment H-8263 filed by him on April 20, 2016.

The House stood at ease at 5:12 p.m., until the fall of the gavel.

The House resumed session at 6:00 p.m., Windschitl of Harrison in the chair.

### SENATE MESSAGE CONSIDERED

**Senate File 2312**, by committee on Ways and Means, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

Read first time and **passed on file**.

### CONSIDERATION OF BILL Appropriations Calendar

The House resumed consideration of **Senate File 2323**.

Vander Linden of Mahaska offered amendment H-8257 filed by him.

Vander Linden of Mahaska offered amendment H-8272, to amendment H-8257, filed by him from the floor and moved its adoption.

Amendment H-8272, to amendment H-8257, was adopted.

Vander Linden of Mahaska moved the adoption of amendment H-8257, as amended.

Amendment H-8257, as amended, was adopted.

Paustian of Scott asked and received unanimous consent to withdraw amendment H-8262 filed by him on April 20, 2016, placing out of order amendment H-8269, to amendment H-8262, filed by Dawson of Woodbury et al., from the floor.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8273 filed by Winckler, et al., from the floor.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2323)

The ayes were, 52:

Bacon	Baxter	Best	Branhagen
Byrnes	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Landon	Maxwell	Miller, L.
Mommsen	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Wills	Worthan	Windschitl, Presiding

The nays were, 41:

Abdul-Samad	Anderson	Baltimore	Baudler
Bearinger	Bennett	Brown-Powers	Cohoon
Dawson	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Smith	Staed	Steckman	Stutsman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 7:

Berry	Dunkel	Finkenauer	Hanson
Kooiker	Moore, B.	Watts	

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

## INTRODUCTION OF BILL

**House File 2467**, by committee on Ways and Means, a bill for an act relating to the automatic repeal of income tax checkoffs and including retroactive applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

SENATE AMENDMENTS CONSIDERED  
House Concurred

Worthan of Buena Vista called up for consideration **House File 2439**, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council, amended by the Senate, and moved that the House concur in the Senate amendment H-8246.

The motion prevailed and the House concurred in the Senate amendment H-8246.

Worthan of Buena Vista moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2439)

The ayes were, 93:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen

Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, 1:

Highfill

Absent or not voting, 6:

Berry	Dunkel	Finkenauer	Hanson
Kooiker	Moore, B.		

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

### House Concurred

R. Taylor of Dallas called up for consideration **House File 2443**, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8256.

The motion prevailed and the House concurred in the Senate amendment H-8256.

R. Taylor of Dallas moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.



## On the question "Shall the bill pass?" (H.F. 2443)

The ayes were, 93:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Windschitl, Presiding			

The nays were, 1:

Hunter

Absent or not voting, 6:

Berry	Dunkel	Finkenauer	Hanson
Kooiker	Moore, B.		

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

Hagenow of Polk asked and received unanimous consent for the immediate consideration of House File 2462.

CONSIDERATION OF BILL  
Ways and Means Calendar

**House File 2462**, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions, was taken up for consideration.

SENATE FILE 2309 SUBSTITUTED FOR HOUSE FILE 2462

Byrnes of Mitchell asked and received unanimous consent to substitute Senate File 2309 for House File 2462.

**Senate File 2309**, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions, was taken up for consideration.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2309)

The ayes were, 88:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Holt	Holz
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, T.	Nunn	Oldson
Ourth	Paulsen	Paustian	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.

Thede Winckler	Upmeyer, Spkr. Wolfe	Wessel-Kroeschell Worthan	Wills Windschitl, Presiding
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The nays were, 6:

Highfill Vander Linden	Hunter Watts	Olson	Pettengill
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Absent or not voting, 6:

Berry Kooiker	Dunkel Moore, B.	Finkenauer	Hanson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Berry of Black Hawk Finkenauer of Dubuque Kooiker of Sioux Moore, B. of Jackson	Dunkel of Dubuque Hanson of Jefferson Meyer of Polk
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### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2174, 2175 and 2462 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2439, 2443, 2452, 2456** and **Senate Files 2187, 2309, 2320** and **2323**.

### EXPLANATION OF VOTE

On April 21, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2187 – “aye”

Rizer of Linn

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 21, 2016, he approved and transmitted to the Secretary of State the following bills:

**House File 2274**, an Act concerning documentation of age for purposes of obtaining a child labor permit.

**House File 2373**, an Act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

**House File 2437**, an Act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

**House File 2445**, an Act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation.

**Senate File 453**, an Act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority.

**Senate File 2259**, an Act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

**Senate File 2306**, an Act establishing the facilitating business rapid response to state-declared disasters act, and including effective date and retroactive applicability provisions.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

### **H.S.B. 658 Ways and Means**

Relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

## SUBCOMMITTEE ASSIGNMENT

### **Senate File 2324**

Appropriations: Huseman, Chair; Dunkel and Worthan.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 658**

Ways and Means: Windschitl, Chair; Jacoby and Nunn.

## COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 2299**, a bill for an act relating to the early childhood Iowa initiative.

Fiscal Note: **No**

Recommendation: **Do Pass** April 21, 2016.

**Senate File 2308**, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8275** April 21, 2016.

**Senate File 2311**, a bill for an act relating to the department of public defense by providing for the gold star military museum.

Fiscal Note: **No**

Recommendation: **Do Pass** April 21, 2016.

**Senate File 2313**, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 21, 2016.

**Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8274** April 21, 2016.

#### COMMITTEE ON WAYS AND MEANS

**House File 2464**, a bill for an act eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 21, 2016.

**Senate File 2301**, a bill for an act relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 21, 2016.

**Committee Bill** (Formerly House Study Bill 657), relating to the income tax checkoffs for the Iowa state fair foundation fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 21, 2016.

#### AMENDMENTS FILED

H-8266	S.F.	2187	Running-Marquardt of Linn
H-8267	H.F.	2449	Senate Amendment
H-8268	S.F.	2320	Byrnes of Mitchell
H-8269	S.F.	2323	Dawson of Woodbury
			Abdul-Samad of Polk
			Bearinger of Fayette
			Brown-Powers of Black Hawk
			Forbes of Polk
			Gaskill of Wapello
			Hanson of Jefferson
			Anderson of Polk
			Bennett of Linn
			Cphoon of Des Moines
			Gaines of Polk
			Hall of Woodbury
			Heddens of Story

Hunter of Polk			Jacoby of Johnson
Kearns of Lee			Kelley of Jasper
Kressig of Black Hawk			Lensing of Johnson
Lykam of Scott			Mascher of Johnson
McConkey of Pottawattamie			Meyer of Polk
H. Miller of Webster			Oldson of Polk
Olson of Polk			Ourth of Warren
Prichard of Floyd			Smith of Marshall
Staed of Linn			Steckman of Cerro Gordo
Stutsman of Johnson			T. Taylor of Linn
Thede of Scott			Winckler of Scott
H-8270	S.F.	2323	Winckler of Scott
Abdul-Samad of Polk			Anderson of Polk
Bearinger of Fayette			Bennett of Linn
Brown-Powers of Black Hawk			Cohoon of Des Moines
Dawson of Woodbury			Forbes of Polk
Gaines of Polk			Gaskill of Wapello
Hall of Woodbury			Hanson of Jefferson
Hunter of Polk			Jacoby of Johnson
Kearns of Lee			Kelley of Jasper
Kressig of Black Hawk			Lensing of Johnson
Lykam of Scott			Meyer of Polk
H. Miller of Webster			Olson of Polk
Ourth of Warren			Prichard of Floyd
Running-Marquardt of Linn			Smith of Marshall
Staed of Linn			Steckman of Cerro Gordo
Stutsman of Johnson			T. Taylor of Linn
Thede of Scott			Wessel-Kroeschell of Story
Wolfe of Clinton			
H-8271	S.F.	2323	Kressig of Black Hawk
Jacoby of Johnson			Abdul-Samad of Polk
Bennett of Linn			Brown-Powers of Black Hawk
Cohoon of Des Moines			Forbes of Polk
Gaines of Polk			Heddens of Story
Hunter of Polk			Kearns of Lee
Kelley of Jasper			Lensing of Johnson
Lykam of Scott			Mascher of Johnson
McConkey of Pottawattamie			H. Miller of Webster
Ourth of Warren			Running-Marquardt of Linn
Staed of Linn			Steckman of Cerro Gordo
Stutsman of Johnson			T. Taylor of Linn

	Thede of Scott			Wessel-Kroeschell of Story
	Winckler of Scott			Wolfe of Clinton
H-8272	S.F.	2323		Vander Linden of Mahaska
H-8273	S.F.	2323		Winckler of Scott
	Abdul-Samad of Polk			Anderson of Polk
	Berry of Black Hawk			Cohoon of Des Moines
	Dawson of Woodbury			Gaskill of Wapello
	Hanson of Jefferson			Hunter of Polk
	Isenhart of Dubuque			Jacoby of Johnson
	Kearns of Lee			Kelley of Jasper
	Kressig of Black Hawk			Lensing of Johnson
	Mascher of Johnson			H. Miller of Webster
	Olson of Polk			Steckman of Cerro Gordo
	Stutsman of Johnson			T. Taylor of Linn
	Thede of Scott			
H-8274	S.F.	2324		Committee on Appropriations
H-8275	S.F.	2308		Committee on Appropriations

On motion by Hagenow of Polk, the House adjourned at 6:54 p.m., until 10:00 a.m., Friday, April 22, 2016.



# JOURNAL OF THE HOUSE

One Hundred-third Calendar Day - Sixty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 22, 2016

The House met pursuant to adjournment at 10:38 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Koester of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ben Lanham, Majority Leader's Page from Urbandale.

The Journal of Thursday, April 21, 2016, was approved.

## PETITION FILED

The following petition was received and placed on file:

Received from Citizens for a Healthy Iowa: "More than 600 Iowans have taken a stand for clean water, land & wildlife and signed the # FUNDTHETRUST petition"

Speaker Upmeyer of Cerro Gordo

On motion by Hagenow of Polk, the House adjourned at 10:40 a.m., until 10:00 a.m., Monday, April 25, 2016.

# JOURNAL OF THE HOUSE

One Hundred-sixth Calendar Day - Sixty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 25, 2016

The House met pursuant to adjournment at 10:19 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father John Ludwig, Saint John's Catholic Church, Norwalk. He was the guest of Representative Nunn of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kelly Nunn from Bondurant. She is the wife of Representative Nunn of Polk.

The Journal of Friday, April 22, 2016, was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 22, 2016, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2394, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

Also: That the Senate has on April 22, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2446, a bill for an act relating to county medical examiner fees.

Also: That the Senate has on April 22, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2458, a bill for an act relating to appropriations to the justice system.

Also: That the Senate has on April 22, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2459, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions.

Also: That the Senate has on April 22, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2460, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

Also: That the Senate has on April 22, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2326, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGE CONSIDERED

**Senate File 2326**, by committee on Appropriations, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

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

The House stood at ease at 10:22 a.m., until the fall of the gavel.

The House resumed session at 1:02 p.m., Wills of Dickinson in the chair.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-seven members present, thirteen absent.

Speaker Upmeyer in the chair at 1:11 p.m.

## CONSIDERATION OF BILL Appropriations Calendar

**Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology

reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Huseman of Cherokee offered amendment H-8274 filed by the committee on Appropriations and moved its adoption.

Roll call was requested by Cohoon of Des Moines and Hunter of Polk.

On the question "Shall the committee amendment H-8274 be adopted?" (S.F. 2324)

The ayes were, 63:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Best	Branhagen	Byrnes
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jones	Jorgensen	Kaufmann	Klein
Koester	Kooiker	Landon	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paustian	Pettengill	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Taylor, R.
Thede	Vander Linden	Watts	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 29:

Anderson	Bennett	Brown-Powers	Cohoon
Dawson	Dunkel	Forbes	Gaines
Heddens	Hunter	Isenhart	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	Meyer	Miller, H.	Oldson
Olson	Ourth	Prichard	Steckman
Stutsman	Taylor, T.	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 8:

Abdul-Samad	Berry	Finkenauer	Hanson
Hanusa	Jacoby	McConkey	Paulsen

The committee amendment H-8274 was adopted.

Huseman of Cherokee offered amendment H-8279 filed by him from the floor and moved its adoption.

Amendment H-8279 was adopted.

Grassley of Butler offered amendment H-8280 filed by him and Rizer of Linn from the floor and moved its adoption.

Amendment H-8280 was adopted.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2324)

The ayes were, 62:

Bacon	Baudler	Baxter	Bearinger
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Heartsill	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jones
Jorgensen	Kaufmann	Klein	Koester
Kooiker	Kressig	Landon	Maxwell
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paustian	Pettengill
Rizer	Rogers	Ruff	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Stanerson	Taylor, R.	Thede
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker		
	Upmeyer		

The nays were, 30:

Abdul-Samad	Anderson	Baltimore	Brown-Powers
Cohoon	Dawson	Dunkel	Forbes
Gaines	Heddens	Hunter	Isenhardt
Kearns	Kelley	Lensing	Lykam
Mascher	Meyer	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Staed

Steckman Winckler	Stutsman Wolfe	Taylor, T.	Wessel-Kroeschell
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Absent or not voting, 8:

Bennett Hanusa	Berry Jacoby	Finkenauer McConkey	Hanson Paulsen
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2324** be immediately messaged to the Senate.

The House stood at ease at 2:00 p.m., until the fall of the gavel.

The House resumed session at 4:19 p.m., Windschitl of Harrison in the chair.

### SENATE AMENDMENTS CONSIDERED House Refused to Concur

Heaton of Henry called up for consideration **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8277.

Roll call was requested by Heddens of Story and Hunter of Polk.

On the question "Shall the House concur in the Senate amendment H-8277?" (H.F. 2460)

The ayes were, 40:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Brown-Powers	Cphoon	Dawson
Dunkel	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Miller, H.	Oldson	Olson	Ourth

Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 54:

Bacon	Baudler	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jorgensen	Kaufmann	Klein	Koester
Kooiker	Landon	Maxwell	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wills
Worthan	Windschitl, Presiding		

Absent or not voting, 6:

Berry	Finkenauer	Hanson	Hanusa
Jones	Meyer		

The motion lost and the House refused to concur in the Senate amendment H-8277.

### House Concurred

Deyoe of Story called up for consideration **House File 2455**, a bill for an act 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, and the state board of regents and certain regents institutions, amended by the Senate, and moved that the House concur in the Senate amendment H-8259.

The motion prevailed and the House concurred in the Senate amendment H-8259.

Deyoe of Story moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2455)

The ayes were, 88:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Huseman
Jacoby	Jorgensen	Kaufmann	Kearns
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Maxwell
McConkey	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 6:

Anderson	Dawson	Hunter	Isenhardt
Kelley	Mascher		

Absent or not voting, 6:

Berry	Finkenauer	Hanson	Hanusa
Jones	Meyer		

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

## CONSIDERATION OF BILLS

### Ways and Means Calendar

**House File 2464**, a bill for an act eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions, was taken up for consideration.



Byrnes of Mitchell offered amendment H-8281 filed by him from the floor and moved its adoption.

Amendment H-8281 was adopted.

Rogers of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2464)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 6:

Berry	Finkenauer	Hanson	Hanusa
Jones	Meyer		

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

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2308.

### Appropriations Calendar

**Senate File 2308**, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Deyoe of Story offered amendment H-8275 filed by the committee on Appropriations.

Deyoe of Story offered amendment H-8287, to the committee amendment H-8275, filed by him from the floor and moved its adoption.

Amendment H-8287, to the committee amendment H-8275, was adopted.

Deyoe of Story moved the adoption of the committee amendment H-8275, as amended.

The committee amendment H-8275, as amended, was adopted.

Deyoe of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2308)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Heartsill	Heaton
Heddens	Hein	Highfill	Holt

Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### Ways and Means Calendar

**House File 2463**, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site, was taken up for consideration.

Stanerson of Linn offered amendment H-8285 filed by him from the floor and moved its adoption.

Amendment H-8285 was adopted.

### SENATE FILE 2312 SUBSTITUTED FOR HOUSE FILE 2463

Stanerson of Linn asked and received unanimous consent to substitute Senate File 2312 for House File 2463.

**Senate File 2312**, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site, was taken up for consideration.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2312)

The ayes were, 78:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bennett	Best
Brown-Powers	Byrnes	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Dunkel
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Heartsill
Heaton	Hein	Holt	Holz
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kelley	Klein
Koester	Kressig	Landon	Lykam
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Sands	Sexton
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Wills
Worthan	Windschitl, Presiding		

The nays were, 18:

Bearinger	Branhagen	Dawson	Heddens
Highfill	Hunter	Kearns	Kooiker
Lensing	Mascher	Olson	Ruff
Salmon	Sheets	Watts	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2311.

## Appropriations Calendar

**Senate File 2311**, a bill for an act relating to the department of public defense by providing for the gold star military museum, with report of committee recommending passage, was taken up for consideration.

Fisher of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2311)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2313.

**Senate File 2313**, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Isenhart of Dubuque offered amendment H-8284 filed by him from the floor.

Deyoe of Story rose on a point of order that amendment H-8284 was not germane.

The Speaker ruled the point well taken and amendment H-8284 not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8284.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8284.

Roll call was requested by Isenhart of Dubuque and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8284?" (S.F. 2313)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohon	Dawson	Dunkel
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing

Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian
Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The motion to suspend the rules lost.

Deyoe of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2313)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig

Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, 1:

Jacoby

Absent or not voting, 5:

Baudler	Berry	Finkenauer	Hanson
Hanusa			

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

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2455, 2460, 2464** and **Senate Files 2308, 2311** and **2313**.

### SENATE AMENDMENT CONSIDERED House Concurred

Jones of Clay called up for consideration **House File 2449**, a bill for an act concerning the implementation and administration of Acts of the general assembly through administrative rulemakings and including effective date and applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8267.

The motion prevailed and the House concurred in the Senate amendment H-8267.



Jones of Clay moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2449)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2301.

CONSIDERATION OF BILLS  
Ways and Means Calendar

**Senate File 2301**, a bill for an act relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2301)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Berry	Finkenauer	Hanson	Hanusa
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Unfinished Business Calendar

**House File 2334**, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable, was taken up for consideration.

L. Miller of Scott offered amendment H-8216 filed by her and moved its adoption.

Amendment H-8216 was adopted.

### SENATE FILE 2188 SUBSTITUTED FOR HOUSE FILE 2334

L. Miller of Scott asked and received unanimous consent to substitute Senate File 2188 for House File 2334.

**Senate File 2188**, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable, was taken up for consideration.

L. Miller of Scott offered amendment H-8283 filed by her from the floor and moved its adoption.

Amendment H-8283 was adopted.

L. Miller of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2188)

The ayes were, 72:

Anderson	Bacon	Baltimore	Baxter
Bearinger	Bennett	Best	Branhagen
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Dunkel	Forbes
Forristall	Fry	Gaines	Grassley
Hagenow	Hall	Heartsill	Heaton
Hein	Holt	Hunter	Huseman

Isenhart	Jones	Jorgensen	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lykam	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommssen
Moore, T.	Nunn	Oldson	Olson
Ourth	Paulsen	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sieck	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Windschitl, Presiding

The nays were, 22:

Abdul-Samad	Baudler	Byrnes	Dawson
Fisher	Gaskill	Gassman	Gustafson
Heddens	Highfill	Holz	Jacoby
Kaufmann	Kooiker	Lensing	Mascher
Prichard	Ruff	Sheets	Smith
Vander Linden	Watts		

Absent or not voting, 6:

Berry	Finkenauer	Hanson	Hanusa
Moore, B.	Sands		

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

### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2334, 2361, 2381 and 2463 from further consideration by the House.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2449** and **Senate Files 2188, 2301 and 2312.**

The House stood at ease at 5:28 p.m., until the fall of the gavel.

The House resumed session at 5:44 p.m., Windschitl of Harrison in the chair.

On motion by Hagenow of Polk, the House was recessed at 5:44 p.m., until 7:00 p.m.

## EVENING SESSION

The House reconvened at 8:44 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2016, insisted on its amendment to House File 2460, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Cerro Gordo, Senator Ragan; The Senator from Johnson, Senator Bolkcom; The Senator from Johnson, Senator Dvorsky; The Senator from Osceola, Senator Johnson; The Senator from Mills, Senator Costello.

Also: That the Senate has on April 25, 2016, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2320, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

Also: That the Senate has on April 25, 2016, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2324, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED  
(House File 2460)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **House File 2460**: Heaton of Henry, Chair; L. Miller of Scott, Fry of Clarke, Wessel-Kroeschell of Story and Heddens of Story.

## HOUSE INSISTS

Huseman of Cherokee called up for consideration **Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED  
(Senate File 2320)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **Senate File 2320**: Huseman of Cherokee, Chair; Vander Linden of Mahaska, Holt of Crawford, Cohoon of Des Moines and Lykam of Scott.

HOUSE INSISTS

Huseman of Cherokee called up for consideration **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED  
(Senate File 2324)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **Senate File 2324**: Huseman of Cherokee, Chair; Vander Linden of Mahaska, Holt of Crawford, Cohoon of Des Moines and Lykam of Scott.

SENATE AMENDMENT CONSIDERED

Klein of Washington called up for consideration **House File 567**, a bill for an act relating to controlled substances, including by enhancing the penalties for imitation controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and temporarily designating substances as controlled substances, and providing penalties, amended by the Senate amendment H-1340.

Nunn of Polk offered amendment H-8289, to the Senate amendment H-1340, filed by him from the floor.

Nunn of Polk offered amendment H-8290, to amendment H-8289, to the Senate amendment H-1340, filed by him from the floor.

Hunter of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Kressig of Black Hawk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Nunn of Polk moved the adoption of amendment H-8290, to amendment H-8289, to the Senate amendment H-1340.

Roll call was requested by Kressig of Black Hawk and Staed of Linn.

On the question "Shall amendment H-8290, to amendment H-8298, to the Senate amendment H-1340 be adopted?" (H.F. 567)

The ayes were, 31:

Bacon	Baxter	Best	Byrnes
Carlson	Cownie	Deyoe	Dolecheck
Forristall	Gassman	Grassley	Hagenow
Heartsill	Heaton	Highfill	Holz
Jones	Jorgensen	Kaufmann	Klein
Koester	Mommsen	Nunn	Paulsen
Paustian	Rizer	Sexton	Stanerson
Vander Linden	Wills	Windschitl	

The nays were, 63:

Abdul-Samad	Anderson	Baltimore	Baudler
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Bearinger	Bennett	Branhagen	Brown-Powers
Cohoon	Dawson	Dunkel	Fisher
Forbes	Fry	Gaines	Gaskill
Gustafson	Hall	Heddens	Hein
Holt	Hunter	Huseman	Isenhardt
Jacoby	Kearns	Kelley	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Moore, T.	Oldson
Olson	Ourth	Pettengill	Prichard
Rogers	Running-Marquardt	Salmon	Sands
Sheets	Sieck	Smith	Staed
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Watts	Wessel-Kroeschell	Winckler
Wolfe	Worthan	Speaker	
		Upmeyer	

Absent or not voting, 6:

Berry	Finkenauer	Hanson	Hanusa
Moore, B.	Ruff		

Amendment H-8290, to amendment H-8298, to the Senate amendment H-1340 lost.

Hagenow of Polk asked and received unanimous consent that House File 567 be deferred and that the bill retain its place on the calendar.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Abdul-Samad of Polk	Bennett of Linn
Berry of Black Hawk	Finkenauer of Dubuque
Hanson of Jefferson	Hanusa of Pottawattamie
Jacoby of Johnson	McConkey of Pottawattamie
Meyer of Polk	Paulsen of Linn
Ruff of Clayton	

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2460** and **Senate Files 2320** and **2324**.



## HOUSE FILE REREFERRED

The Speaker announced that House File 2384, previously referred to committee on **Ways and Means** was rereferred to committee on **Public Safety**.

## EXPLANATIONS OF VOTE

On April 25, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2324 – “nay”

Jacoby of Johnson

On April 25, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2455 — “aye”

House File 2464 — “aye”

Amendment H-8277 (H.F. 2460) — “nay”

Jones of Clay

On April 25, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2324 — “nay”

McConkey of Pottawattamie

## RESOLUTIONS FILED

**H.C.R. 104**, by Heartsill, Gassman, Anderson, Fisher, Holt, Salmon, Watts, Kelley, Brown-Powers, Pettengill, and R. Taylor, a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

Laid over under **Rule 25**.

**H.C.R. 105**, by Wills, Gustafson, Salmon, Heartsill, Fry, Kaufmann, Fisher, R. Taylor, Watts, Holt, Grassley, Best, Paustian, Klein, T. Moore, Hein, Branhagen, Koester, Huseman, Holz, Deyoe, Worthan, Byrnes, Baudler, Maxwell, Stanerson, and Kooiker, a concurrent resolution claiming state sovereignty under the Tenth Amendment to the Constitution of the United States over certain mandates imposed on the states by the federal government.

Laid over under **Rule 25**.

**H.C.R. 106**, by Isenhardt, Gaines, Brown-Powers, Dawson, Smith, Anderson, T. Taylor, Kearns, Ourth, Prichard, Gaskill, Wolfe, Winckler, Stutsman, Lensing, Hunter, Mascher, Staed, Lykam, Olson, Wessel-Kroeschell, McConkey, Dunkel, Forbes, Kressig, Bennett, Cohoon, Bearinger, Abdul-Samad, Heddens, Kelley, Meyer, Ruff, Oldson, Hanson, Jacoby, Steckman, and Finkenauer, a concurrent resolution urging United States Senator Charles Grassley to promptly hold a hearing to consider President Barack Obama's nomination of an associate justice to the Supreme Court of the United States and for the United States Senate to vote on the nomination.

Laid over under **Rule 25**.

**H.R. 112**, by Wills, a resolution regarding the Environmental Protection Agency's definition of "waters of the United States".

Laid over under **Rule 25**.

**H.R. 113**, by Hall, Oldson, Heddens, Anderson, Kearns, Bearinger, Berry, Ourth, Steckman, Smith, Abdul-Samad, Gaskill, Cohoon, Wessel-Kroeschell, Winckler, Staed, Hunter, Mascher, and Hanson, a resolution urging Congress to enact legislation to ensure that students from Iowa and throughout the United States have access to debt-free higher education at public colleges and universities.

Laid over under **Rule 25**.

**H.R. 114**, by Lensing, a resolution urging the State Voter Registration Commission to provide online voter registration to all qualified applicants.

Laid over under **Rule 25**.

**H.R. 115**, by Kelley, Meyer, Wolfe, Gaines, and Brown-Powers, a resolution urging designation of the Iowa brook trout as the official state fish for the State of Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8276	H.F.	2458	Senate Amendment
H-8277	H.F.	2460	Senate Amendment
H-8278	H.F.	2459	Senate Amendment
H-8279	S.F.	2324	Huseman of Cherokee
H-8280	S.F.	2324	Rizer of Linn Grassley of Butler
H-8281	H.F.	2464	Byrnes of Mitchell
H-8282	H.R.	105	Kaufmann of Cedar
H-8283	S.F.	2188	L. Miller of Scott
H-8284	S.F.	2313	Isenhart of Dubuque
H-8285	H.F.	2463	Stanerson of Linn
H-8286	H.F.	2459	Rizer of Linn
H-8287	S.F.	2308	Deyoe of Story
H-8288	H.F.	2467	Forbes of Polk Kressig of Black Hawk
H-8289	H.F.	567	Nunn of Polk
H-8290	H.F.	567	Nunn of Polk
H-8291	H.F.	2459	Rizer of Linn
H-8292	H.F.	2459	Smith of Marshall
			Anderson of Polk
			Bennett of Linn
			Cohoon of Des Moines
			Dunkel of Dubuque
			Gaines of Polk
			Hall of Woodbury
			Hunter of Polk
			Jacoby of Johnson
			Kelley of Jasper
			Lensing of Johnson
			Mascher of Johnson
			Meyer of Polk
			Oldson of Polk
			Prichard of Floyd
			Abdul-Samad of Polk
			Bearinger of Fayette
			Brown-Powers of Black Hawk
			Dawson of Woodbury
			Forbes of Polk
			Gaskill of Wapello
			Heddens of Story
			Isenhart of Dubuque
			Kearns of Lee
			Kressig of Black Hawk
			Lykam of Scott
			McConkey of Pottawattamie
			H. Miller of Webster
			Ourth of Warren

Running-Marquardt of Linn			Staed of Linn
Steckman of Cerro Gordo			Stutsman of Johnson
T. Taylor of Linn			Thede of Scott
Wessel-Kroeschell of Story			Winckler of Scott
Wolfe of Clinton			
H-8293	S.F.	492	Forbes of Polk
			Kressig of Black Hawk
H-8294	S.F.	2299	Forbes of Polk
			Kressig of Black Hawk
H-8295	H.F.	2459	Dunkel of Dubuque
Bearinger of Fayette			Brown-Powers of Black Hawk
Cohoon of Des Moines			Dawson of Woodbury
Gaskill of Wapello			Isenhart of Dubuque
Kearns of Lee			Kressig of Black Hawk
Lykam of Scott			McConkey of Pottawattamie
H. Miller of Webster			Prichard of Floyd
Smith of Marshall			Steckman of Cerro Gordo
Thede of Scott			Winckler of Scott
Wolfe of Clinton			

On motion by Hagenow of Polk, the House adjourned at 10:56 p.m., until 8:30 a.m., Tuesday, April 26, 2016.

# JOURNAL OF THE HOUSE

One Hundred-seventh Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 26, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Rose Wallace, Grow Up Ministries Church, Des Moines. She was the guest of Representative Hunter of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Delaney Schwarte, Chief Clerk's Page from Carroll.

The Journal of Monday, April 25, 2016, was approved.

The House stood at ease at 8:32 a.m., until the fall of the gavel.

The House resumed session at 10:21 a.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2016, appointed the Conference Committee to Senate File 2320, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator McCoy; The Senator from Jackson, Senator Bowman; The Senator from Polk, Senator Petersen; The Senator from Benton, Senator Kapucian; The Senator from Dallas, Senator Schneider.

Also: That the Senate has on April 26, 2016, appointed the Conference Committee to Senate File 2324, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability

provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator McCoy; The Senator from Jackson, Senator Bowman; The Senator from Polk, Senator Petersen; The Senator from Dallas, Senator Chapman; The Senator from Woodbury, Senator Anderson.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED  
House Concurred

Rizer of Linn called up for consideration **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, amended by the Senate amendment H-8278.

Rizer of Linn offered amendment H-8286, to the Senate amendment H-8278, filed by him.

Baudler of Adair rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Windschitl of Harrison in the chair at 10:50 a.m.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Wills of Dickinson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Rizer of Linn offered amendment H-8291, to amendment H-8286, to the Senate amendment H-8278, filed by him and moved its adoption.

Amendment H-8291, to amendment H-8286, to the Senate amendment H-8278, was adopted, placing out of order amendment H-8292, to amendment H-8286, to the Senate amendment H-8278, filed by Smith of Marshall, et al., on April 25, 2016, amendment H-8295, to amendment H-8286, to the Senate amendment H-8278, filed by Dunkel of Dubuque, et al., on April 25, 2016 and amendment H-8298, to amendment H-8286, to the Senate amendment H-8278, filed by H. Miller of Webster, from the floor.

Rizer of Linn moved the adoption of amendment H-8286, to the Senate amendment H-8278, as amended.

Amendment H-8286, to the Senate amendment H-8278, as amended, was adopted.

Rizer of Linn moved that the House concur in the Senate amendment H-8278, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8278, as amended.

Rizer of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2459)

The ayes were, 52:

Bacon	Baudler	Baxter	Branhagen
Byrnes	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heartsill	Heaton	Hein
Highfill	Holt	Holz	Huseman
Jorgensen	Kaufmann	Klein	Koester
Kooiker	Landon	Maxwell	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Paustian	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wills	Worthan	Windschitl, Presiding

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Dawson	Dunkel
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Pettengill	Prichard	Smith	Staed
Steckman	Stutsman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 8:

Baltimore	Berry	Best	Finkenauer
Hanson	Paulsen	Ruff	Running-Marquardt

Under the provision of Rule 76, conflict of interest, Jones of Clay refrained from voting.

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2459** be immediately messaged to the Senate.

The House stood at ease at 11:24 a.m., until the fall of the gavel.

The House resumed session at 11:28 a.m., Windschitl of Harrison in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Berry of Black Hawk
Best of Carroll	Finkenauer of Dubuque
Hanson of Jefferson	Paulsen of Linn
Prichard of Floyd	Ruff of Clayton
Running-Marquardt of Linn	

On motion by Hagenow of Polk, the House was recessed at 11:28 a.m., until 2:30 p.m.



## AFTERNOON SESSION

The House reconvened at 3:04 p.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2016, refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 2459, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

## SPONSOR ADDED

House File 2465

Brown-Powers of Black Hawk

## COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 2326**, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

Fiscal Note: **No**

Recommendation: **Do Pass** April 26, 2016.

## AMENDMENTS FILED

H-8296	S.F.	2299	Forbes of Polk Kressig of Black Hawk
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H-8297	S.F.	492	Forbes of Polk Kressig of Black Hawk
H-8298	H.F.	2459	H. Miller of Webster
H-8299	S.F.	2316	Baltimore of Boone

On motion by Hagenow of Polk, the House adjourned at 3:04 p.m., until 8:30 a.m., Wednesday, April 27, 2016.

# JOURNAL OF THE HOUSE

One Hundred-eighth Calendar Day - Seventieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 27, 2016

The House met pursuant to adjournment at 8:35 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Koester of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alex Byrnes, Speaker's Page from Osage.

The Journal of Tuesday, April 26, 2016, was approved.

## HOUSE INSISTS

Rizer of Linn called up for consideration **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions and moved that the House insist on its amendment, which motion prevailed.

On motion by Fry of Clarke, the House was recessed at 8:42 a.m., until 10:00 a.m.

## MORNING SESSION

The House reconvened at 10:11 a.m., Speaker Upmeyer in the chair.

## CONFERENCE COMMITTEE APPOINTED (House File 2459)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **House File 2459**: Grassley of Butler, Chair; Hagenow of Polk, Speaker Upmeyer, Hall of Woodbury and Oldson of Polk.

## IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2459** be immediately messaged to the Senate.

The House stood at ease at 10:13 a.m., until the fall of the gavel.

The House resumed session at 1:36 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2436, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Also: That the Senate has on April 27, 2016, appointed the Conference Committee to House File 2459, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Johnson, Senator Dvorsky; The Senator from Pottawattamie, Senator Gronstal; The Senator from Dubuque, Senator Jochum; The Senator from Butler, Senator Dix; The Senator from Polk, Senator Whitver.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2308, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, and including transition provisions.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2323, 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 and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILL

**House File 2468**, by committee on Ways and Means, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 1:58 p.m., until the fall of the gavel.

The House resumed session at 2:50 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2464, a bill for an act relating to environmental protection by modifying and eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2187, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status and providing for the acceptance of a disability certification from the United State department of veterans affairs for a person with disability parking permit.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2188, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

Also: That the Senate has on April 27, 2016, adopted the Conference Committee report and passed Senate File 2324, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

## RULE 60

Kressig of Black Hawk moved to invoke Rule 60, to immediately withdraw Senate File 484 from committee on Public Safety and place it on the calendar.

Roll call was requested by Kressig of Black Hawk and Hunter of Polk.

On the question "Shall Senate File 484 be withdrawn from committee on Public Safety and placed on the calendar?"

The ayes were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Cownie	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 54:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Landon
Maxwell	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Pettengill

Rizer	Rogers	Salmon	Sands
Sexton	Sheets	Sieck	Taylor, R.
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker Upmeyer		

Absent or not voting, 2:

Berry                      Miller, L.

The motion lost.

CONFERENCE COMMITTEE REPORT RECEIVED  
(Senate File 2324)

A conference committee report signed by the following Senate and House members was filed April 27, 2016, on **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provision:

ON THE PART OF THE HOUSE:              ON THE PART OF THE SENATE:

DAN HUSEMAN, CHAIR  
DENNIS COHOON  
STEVE HOLT  
JIM LYKAM  
GUY VANDER LINDEN

MATT McCOY, CHAIR  
TOD R. BOWMAN  
JANET PETERSEN

CONFERENCE COMMITTEE REPORT CONSIDERED  
(Senate File 2324)

Huseman of Cherokee called up for consideration the report of the conference committee on **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2324)

The ayes were, 85:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Fisher	Forbes
Forristall	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Kearns	Klein	Koester
Kooiker	Kressig	Landon	Lykam
Maxwell	McConkey	Meyer	Miller, H.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Windschitl	Wolfe	Worthan
Speaker Upmeyer			

The nays were, 13:

Dunkel	Finkenauer	Gaines	Hunter
Isenhardt	Jacoby	Kelley	Lensing
Mascher	Ruff	Running-Marquardt	Taylor, T.
Winckler			

Absent or not voting, 2:

Berry	Miller, L.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Windschitl of Harrison in the chair at 3:02 p.m.



SENATE AMENDMENT CONSIDERED  
House Concurred

Rizer of Linn called up for consideration **House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties, amended by the Senate amendment H-8196.

Baltimore of Boone offered amendment H-8301, to the Senate amendment H-8196, filed by him from the floor.

Rizer of Linn offered amendment H-8304, to amendment H-8301, to the Senate amendment H-8196, filed by him from the floor and moved its adoption.

Amendment H-8304, to amendment H-8301, to the Senate amendment H-8196, was adopted.

Rizer of Linn moved the adoption of amendment H-8301, as amended, to the Senate amendment H-8196.

Amendment H-8301, as amended, to the Senate amendment H-8196, was adopted.

Rizer of Linn moved that the House concur in the Senate amendment H-8196, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8196, as amended.

Rizer of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2064)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohon	Cownie	Dawson

Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Berry                      Miller, L.

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

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2326.

### CONSIDERATION OF BILL Appropriations Calendar

**Senate File 2326**, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund, with report of committee recommending passage, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2326)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhardt	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Berry                      Miller, L.

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

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2064** and **Senate Files 2324** and **2326**.

The House stood at ease at 3:13 p.m., until the fall of the gavel.

The House resumed session at 5:33 p.m., Paulsen of Linn in the chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2064, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

Also: That the Senate has on April 27, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2421, a bill for an act relating to coaching authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

MICHAEL E. MARSHALL, Secretary

Speaker Upmeyer asked and received unanimous consent for the immediate consideration of House File 2468.

### CONSIDERATION OF BILLS Ways and Means Calendar

**House File 2468**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Windschitl of Harrison offered amendment H-8303 filed by him from the floor.

Windschitl of Harrison offered amendment H-8305, to amendment H-8303, filed by him from the floor and moved its adoption.

Amendment H-8305, to amendment H-8303, was adopted.

Windschitl of Harrison moved the adoption of amendment H-8303, as amended.

Amendment H-8303, as amended, was adopted.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2468)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Paulsen, Presiding		

The nays were, none.

Absent or not voting, 2:

Berry

Watts

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

Speaker Upmeyer asked and received unanimous consent for the immediate consideration of Senate File 2316.

### Appropriations Calendar

**Senate File 2316**, a bill for an act relating to the collection of delinquent court debt and associated installment agreements, with report of committee recommending passage, was taken up for consideration.

Baltimore of Boone asked and received unanimous consent to withdraw amendment H-8299 filed by him on April 26, 2016.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2316)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhardt	Jacoby	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff

Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Paulsen, Presiding	

The nays were, 3:

Baltimore	Gustafson	Jones
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Absent or not voting, 2:

Berry	Watts
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### SENATE AMENDMENT CONSIDERED House Concurred

Nunn of Polk called up for consideration **House File 493**, a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations, amended by the Senate, and moved that the House concur in the Senate amendment H-8170.

The motion prevailed and the House concurred in the Senate amendment H-8170.

Nunn of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 493)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson

Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Paulsen, Presiding		

The nays were, none.

Absent or not voting, 2:

Berry                      Watts

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

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Berry of Black Hawk

### IMMEDIATE MESSAGES

Speaker Upmeyer asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 493, 2468** and **Senate File 2316**.

### BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of



the House and the President of the Senate, and presented to the Governor for his approval on this 27<sup>th</sup> day of April, 2016: House File 2439.

CARMINE BOAL  
Chief Clerk of the House

### COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 658), relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 27, 2016.

### AMENDMENTS FILED

H-8300	S.F.	484	Forbes of Polk Kressig of Black Hawk
H-8301	H.F.	2064	Baltimore of Boone
H-8302	S.F.	484	Forbes of Polk Kressig of Black Hawk
H-8303	H.F.	2468	Windschitl of Harrison
H-8304	H.F.	2064	Rizer of Linn
H-8305	H.F.	2468	Windschitl of Harrison
H-8306	H.F.	2421	Senate Amendment

On motion by Speaker Upmeyer, the House adjourned at 5:45 p.m., until 10:00 a.m., Thursday, April 28, 2016.

# JOURNAL OF THE HOUSE

One Hundred-ninth Calendar Day - Seventy-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 28, 2016

The House met pursuant to adjournment at 10:13 a.m., Speaker Upmeyer in the chair.

“I Can Only Imagine” was sung by Representative Bearer of Fayette.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trevor Johnson, Page from Winterset.

The Journal of Wednesday, April 27, 2016, was approved.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2331, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 10:18 a.m., until the fall of the gavel.

The House resumed session at 2:30 p.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 28, 2016, adopted the Conference Committee report and passed Senate File 2304,

a bill for an act relating to standards for and certification and inspection of children's residential facilities.

MICHAEL E. MARSHALL, Secretary

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 492.

### CONSIDERATION OF BILLS Appropriations Calendar

**Senate File 492**, a bill for an act creating a disaster case management grant fund and program, with report of committee recommending amendment and passage, was taken up for consideration.

Bacon of Story offered amendment H-8264 filed by the committee on Appropriations and moved its adoption.

The committee amendment H-8264 was adopted.

Forbes of Polk asked and received unanimous consent to withdraw amendment H-8293 filed by him and Kressig of Black Hawk on April 25, 2016, placing out of order amendment H-8297, to amendment H-8293, filed by him and Kressig of Black Hawk on April 26, 2016.

Bacon of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 492)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher

Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baudler	Berry	Paulsen	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2299.

**Senate File 2299**, a bill for an act relating to the early childhood Iowa initiative, with report of committee recommending passage, was taken up for consideration.

Forbes of Polk asked and received unanimous consent to withdraw amendment H-8294 filed by him and Kressig of Black Hawk on April 25, 2016, placing out of order amendment H-8296, to amendment H-8294, filed by him and Kressig of Black Hawk on April 26, 2016.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2299)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson

Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baudler	Berry	Paulsen	Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 492 and 2299.**

### SPECIAL PRESENTATION

Running-Marquardt of Linn introduced to the House, former legislator Carroll Perkins.

The House rose and expressed its welcome.

The House stood at ease at 2:45 p.m., until the fall of the gavel.

The House resumed session at 3:11 p.m., Speaker Upmeyer in the chair.

CONFERENCE COMMITTEE REPORT RECEIVED  
(Senate File 2304)

A conference committee report signed by the following Senate and House members was filed April 28, 2016, on **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities:

ON THE PART OF THE HOUSE:

BOBBY KAUFMANN, CHAIR  
RUTH ANN GAINES  
GREG HEARTSILL  
JAKE HIGHFILL  
VICKI LENSING

ON THE PART OF THE SENATE:

ROBERT M. HOGG, CHAIR  
JOE BOLKCOM  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

CONFERENCE COMMITTEE REPORT CONSIDERED  
(Senate File 2304)

Kaufmann of Cedar called up for consideration the report of the conference committee on **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2304)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa

Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker Upmeyer	

The nays were, 1:

Maxwell

Absent or not voting, 4:

Baudler                      Berry                      Paulsen                      Stutsman

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2304** be immediately messaged to the Senate.

The House stood at ease at 3:16 p.m., until the fall of the gavel.

The House resumed session at 4:47 p.m., Speaker Upmeyer in the chair.

On motion by Hagenow of Polk, the House was recessed at 4:47 p.m., until 7:00 p.m.

### EVENING SESSION

The House reconvened at 11:03 p.m., Speaker Upmeyer in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 28, 2016, amended and passed the following bill in which the concurrence of the House is asked:

House File 2468, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Also: That the Senate has on April 28, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2325, a bill for an act providing a sales tax refund for the sale of goods and services furnished in fulfillment of a written construction contract with a qualifying nonprofit hospital, and providing penalties.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Berry of Black Hawk  
Stutsman of Johnson

Paulsen of Linn

## SPONSORS ADDED

House File 2465  
Lensing of Johnson  
Thede of Scott

Hunter of Polk  
Mascher of Johnson  
Winckler of Scott

## RESOLUTIONS FILED

**H.C.R. 107**, by Sheets, R. Taylor, Maxwell, Salmon, Baxter, Koester, Watts, Kaufmann, Olson, Baltimore, McConkey, Bennett, Mommsen, Holz, and T. Moore, a concurrent resolution urging Congress and the President of the United States to reclassify cannabis as a schedule II controlled substance under the United States Controlled Substances



Act to facilitate research and testing on the potential benefits of medical cannabis.

Laid over under **Rule 25**.

**H.R. 116**, by Isenhart, Staed, Gaskill, McConkey, Lensing, Mascher, Thede, Winckler, Stutsman, Wolfe, Steckman, Abdul-Samad, Smith, Prichard, T. Taylor, Ourth, Kearns, Bearinger, Heddens, Forbes, Brown-Powers, Gaines, Kelley, Cohoon, Dunkel, Oldson, Running-Marquardt, Wessel-Kroeschell, Jacoby, and Meyer, a resolution encouraging state and local governments to increase the direct purchase of nutritious and healthy food from local and regional producers, including through Iowa's regional food systems, and recognizing the United States Congress and the United States Department of Agriculture for bolstering local and regional food system development.

Laid over under **Rule 25**.

#### AMENDMENT FILED

H-8307          H.F.          2468          Senate Amendment

Hagenow of Polk moved the House adjourn until 10:00 a.m., Friday, April 29<sup>th</sup>, 2016.

A non-record roll call was requested.

The ayes were 52, nays 24.

The motion prevailed and the House adjourned at 11:04 p.m., until 10:00 a.m., Friday, April 29, 2016.

# JOURNAL OF THE HOUSE

One Hundred-tenth Calendar Day - Seventy-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 29, 2016

The House met pursuant to adjournment at 10:11 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Rogers of Black Hawk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Stefani Metzger, Page from Davenport.

The Journal of Thursday, April 28, 2016, was approved.

## SENATE MESSAGE CONSIDERED

**Senate File 2325**, by committee on Ways and Means, a bill for an act providing a sales tax refund for the sale of goods and services furnished in fulfillment of a written construction contract with a qualifying nonprofit hospital, and providing penalties.

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

On motion by Hagenow of Polk, the House was recessed at 10:14 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 3:24 p.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 29, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 492, a bill for an act creating a disaster case management grant fund and program.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENTS CONSIDERED  
House Concurred

Windschitl of Harrison called up for consideration **House File 2468**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, amended by the Senate amendment H-8307.

Windschitl of Harrison offered amendment H-8310, to the Senate amendment H-8307, filed by him from the floor and moved its adoption.

Amendment H-8310, to the Senate amendment H-8307, was adopted.

Windschitl of Harrison moved that the House concur in the Senate amendment H-8307, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8307, as amended.

Windschitl of Harrison moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2468)

The ayes were, 90:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Best	Branhagen
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaskill	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman

Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Worthan	Speaker Upmeyer		

The nays were, none.

Absent or not voting, 10:

Baudler	Bennett	Berry	Brown-Powers
Dunkel	Gaines	Gassman	Isenhart
Stutsman	Wolfe		

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

### House Concurred

Worthan of Buena Vista called up for consideration **House File 2458**, a bill for an act relating to appropriations to the justice system, amended by the Senate amendment H-8276.

Worthan of Buena Vista offered amendment H-8308, to the Senate amendment H-8276, filed by him from the floor and moved its adoption.

Amendment H-8308, to the Senate amendment H-8276, was adopted.

Windschitl of Harrison in the chair at 3:39 p.m.

### MOTION TO RECONSIDER

(Amendment H-8308, to the Senate amendment H-8276)

I move to reconsider the vote by which amendment H-8308, to the Senate amendment H-8276 was adopted by the House.

Worthan of Buena Vista

Worthan of Buena Vista asked for unanimous consent to reconsider the vote by which amendment H-8308, to the Senate amendment H-8276 was adopted by the House.

The motion prevailed and the House reconsidered amendment H-8308 to the Senate amendment H-8276.

Worthan of Buena Vista asked and received unanimous consent to withdraw amendment H-8308, to the Senate amendment H-8276.

Worthan of Buena Vista offered amendment H-8309, to the Senate amendment H-8276, filed by him from the floor and moved its adoption.

Amendment H-8309, to the Senate amendment H-8276, was adopted.

Worthan of Buena Vista moved that the House concur in the Senate amendment H-8276, as amended.

Roll call was requested by T. Taylor of Linn and Hunter of Polk.

On the question "Shall the Senate amendment H-8276, as amended, be adopted?" (H.F. 2458)

The ayes were, 91:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Best	Branhagen
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Olson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Stanerson	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Worthan	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 9:

Baudler	Bennett	Berry	Brown-Powers
Dunkel	Gaines	Isenhart	Stutsman
Wolfe			

The motion prevailed and the House concurred in the Senate amendment H-8276, as amended.

Worthan of Buena Vista moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2458)

The ayes were, 57:

Bacon	Baltimore	Baxter	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Kaufmann	Klein	Koester	Kooiker
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Salmon	Sands	Sexton	Sheets
Sieck	Stanerson	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wills	Worthan
Windschitl, Presiding			

The nays were, 34:

Abdul-Samad	Anderson	Bearinger	Cohoon
Dawson	Finkenauer	Forbes	Gaskill
Hanson	Heddens	Hunter	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McConkey	Meyer
Miller, H.	Oldson	Olson	Ourth
Prichard	Ruff	Running-Marquardt	Smith
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler		

Absent or not voting, 9:

Baudler	Bennett	Berry	Brown-Powers
Dunkel	Gaines	Isenhardt	Stutsman
Wolfe			

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

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2458 and 2468.**

The House stood at ease at 3:54 p.m., until the fall of the gavel.

The House resumed session at 4:42 p.m., Speaker Upmeyer in the chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 29, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2456, a bill for an act relating to county levy authority for mental health and disability services funding.

Also: That the Senate has on April 29, 2016, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2458, a bill for an act relating to appropriations to the justice system.

Also: That the Senate has on April 29, 2016, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2468, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction

contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Also: That the Senate has on April 29, 2016, adopted the Conference Committee report and passed Senate File 2320, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE REPORT RECEIVED  
(House File 2460)

A conference committee report signed by the following Senate and House members was filed April 29, 2016, on **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions:

ON THE PART OF THE HOUSE:

DAVE HEATON, CHAIR  
JOEL FRY  
LINDA MILLER

ON THE PART OF THE SENATE:

AMANDA RAGAN, CHAIR  
JOE BOLKCOM  
ROBERT E. DVORSKY

CONFERENCE COMMITTEE REPORT CONSIDERED  
(House File 2460)

Heaton of Henry called up for consideration the report of the conference committee on **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.



Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2460)

The ayes were, 51:

Bacon	Baltimore	Baudler	Best
Branhagen	Byrnes	Carlson	Cownie
Deyoe	Dolecheck	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heaton	Hein	Highfill
Holt	Holz	Huseman	Jones
Jorgensen	Kaufmann	Klein	Koester
Landon	Maxwell	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Paulsen
Paustian	Pettengill	Rizer	Rogers
Sands	Sexton	Sieck	Stanerson
Steckman	Taylor, R.	Vander Linden	Wills
Windschitl	Worthan	Speaker	
		Upmeyer	

The nays were, 41:

Abdul-Samad	Anderson	Baxter	Bearinger
Cohoon	Dawson	Finkenauer	Fisher
Forbes	Gaskill	Hall	Hanson
Heartsill	Heddens	Hunter	Jacoby
Kearns	Kelley	Kooiker	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Prichard	Ruff	Running-Marquardt
Salmon	Sheets	Smith	Staed
Taylor, T.	Thede	Watts	Wessel-Kroeschell
Winckler			

Absent or not voting, 8:

Bennett	Berry	Brown-Powers	Dunkel
Gaines	Isenhardt	Stutsman	Wolfe

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2460** be immediately messaged to the Senate.

## REMARKS BY MINORITY LEADER SMITH

Smith of Marshall offered the following remarks:

Thank you, Madam Speaker. And thank you to Majority Leader Hagenow as well. It has been a privilege working with both of you this year.

I first want to express my extreme gratitude to the House Democratic Staff: Joe, Anna, Dave, Zeke, Bill, Rachelle, Joe, Brian, Kelsey, Dean & Jake. Thanks for your hard work on behalf of myself and our caucus. And thanks to all the staff here in the Legislature who work behind the scenes every day to keep this place running.

I also want to thank members of my caucus for the honor of serving of as your leader again this year. I could not be more proud of the work we did this session standing up for what we believe every day.

The question that always should be on our minds as we leave here is whether or not Iowa is better because of our efforts.

First, the good news. There were a few areas where we worked together this year. We approved a bi-partisan bill to create new jobs and grow the biochemical industry. We revamped our career and job training program to make sure our kids are ready for the jobs of tomorrow and worked to expand Iowa's renewable energy industry. There was bipartisan support to help veterans, protect the privacy of women, and stop human trafficking. I'm also extremely proud of this body for finally taking a step on sentencing reform this year.

However, for the first time in my career, I believe this session may be known for what we didn't do, instead of what we did.

I believe this body could have and should have done more to ease the burden on the hard working families in Iowa. From education, to life-saving medicine, to raising wages, to pay equity, the message most Iowans got this year was: wait another year.

For the last six years, Republicans in this chamber have broken state law and shortchanged our public schools. Unable to keep up with their rising costs, it means our public schools are being forced to raise class sizes, cut teachers, and even raise property taxes next year all while our state budget is experiencing 4% growth.

In Davenport, they are closing a school and reducing 24 teachers and staff. Cedar Rapids is eliminating 12 high school teachers and Charles City is losing a math teacher and a first grade teacher.

Now, I know many Republicans in this chamber disagree with my assessment on public schools. So, I humbly ask you to go visit your public schools when you leave here today and see what's happening in your own backyard. Listen to your school leaders. Ask them what the impact years of delays and anemic state funding has had on the kids in their district.

House Democrats strongly believe public schools should be the top priority of this body again. But Iowa kids will have to wait another year.

This body also fell short in higher education this session. Instead of keeping higher education affordable for working families, Republicans in this chamber increased tuition at our three public universities and community colleges. Democrats believe Iowans should be able to get the skills necessary to land a good job without being in massive debt after graduation.

But Iowa students who need affordable college will have to wait another year.

When it came to improving the lives of Iowans, this body also missed multiple opportunities to make a difference.

With \$4 billion and health care for 560,000 Iowans on the line, this body should have supported meaningful oversight of the Medicaid privatization mess. It's our job to hold the Governor and private companies accountable while making sure we can fix any problems that arise quickly next session. But Iowans on Medicaid struggling in the transition will have to wait another year.

Republicans blocked a comprehensive bill offered by Democrats this year to make medical cannabis available to Iowans suffering from conditions like epilepsy, MS, cancer, intractable pain, and glaucoma. House Democrats believe Iowans in pain have suffered long enough, but they'll have to wait another year.

The majority party delivered the same message to thousands of Iowans on a host other issues as well.

The kid bullied in school will have to wait another year.

The woman earning less than the man next to her doing the same job will have to wait another year.

Iowans who want clean lakes, rivers, and streams will have to wait another year.

The mom trying to raise her family on minimum wage will have to wait another year.

When the 2017 session begins next January, I hope we'll be able to send a different message to Iowans: your wait is over.

Thank you, Madam Speaker.

CONFERENCE COMMITTEE REPORT RECEIVED  
(House File 2459)

A conference committee report signed by the following Senate and House members was filed April 29, 2016, on **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions:

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

PAT GRASSLEY, CHAIR  
CHRIS HAGENOW  
LINDA UPMEYER

ROBERT E. DVORSKY, CHAIR  
MICHAEL E. GRONSTAL  
PAM JOCHUM

CONFERENCE COMMITTEE REPORT CONSIDERED  
(House File 2459)

Rizer of Linn called up for consideration the report of the conference committee on **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2459)

The ayes were, 54:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Maxwell
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Paulsen	Paustian	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Watts	Wills	Windschitl
Worthan	Speaker		
	Upmeyer		

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Cphoon
Dawson	Finkenauer	Forbes	Gaskill
Hall	Hanson	Heddens	Hunter
Jacoby	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McConkey
Meyer	Miller, H.	Oldson	Olson
Ourth	Pettengill	Prichard	Ruff
Running-Marquardt	Smith	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

Absent or not voting, 9:

Bennett	Berry	Brown-Powers	Dunkel
Gaines	Isenhardt	Landon	Stutsman
Wolfe			

Under the provision of Rule 76, conflict of interest, Jones of Clay refrained from voting.

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

The House stood at ease at 5:05 p.m., until the fall of the gavel.

The House resumed session at 5:25 p.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 29, 2016, adopted the Conference Committee report and passed House File 2460, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

MICHAEL E. MARSHALL, Secretary

## REMARKS BY MAJORITY LEADER HAGENOW

Hagenow of Polk offered the following remarks:

Thank you Madam Speaker.

We began this legislative session with high ambitions. Ambitions to meet the priority needs of Iowans by passing a balanced budget, giving K-12 schools funds they could count on, and working towards policies that lead to greater economic prosperity in our great state.

In my opening remarks on the first day of session, I promised that House Republicans would work quickly and diligently to resolve K-12 education funding. Keeping with that, the first bill that we brought forward for debate was Supplemental State Aid for the coming fiscal year. We resolved this issue by directing 77% of new state revenue to the tune of \$135 million in new funding for K-12 schools.

House Republicans are committed to protecting hardworking taxpayers' dollars. This year, our caucus championed a bill that prevented a \$95 million tax increase on small businesses, farmers, teachers, seniors, homeowners, parents and students.

For the last several sessions, it has been a priority of House Republicans to bring forth legislation to combat the horrendous crime of human trafficking. We have followed through on this priority by moving a series of bipartisan bills to both directly combat human trafficking and crimes often associated with it.

It is important for Iowans to be able to enjoy a safe water supply and clean water for recreation. After considering many different ideas and proposals, our caucus moved forward on the Water Quality Improvement Plan that would have secured a significant investment for water quality in the state that addressed both urban and rural water quality efforts. While I am disappointed that we were unable to reach an agreement with the Senate this year, I'm hopeful that we can come back next year and accomplish a sustainable funding plan for water quality projects and improvements across the state.

Finally, we were able to once again pass a budget conforming to the House Republicans budget principles of spending less than we take in and not using one-time money for ongoing obligations. Iowans expect us to fund their priority needs with the revenue they send us. While it is not always easy, it is the responsible thing to do.

As we close out this session, I want to thank every single person who contributed to the work we accomplished this year. From the custodial staff who keeps this building beautiful, to our wonderful pages who kept us smiling on some of the toughest days. Special thanks to our Leadership pages, Ben and Alex for all of your hard work.

Thank you to Minority Leader, Mark Smith and the Democratic Caucus for working together with us while asking the hard questions and offering a different perspective.

To the Governor, Lt. Governor, and all the hardworking staff on your team. Thank you for your passion and desire to move our state forward and improve the lives of all Iowans.

Thank you, to the Chief Clerk's office and LSA for your support throughout this session. All of you work overtime to see that the job gets done.

I want to thank our staff - Jeff, Brad, Lew, Jason, Kristi, Amanda, Carrie, Brittany, Monica, Mackenzie, Tony, Terri, and Colin. All of you play a critical role in our ability to get things done.

To Zach and Liddy: I don't know how I could have done this with without you. Your friendship and counsel has been indispensable. Not only are you each incredibly valuable to me, but also to the entire House Republican Caucus.

To my Republican colleagues, it is a tremendous honor to serve as your leader. Thank you for entrusting me with this opportunity, and for your steadfast patience and support. It was a joy and a privilege to work together on tough issues, and to see our unity grow. I look forward to seeing many of you return next year, and wish all of our retirees the best as you take your next step.

I also want to express my gratitude to Speaker Upmeyer for her tireless work this session. Under your leadership, we worked efficiently and effectively. Thank you for your friendship and advice along the way.

Finally, my greatest appreciation goes to my family. My wife Amanda's support means the world to me, and her sacrifices are profound. To Owen, Noah and Sophia, I am finally able to answer the question they been asking a lot lately: Yes, Daddy is done at the Capitol.

Thank you, Madam Speaker.

CONFERENCE COMMITTEE REPORT RECEIVED  
(Senate File 2320)

A conference committee report signed by the following Senate and House members was filed April 29, 2016, on **Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program:

ON THE PART OF THE HOUSE:

DAN HUSEMAN, CHAIR  
STEVE HOLT  
GUY VANDER LINDEN

ON THE PART OF THE SENATE:

MATT McCOY, CHAIR  
TOD R. BOWMAN  
JANET PETERSEN

CONFERENCE COMMITTEE REPORT CONSIDERED  
(Senate File 2320)

Huseman of Cherokee called up for consideration the report of the conference committee on **Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2320)

The ayes were, 53:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forristall
Fry	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Hein	Highfill	Holt	Holz
Huseman	Jones	Jorgensen	Kaufmann
Klein	Koester	Kooiker	Maxwell
Miller, L.	Mommsen	Moore, T.	Nunn
Paulsen	Paustian	Pettengill	Rizer
Rogers	Salmon	Sands	Sexton
Sheets	Sieck	Stanerson	Taylor, R.
Vander Linden	Wills	Windschitl	Worthan
Speaker Upmeyer			

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Byrnes
Cohoon	Dawson	Finkenauer	Forbes
Gaskill	Hall	Hanson	Heddens
Hunter	Jacoby	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McConkey	Meyer	Miller, H.	Moore, B.
Oldson	Olson	Ourth	Prichard



Ruff Steckman	Running-Marquardt Taylor, T.	Smith Thede	Staed Wessel-Kroeschell
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Absent or not voting, 11:

Bennett Gaines Watts	Berry Isenhardt Winckler	Brown-Powers Landon Wolfe	Dunkel Stutsman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2459** and **Senate File 2320**.

### REMARKS BY SPEAKER UPMEYER

Upmeyer of Cerro Gordo offered the following remarks:

Ladies and Gentlemen of the House, thank you. Thank you for your time, patience and service.

A very special thanks to the 12 retirees this year. As you leave the Capitol today, please know all of us appreciate your commitment to Iowans in your district.

Thank you to the House Republican Leadership team: Matt, Joel, Walt, Jarad, John and Zach – you serve our caucus well and I appreciate the help each of provide.

Majority Leader Hagenow – it's a little different sitting in that seat isn't it? I am inspired by the work you put in on behalf of your constituents and our caucus each day. The results are clear and I thank you for your leadership and friendship.

Minority Leader Smith – thank you for working with us when you could.

Thank you to the leadership staff: Tony, Colin, Zach, Liddy and Terri.

And, in my opinion, the best caucus staff in the building – the House Republican Caucus staff: Jeff, Brad, Lew, Jason, Kristi, Amanda, Carrie, Brittany, Mackenzie and Monica. Thank you for your hard work and the timely and reliable information you provide day in and day out.

To Alex, who has sat by my side all session as the Speaker's page, thank you for keeping me focused during debate and for all of your work this year. Thank you to the Ben as well, who is filling in for Alex today. All of our legislative pages have bright futures ahead.

Chief Clerk Boal, thank you to you and your staff. The work you all do is never given the amount of appreciation it deserves. Without all of you, this place would not operate efficiently.

Thank you to our LSA for all of your hard work. Especially the time and effort put in by each of you over these past few weeks.

And finally, a special thank you to Governor Terry Branstad and Lieutenant Governor Kim Reynolds and their team for their resolve and unwavering leadership during these last two years.

At the beginning of this session I was a bit surprised at the low expectations for the 2016 Legislature. After all, I was optimistic that folks could come together, find common ground and do the job the hardworking taxpayers of Iowa elected each of us to do.

If you were listening, the hardworking taxpayers of Iowa were very clear with their expectations for us. Don't spend more than we have, keep your promises, find common ground – and don't be like Washington, D.C. I am proud to say we followed through and listened to Iowans. For the sixth consecutive year, we have held firm on our budgeting principles which have allowed us to follow through on our commitments. Iowa families and businesses abide by these same common sense principles every day, and government should be no different.

It is always difficult in the immediate aftermath of a legislative session to have the perspective to look back and evaluate what was accomplished, but I'd like to briefly point out a couple of things.

We continued progress made by budgeting based on common sense principles. When faced with a tough question on taxes and coupling, we put the hardworking taxpayers first.

We invested in future jobs with the renewable chemical program. We took on the critical issues of human trafficking and opioid addiction and abuse. We turned a conversation about justice reform into substantive policy changes.

This chamber should always be proud of a session that results in a sound budget, good tax policy, and strategic investments.

Looking forward, we should look to reform the state's tax code and make it more competitive with other states.

We should give parents a choice in the education of their children and look for ways to free the hands of educators in our public schools.

We should expand on the criminal justice reforms we achieved this year that focus efforts and resources on dangerous criminals rather than nonviolent offenders.

We should continue to encourage innovation in our high schools and community colleges to grow a highly skilled workforce that employers can depend on for the jobs of the future.

Finally, we should change the conversation from how much we are allowed to spend, to how much we should spend. We should value each and every dollar that the hardworking taxpayers send us each year.

If we can build upon the successes of this session and work towards these future goals, it would be a monumental step towards making Iowa the premier place to raise a family or grow a business.

Now, let's return home and do what we do best. Spend time listening to our constituents, taking input, and planning what the next chapter might contain.

Thank you and God bless the State of Iowa.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 29, 2016, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2109, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 5:48 p.m., until the fall of the gavel.

The House resumed session at 6:05 p.m., Speaker Upmeyer in the chair.

### SENATE AMENDMENT CONSIDERED House Concurred

Rogers of Black Hawk called up for consideration **Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8311, to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8311, to the House amendment.

Rogers of Black Hawk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2109)

The ayes were, 84:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Best
Branhagen	Byrnes	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Forristall	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Jorgensen	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Windschitl	Worthan	Speaker
			Upmeyer

The nays were, 2:

Dawson	Fisher
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Absent or not voting, 13:

Bennett	Berry	Brown-Powers	Dunkel
Gaines	Isehart	Jacoby	Kaufmann
Landon	Stutsman	Taylor, T.	Winckler
Wolfe			

Under the provision of Rule 76, conflict of interest, Jones of Clay refrained from voting.

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

### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2109** be immediately messaged to the Senate.

### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair	Bennett of Linn
Berry of Black Hawk	Brown-Powers of Black Hawk
Dunkel of Dubuque	Gaines of Polk
Gassman of Winnebago	Isenhart of Dubuque
Jacoby of Johnson	Landon of Polk
Stutsman of Johnson	Winckler of Scott
Wolfe of Clinton	

The House stood at ease at 6:10 p.m., until the fall of the gavel.

The House resumed session at 6:16 p.m., Speaker Upmeyer in the chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 29, 2016, adopted the Conference Committee report and passed House File 2459, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions.

Also: That the Senate has on April 29, 2016, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 101, a concurrent resolution to provide for adjournment sine die.

MICHAEL E. MARSHALL, Secretary

### HOUSE CONCURRENT RESOLUTION 108

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 108**, a concurrent resolution providing for adjournment sine die.

SENATE CONCURRENT RESOLUTION 101  
SUBSTITUTED FOR  
HOUSE CONCURRENT RESOLUTION 108

Hagenow of Polk asked and received unanimous consent to substitute Senate Concurrent Resolution 101 for House Concurrent Resolution 108.

**Senate Concurrent Resolution 101**, a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Hagenow of Polk moved the adoption of Senate Concurrent Resolution 101.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate Concurrent Resolution 101** be immediately messaged to the Senate.

EXPLANATIONS OF VOTE

On April 29, 2016, I inadvertently voted “nay” on Senate File 2109, I meant to vote “aye”.

Fisher of Tama

On April 29, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2468 – “aye”

Gassman of Winnebago

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April, 29, 2016, he approved and transmitted to the Secretary of State the following bill:

**House File 2439**, an Act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### BOARD OF REGENTS

Gifts and Grants Reports, pursuant to Iowa Code section 8.44.

### LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7.

## RESOLUTION FILED

**H.R. 117**, by Rogers, Berry, and Salmon, a resolution urging the United States Congress to revise legislation impacting and limiting the use of incandescent light bulbs.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-8308	H.F.	2458	Worthan of Buena Vista
H-8309	H.F.	2458	Worthan of Buena Vista
H-8310	H.F.	2468	Windschitl of Harrison
H-8311	S.F.	2109	Senate Amendment

## FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 101, duly adopted, the day of Friday, April 29, 2016 having arrived, the Speaker of the House of Representatives declared the 2016 Regular Session of the Eighty-sixth General Assembly adjourned sine die at 6:18 p.m.

## SUPPLEMENT

The following reports and communications were received subsequent to final adjournment:

### REPORT OF THE CHIEF CLERK OF THE HOUSE

MADAM SPEAKER: Pursuant to House Rule 42, I report that in enrolling bills the following correction was made:

**House File 2458: Amendment S-5186**

1. Deleting Page 1, Line 9 and inserting:
3. Page 2, by striking lines 12 through 23.

CARMINE BOAL  
Chief Clerk of the House

### EXPLANATION OF VOTE

On April 29, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2458 — “nay”  
Amendment H-8276, as amended (HF 2458) — “aye”  
House File 2459 — “nay”  
House File 2460 — “nay”  
House File 2468 — “aye”  
Senate File 2109 — “aye”  
Senate File 2320 — “nay”

Isenhardt of Dubuque

### BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following reports:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 4<sup>th</sup> day of May, 2016: House Files 493, 2064, 2273, 2331, 2392, 2394, 2413, 2414, 2436, 2443, 2446, 2449, 2454, 2455, 2457 and 2464.



Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 13<sup>th</sup> day of May, 2016: House Files 2456, 2458, 2459, 2460 and 2468.

CARMINE BOAL  
Chief Clerk of the House

### BILLS SIGNED BY THE GOVERNOR

**House File 493**, an Act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations. Approved 5-27-2016.

**House File 2064**, an Act relating to the criminal offenses of child endangerment and robbery and criminal drug offenses, and providing penalties. Approved 5-12-2016.

**House File 2273**, an Act relating to elections administration with respect to the address confidentiality program, the printing of ballots, the counting of certain absentee ballots, satellite absentee voting, and the conduct of school district elections, and including effective date provisions. Approved 5-27-2016.

**House File 2331**, an Act concerning investment of certain public funds in and public contracts with companies that boycott Israel. Approved 5-10-2016.

**House File 2392**, an Act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions. Approved 5-26-2016.

**House File 2394**, an Act relating to various matters involving Insurance and the Insurance Division of the Department of Commerce, and including penalties and applicability provisions. Approved 5-27-2016.

**House File 2413**, an Act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts. Approved 5-27-2016.

**House File 2414**, an Act providing for the regulation of transportation network companies and taxicabs, providing penalties, and including effective date and applicability provisions. Approved 5-9-2016.

**House File 2436**, an Act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa Real Estate appraiser board, making penalties applicable, and including effective date provisions. Approved 5-27-2016.

**House File 2443**, an Act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and

cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions. Approved 5-26-2016.

**House File 2446**, an Act relating to county medical examiner fees. Approved 5-27-2016.

**House File 2449**, an Act concerning the implementation and administration of acts of the general assembly through administrative rulemakings and including effective date and retroactive applicability provisions. Approved 5-27-2016.

**House File 2455**, an Act 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, and the state board of regents and certain regents institutions, and properly related matters 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, and the state board of regents and certain regents institutions, and properly related matters. Approved 5-27-2016.

**House File 2456**, an Act relating to county levy authority for mental health and disability services funding. Approved 5-27-2016.

**House File 2457**, an Act relating to appropriations to the judicial branch. Approved 5-27-2016.

**House File 2464**, an Act relating to environmental protection by modifying and eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions. Approved 5-16-2016.

**House File 2468**, an Act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions. Approved 5-27-2016.

**Senate File 492**, an Act creating a disaster case management grant fund and program. Approved 5-27-2016.

**Senate File 2109**, an Act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, and including effective date provisions. Approved 5-27-2016.

**Senate File 2187**, an Act relating to the issuance of driver's licenses marked to reflect veteran status and providing for the acceptance of a disability certification from the United States department of veterans affairs for a persons with disabilities parking permit. Approved 5-27-2016.

**Senate File 2188**, an Act relating to prescription authority for certain psychologists and making penalties applicable. Approved 5-27-2016.

**Senate File 2299**, an Act relating to the early childhood Iowa initiative. Approved 5-27-2016.

**Senate File 2301**, an Act relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions. Approved 5-25-2016.

**Senate File 2304**, an Act relating to standards for and certification and inspection of children's residential facilities. Approved 5-27-2016.

**Senate File 2308**, an Act relating to economic development by establishing an enhance Iowa Board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, and including transition provisions. Approved 5-27-2016.

**Senate File 2309**, an Act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions. Approved 5-24-2016.

**Senate File 2311**, an Act relating to the department of public defense by providing for the Gold Star Military Museum. Approved 5-27-2016.

**Senate File 2312**, an Act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site. Approved 5-27-2016.

**Senate File 2313**, an Act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions. Approved 5-27-2016.

**Senate File 2316**, an Act relating to the collection of delinquent court debt and associated installment agreements. Approved 5-27-2016.

**Senate File 2320**, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program. Approved 5-27-2016.

**Senate File 2324**, an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters and including effective date and retroactive applicability provisions. Approved 5-27-2016.

**Senate File 2326**, an Act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 Emergency Communications Fund. Approved 5-11-2016.

## GOVERNOR'S SIGNING MESSAGE

## HOUSE FILE 2458

May 27, 2016

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

Dear Mr. Secretary:

I hereby transmit:

House File 2458, an Act relating to appropriations to the justice system, and including effective date provisions.

As to section 6, subsection 1 of this Act, the Governor supports the mission of the drug courts operated by the various judicial district departments of correctional services. However, the Governor is disappointed that the General Assembly did not specifically appropriate any funding resources for the drug courts for the next fiscal year beginning July 1, 2016, and ending June 30, 2017. The Governor urges the General Assembly to examine the funding model for these drug courts during the next legislative session.

The above House File is hereby approved this date.

Sincerely,

Terry E. Branstad  
Governor

## GOVERNOR'S ITEM VETO MESSAGES

## HOUSE FILE 2454

May 27, 2016

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

Dear Mr. Secretary:

I hereby transmit House File 2454, an Act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

House File 2454 is approved on this date with the following exception, of which I hereby disapprove. I am unable to approve of the item designated as Section 24 of this Act in its entirety. This item requires the Iowa Department of Natural Resources (DNR) to conduct a study on the feasibility of installing electronic card reader systems and imposing user fees at state parks. This section is unnecessary because there is nothing that currently prevents the DNR from studying the feasibility of using electronic card reader systems at state parks. However, I do not support charging Iowans a user fee to enjoy our state parks. In the 1980s, the State of Iowa charged state park user fees and found that Iowans greatly disliked them. We should not be conducting studies on state park user fees when history already tells us that such fees would be unpopular with, and rejected by, the people of this State.

For the above reasons, I respectfully disapprove the above-designated item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2454 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor

## HOUSE FILE 2459

May 27, 2016

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

Dear Mr. Secretary:

I hereby transmit House File 2459, an Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, concerning taxation, providing penalties, providing for other properly related matters, and including effective date and retroactive and other applicability provisions.

House File 2459 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 9, in its entirety. This item states that it is legislative intent that executive branch agencies make use of an existing master contract to develop a statewide time and attendance system with the idea that it would generate savings. While I always encourage state agencies to look for ways to save money, unfortunately going about it this way is not appropriate. State agencies were not appropriated additional funds for this system, it would require the state to add to the already multiple systems for payroll, and the master contract does not have the full range of functionality provided by the current systems. Also, for transparency, if the State would choose to take such a system statewide, the contract would have to rebid to cover the increased scope of the system.

I am unable to approve the item designated as Section 12, subsections 2 and 3, in its entirety. This item requires Iowans who perform natural hair braiding to take an annual course and be subject to discipline and inspection by the Department of Public Health; these requirements are unnecessary. Licensing and regulations should only be mandated when necessary to serve public health or safety. Natural hair braiding does not require government mandates, regulations, or licensing. Subsection 1 of Section 12 exempts the profession of natural hair braiding from the 2,100 hours of training needed under current Iowa law for a cosmetology license and effectively ends licensing for natural hair braiding.

Since taking office in 2011, my administration has been committed to job creation and increasing family incomes. An occupational license is governmental permission to work in a particular field. According to *License to Work*, a study by the Institute for Justice, in the 1950s only one in twenty individuals needed the government's permission to pursue their chosen profession. However today, the number is almost one in three. Occupational licenses decrease incomes for working Iowans and increase costs for consumers. I have vetoed legislation mandating licensing for four new professions, signed Executive Order 71 requiring State agencies to issue a Job Impact Statement to minimize the negative impact rules and regulations have on jobs, and signed Executive Order 80 allowing for stakeholder input and involvement prior to the development and formulation of rules and regulations. While this legislation now ends licensing requirements for natural hair braiding, I look forward to continuing to work with the legislature to find other common sense solutions in reducing unnecessary regulatory burdens and licensing fees on hardworking Iowans.

I am unable to approve the item designated as Section 14, in its entirety. This item sunsets Iowa's online learning program on July 1, 2018. Students enrolled in the online learning program may be targets of bullying, medically fragile, or individuals who struggle in the traditional classroom setting. I have met with students enrolled in online learning programs and their parents and they informed me that these online learning programs are very helpful and it would create significant fear and anxiety if the online learning program was to end. There should be a variety of options available to students, including online learning, in order to ensure their academic success.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2459 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor

## HOUSE FILE 2460

May 27, 2016

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

Dear Mr. Secretary:

I hereby transmit House File 2460, an Act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

House File 2460 passed both the Senate and House. It is concerning to me that more than \$15 million of one-time revenue is being used to fund the Department of Human Services. The budget I proposed in January 2016 funded ongoing expenses with ongoing revenue. It is my hope to work with the legislature next year to provide much needed budget predictability and stability for Iowa taxpayers who make these programs possible.

This legislation requires an individual enrolling in school in 7<sup>th</sup> or 12<sup>th</sup> grade in Iowa to be immunized against meningococcal disease. I have met with families who lost loved ones and medical experts and I am convinced this will save lives in Iowa. This immunization is covered by insurance. Also, there is an exception for individuals to opt out of the immunization for medical reasons or religious beliefs.

I am committed to making Iowa the healthiest state in the nation. This year, Iowa transitioned to a modernized Medicaid program that will improve patient health outcomes and fit individual needs. Last year in Senate File 505, I signed every Medicaid Modernization oversight item into law. I was proud to do so because our Medicaid patients deserve an outcome-focused, accountable Medicaid program. We now have nearly 1,000 measurable results tracking the health outcomes of Medicaid patients. Something our old Medicaid program never did. Today, I am proud to sign every additional Medicaid Modernization oversight item contained in House File 2460. I appreciate that the legislature agreed in a bipartisan manner that we need a modernized Medicaid program focused on health outcomes to improve the lives of our most vulnerable Iowans. By signing into law every Medicaid Modernization oversight item, Iowa's Medicaid program will be one of the most transparent, outcome-focused, and accountable programs in the country.

House File 2460 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the designated portion of the item designated as Section 10, amending 2015 Iowa Acts, chapter 137, section 132, by inserting subsection 23. This item restricts the Department of Human Services from implementing certain cost containment strategies. The Department must have the tools and flexibility to effectively manage a program so critically important to so many vulnerable Iowans.

Such a restriction on the management and oversight authority of the Department of Human Services is inappropriate.

I am unable to approve the designated portion of the item designated as Section 10, amending 2015 Iowa Acts, chapter 137, section 132, by inserting subsection 24. This item requires the Department of Human Services to report on cost containment strategies. The Department of Human Services, Department of Management and the Legislative Services Agency meet on a monthly basis to determine projections for the Medical Assistance appropriation. Information relating to cost containment strategies is shared during these meetings. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the item designated portion of the item designated as Section 27, amending the 2015 Iowa Acts, chapter 137, section 149, by inserting subsection 11A, subparagraph b. Iowa has modernized its administration of Medicaid by partnering with specialized, patient-centered health care plans. This bipartisan initiative was implemented on April 1, 2016. The provider reimbursement rate floors issued by the Department of Human Services already include protections for providers and their reimbursement. Therefore, restrictions in this item are redundant and unnecessary.

I am unable to approve the item designated as Section 54, in its entirety. This item limits the Department of Human Services review of all alternative assessment methodologies for the hospital health care access assessment.

I am unable to approve the item designated as Division XVII, in its entirety. This item prevents the Iowa Department of Public Health and the Trauma Systems Advisory Council to be able to effectively carry out its regulatory obligation to the patients of Iowa's trauma system.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2460 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor



## SENATE FILE 2314

May 27, 2016

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

Dear Mr. Secretary:

I hereby transmit Senate File 2314, an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

This legislation fails to appropriate sufficient funds for the State's utility bills. The failure to provide funds for utilities, a necessary expense for all state agencies, is bad budgeting and a practice that must be changed.

Senate File 2314 is approved on this date with the following exception, which I hereby disapprove.

I am unable to approve of the item designated as Section 17, in its entirety. This item is redundant and unnecessary because it creates new annual reports, establishes an interim study committee, and limits the use of certain fees collected by the Department of Administrative Services (DAS). Numerous reports are already produced and made available by DAS regarding the methodologies and the impact of established rates on state agencies. Iowa code and administrative rules establish the customer council and the process used for the development of rates charged for the internal services provided by the department. The customer council includes representatives from all three branches of government. This item also prohibits increases in rates for programs, including those administered by third party providers. DAS does not set the rates for programs administered by third party providers and DAS does not have an independent source of revenue to absorb any increase. DAS simply passes the costs through to state agencies based on the utilization of such services as: workers' compensation, unemployment compensation, Family Medical Leave Act, the health care and dependent care pre-tax programs, and other services critical to the day-to-day business of the State.

For the above reasons, I respectfully disapprove the designated item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2314 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor

## SENATE FILE 2323

May 27, 2016

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

Dear Mr. Secretary:

I hereby transmit Senate File 2323, 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 and applicable date provisions.

Senate File 2323 is approved on this date with the following exceptions, of which I hereby disapprove.

I am unable to approve the items designated as Section 18, and Section 19, subsection 5, in their entirety. These items unduly delay Iowa's transition to a new statewide academic assessment system. The Iowa Department of Education can best serve students by moving forward immediately to prepare for the implementation of the new assessment system on July 1, 2017. School administrators and teachers are eager for a new assessment system that is closely aligned with Iowa's high state academic standards. By providing better information about students' academic progress, the new assessment system will improve instruction. A well-aligned assessment is a key step toward providing a globally competitive education.

For the foregoing reasons, I respectfully disapprove the above-designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2323 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

## AUDITOR OF STATE

IPERS – Schedules of Employer Allocations and Collective Pension Amounts Allocated by Employer Report, pursuant to Iowa Code section 11.6

## BOARD OF REGENTS

Monthly Financial Report, pursuant to Chapter 141.27, 2013 Iowa Acts.

Gifts and Grants Report, pursuant to Iowa Code section 8.44.

DEPARTMENT OF COMMERCE  
Credit Union Division

Annual Report, pursuant to Iowa Code section 533.114.

Insurance Division

Revolving Fund Revenues and Expenditures Report, pursuant to Iowa Code section 546.12.

DEPARTMENT OF CORRECTIONS

Monthly Report, pursuant to Iowa Code section 904.116.

DEPARTMENT OF REVENUE  
Central Collection Unit

Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17.

IOWA ECONOMIC DEVELOPMENT AUTHORITY  
Iowa Commission on Volunteer Service

Quarterly Report, pursuant to Iowa Code section 15H.2.

RETIRING MEMBERS

The following retiring members and leaders were presented plaques in appreciation of their service and dedication to the Iowa House of Representatives.

Deborah L. Berry	District 62	2003-2016
Darrel Branhagen	District 55	2015-2016
Josh Byrnes	District 51	2011-2016
David Dawson	District 14	2013-2016
Nancy A. Dunkel	District 57	2013-2016
Ron Jorgensen	District 6	2011-2016
John Kooiker	District 4	2015-2016
Linda J. Miller	District 94	2007-2016
Brian Moore	District 58	2011-2016
Kraig Paulsen	District 67	2003-2016
Quentin Stanerson	District 95	2013-2016
Sally Stutsman	District 77	2013-2016

LEADERS

Linda L. Upmeyer, Speaker of the House	2016
Linda L. Upmeyer, Majority Leader	2015
Kraig Paulsen, Speaker of the House	2015
Chris Hagenow, Majority Leader	2016
Mark D. Smith, Minority Leader	2015-2016

State of Iowa

**JOURNAL  
OF THE HOUSE**

**2016  
REGULAR SESSION  
EIGHTY-SIXTH  
GENERAL ASSEMBLY**

**Convened – January 11, 2016  
Adjourned – April 29, 2016**

**Volume II**

**TERRY E. BRANSTAD, Governor  
LINDA L. UPMEYER, Speaker of the House  
PAM JOCHUM, President of the Senate**

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## AMENDMENTS FILED

H-8001

1 Amend Senate File 174, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 < Section 1. Section 257.8, subsection 1, Code 2016,  
6 is amended to read as follows:

7 1. *State percent of growth.* ~~The state percent~~  
8 ~~of growth for the budget year beginning July 1,~~  
9 ~~2013, is two percent.~~ The state percent of growth  
10 for the budget year beginning July 1, 2014, is four  
11 percent. The state percent of growth for the budget  
12 year beginning July 1, 2015, is one and twenty-five  
13 hundredths percent. The state percent of growth for  
14 the budget year beginning July 1, 2016, is two percent.  
15 The state percent of growth for each subsequent budget  
16 year shall be established by statute which shall be  
17 enacted within thirty days of the submission in the  
18 year preceding the base year of the governor's budget  
19 under section 8.21. The establishment of the state  
20 percent of growth for a budget year shall be the only  
21 subject matter of the bill which enacts the state  
22 percent of growth for a budget year.

23 Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The  
24 requirement of section 257.8, subsection 1, regarding  
25 the enactment of bills establishing the regular program  
26 state percent of growth within thirty days of the  
27 submission in the year preceding the base year of the  
28 governor's budget does not apply to this Act.>

COMMITTEE ON EDUCATION

H-8002

1 Amend Senate File 175, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 257.8, subsection 2, Code 2016,  
6 is amended to read as follows:

7 2. *Categorical state percent of growth.* ~~The~~  
8 ~~categorical state percent of growth for the budget~~  
9 ~~year beginning July 1, 2013, is two percent.~~ The  
10 categorical state percent of growth for the budget  
11 year beginning July 1, 2014, is four percent. The  
12 categorical state percent of growth for the budget  
13 year beginning July 1, 2015, is one and twenty-five  
14 hundredths percent. The categorical state percent of  
15 growth for the budget year beginning July 1, 2016,

16 is two percent. The categorical state percent of  
 17 growth for each budget year shall be established by  
 18 statute which shall be enacted within thirty days of  
 19 the submission in the year preceding the base year  
 20 of the governor's budget under section 8.21. The  
 21 establishment of the categorical state percent of  
 22 growth for a budget year shall be the only subject  
 23 matter of the bill which enacts the categorical  
 24 state percent of growth for a budget year. The  
 25 categorical state percent of growth may include state  
 26 percents of growth for the teacher salary supplement,  
 27 the professional development supplement, the early  
 28 intervention supplement, and the teacher leadership  
 29 supplement.

30 Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The  
 31 requirement of section 257.8, subsection 2, regarding  
 32 the enactment of bills establishing the categorical  
 33 state percent of growth within thirty days of the  
 34 submission in the year preceding the base year of the  
 35 governor's budget does not apply to this Act.>

## COMMITTEE ON EDUCATION

H-8003

1 Amend House File 2092 as follows:

- 2 1. Page 1, line 34, by striking <Notwithstanding>
- 3 2. Page 1, line 35, before <section> by inserting:
- 4 <1. Notwithstanding>
- 5 3. Page 2, after line 15 by inserting:
- 6 <2. In addition to the requirements of section
- 7 422.5, subsection 2, paragraph "b", subparagraph
- 8 (1), Code 2016, for purposes of the state alternative
- 9 minimum taxable income calculation in section 422.5,
- 10 subsection 2, paragraph "b", subparagraph (1), to the
- 11 extent that any preference or adjustment is determined
- 12 by an individual's federal adjusted gross income, the
- 13 individual's federal adjusted gross income is computed
- 14 in accordance with subsection 1 of this section for tax
- 15 years beginning during the 2015 calendar year.
- 16 3. In addition to the requirements of section
- 17 422.9, subsection 2, paragraph "h", Code 2016, for
- 18 purposes of calculating the deductions in section 422.9
- 19 that are authorized under the Internal Revenue Code,
- 20 and to the extent that any such deduction is determined
- 21 by an individual's federal adjusted gross income, the
- 22 individual's federal adjusted gross income is computed
- 23 in accordance with subsection 1 of this section for tax
- 24 years beginning during the 2015 calendar year.>



H-8004

- 1 Amend Senate File 410, as amended, passed, and  
 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 1, by striking <2015> and inserting  
 4 <2016>
- 5 2. Page 3, line 33, by striking <135.181> and  
 6 inserting <135.190>
- 7 3. Page 4, line 27, by striking <2015> and  
 8 inserting <2016>
- 9 4. Page 5, line 19, by striking <135.181> and  
 10 inserting <135.190>
- 11 5. Page 5, line 27, by striking <2015> and  
 12 inserting <2016>
- 13 6. Page 6, line 24, by striking <2015> and  
 14 inserting <2016>
- 15 7. By striking page 6, line 30, through page 7,  
 16 line 2, and inserting <the department shall include at  
 17 least one opioid antagonist on the preferred drug list  
 18 as preferred without requiring prior authorization.  
 19 Reimbursement under the medical assistance program  
 20 shall be provided through existing resources for both  
 21 the opioid antagonist and any device integral to its  
 22 administration.
- 23 c. Only opioid antagonists prescribed for use on or  
 24 by a Medicaid eligible member may be billed with such  
 25 member's Medicaid identification number.
- 26 d. Notwithstanding any provision of law to the  
 27 contrary, for purposes of reimbursement under the  
 28 medical assistance program, the provision of an opioid  
 29 antagonist must be medically necessary.>

## COMMITTEE ON PUBLIC SAFETY

H-8005

- 1 Amend House File 2180 as follows:
- 2 1. Page 1, line 7, by striking <funds> and  
 3 inserting <full amount of the funds in the account  
 4 established for that purpose>
- 5 2. Page 1, line 15, after <clerk> by inserting <  
 6 and the clerk shall dissolve the account from which the  
 7 transfer is made>
- 8 3. Title page, line 2, after <acquiring> by  
 9 inserting <or repairing>

GASSMAN of Winnebago

H-8006

- 1 Amend House File 2077 as follows:
- 2 1. Page 1, line 20, after <employment> by inserting

- 3 <pursuant to section 808.4A>  
 4 2. Page 1, line 22, after <parent's> by inserting  
 5 <minor>  
 6 3. Page 1, by striking lines 23 through 25.  
 7 4. By renumbering, redesignating, and correcting  
 8 internal references as necessary.

## COMMITTEE ON JUDICIARY

H-8007

- 1 Amend House File 2011 as follows:  
 2 1. Page 1, by striking lines 1 through 22 and  
 3 inserting:  
 4 <Section 1. Section 709.15, subsection 1, paragraph  
 5 f, Code 2016, is amended by striking the paragraph and  
 6 inserting in lieu thereof the following:  
 7 f. (1) “*School employee*” means any of the  
 8 following, except as provided in subparagraph (2):  
 9 (a) A person who holds a license, certificate,  
 10 authorization, or statement of professional recognition  
 11 issued under chapter 272.  
 12 (b) A person employed by a school district  
 13 full-time, part-time, or as a substitute.  
 14 (c) A person who performs services as a volunteer  
 15 for a school district and who has significant contact  
 16 with students.  
 17 (d) A person who is a contract employee of a school  
 18 district and who has significant contact with students.  
 19 (2) “*School employee*” does not include the  
 20 following:  
 21 (a) A student enrolled in a school district.  
 22 (b) A person who holds a coaching authorization  
 23 issued under section 272.31, subsection 1, if the  
 24 person is less than four years older than the student  
 25 with whom the person engages in conduct prohibited  
 26 under subsection 3, paragraph “a”, and the person is  
 27 not in a position of direct authority over the student.  
 28 (c) A person who performs services as a volunteer  
 29 for a school district and who has significant contact  
 30 with students enrolled in the school district, if the  
 31 person is less than four years older than the student  
 32 with whom the person engages in conduct prohibited  
 33 under subsection 3, paragraph “a”, and the person is  
 34 not in a position of direct authority over the student.  
 35 Sec. \_\_\_\_ Section 709.15, subsection 3, Code 2016,

PAGE 2

- 1 is amended by adding the following new paragraph:  
 2 NEW PARAGRAPH. c. The provisions of this  
 3 subsection do not apply to a person who is employed

4 by, volunteers for, or is under contract with a school  
 5 district if the student is not enrolled in the same  
 6 school district that employs the person or for which  
 7 the person volunteers or is under contract, and the  
 8 person does not meet the requirements of subsection 1,  
 9 paragraph "f", subparagraph (1), subparagraph division  
 10 (a).>

## COMMITTEE ON JUDICIARY

H-8008

1 Amend Senate File 232, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, line 3, by striking <eighteen> and  
 4 inserting <seventeen>

## COMMITTEE ON HUMAN RESOURCES

H-8009

1 Amend House File 2193 as follows:  
 2 1. Page 1, by striking lines 1 through 14.  
 3 2. By striking page 1, line 35, through page 2,  
 4 line 12.  
 5 3. By renumbering as necessary.

## COMMITTEE ON JUDICIARY

H-8010

1 Amend House File 2064 as follows:  
 2 1. Page 1, line 26, by striking <in violation of>  
 3 and inserting <as defined in section 726.6, subsection  
 4 1. paragraph "b", that is punishable under>

## COMMITTEE ON JUDICIARY

H-8011

1 Amend House File 2331 as follows:  
 2 1. Page 5, line 3, by striking <company> and  
 3 inserting <scrutinized company included on a  
 4 scrutinized company list created by a public fund  
 5 pursuant to section 12J.3>  
 6 2. Page 5, line 4, by striking <construction> and  
 7 inserting <construction.>  
 8 3. Page 5, by striking lines 5 through 7.

STANERSON of Linn

H-8012

1 Amend House File 2331 as follows:

2 1. Page 5, after line 16 by inserting:

3 <Sec. \_\_\_\_ NEW SECTION. 12K.1 Legislative findings  
4 **and intent.**

5 The general assembly is deeply concerned over  
6 the impact of fossil fuels on global climate change.  
7 Therefore, the general assembly intends that state  
8 funds and funds administered by the state, including  
9 public employee retirement funds, should not be  
10 invested in fossil fuel companies.

11 Sec. \_\_\_\_ NEW SECTION. 12K.2 Definitions.

12 As used in this chapter, unless the context  
13 otherwise requires:

14 1. *"Company"* means any business or business entity  
15 that is publicly traded.

16 2. *"Direct holdings"* in a company means all  
17 publicly traded securities of that company that are  
18 held directly by the public fund in an actively managed  
19 account or fund in which the public fund owns all  
20 shares or interests.

21 3. *"Indirect holdings"* in a company means all  
22 securities of that company that are held in an account  
23 or fund managed by one or more persons not employed by  
24 the public fund, in which the public fund owns shares  
25 or interests together with other investors not subject  
26 to the provisions of this chapter. Indirect holdings  
27 include but are not limited to mutual funds, fund of  
28 funds, index funds, private equity funds, hedge funds,  
29 and real estate funds.

30 4. *"Public fund"* means the treasurer of state,  
31 the state board of regents, the public safety peace  
32 officers' retirement system created in chapter 97A, the  
33 Iowa public employees' retirement system created in  
34 chapter 97B, the statewide fire and police retirement  
35 system created in chapter 411, or the judicial

PAGE 2

1 retirement system created in chapter 602.

2 5. *"Scrutinized company"* means any company included  
3 on a publicly available list identifying the one  
4 hundred largest public coal companies and one hundred  
5 largest public oil and gas reserve owners based on the  
6 potential carbon dioxide emissions of their reported  
7 reserves.

8 Sec. \_\_\_\_ NEW SECTION. 12K.3 Identification of  
9 **companies — notice.**

10 1. a. By March 1, 2017, the public fund shall  
11 make its best efforts to identify or have identified  
12 all scrutinized companies in which the public fund has

13 direct or indirect holdings or could possibly have  
14 such holdings in the future and shall create and make  
15 available to the public a scrutinized companies list  
16 for that public fund. The public fund shall review  
17 on an annual basis and update, if necessary, the  
18 scrutinized companies list.  
19 *b.* In making its best efforts to identify or have  
20 identified scrutinized companies, the public fund may  
21 review and rely, in the best judgment of the public  
22 fund, on publicly available information regarding  
23 companies, and including other information that may be  
24 provided by nonprofit organizations, research firms,  
25 international organizations, and government entities.  
26 The public fund may also contact asset managers and  
27 institutional investors for the public fund to identify  
28 scrutinized companies based upon industry-recognized  
29 lists of such companies that the public fund may have  
30 indirect holdings in.  
31 *c.* The Iowa public employees' retirement system,  
32 acting on behalf of the system and other public funds  
33 subject to this section, may develop and issue a  
34 request for proposals for third-party services to  
35 complete the identification of scrutinized companies

PAGE 3

1 and the compilation of a scrutinized companies list.  
2 The Iowa public employees' retirement system shall  
3 consult with all other public funds on the development  
4 of the request for proposals. However, selection of a  
5 successful proposal and the final scope of services to  
6 be provided shall be determined only by those public  
7 funds that have agreed to utilize the third-party  
8 services. If more than one public fund decides to  
9 utilize the third-party services, the participating  
10 public funds shall equally share the costs of such  
11 services.  
12 *2. a.* For each company on the scrutinized  
13 companies list, the public fund shall send or have sent  
14 a written notice informing the company of its status as  
15 a scrutinized company and that it may become subject  
16 to divestment and restrictions on investment in the  
17 company by the public fund. The notice shall offer  
18 the company the opportunity to clarify its activities  
19 or to cease its activities causing its inclusion on  
20 the scrutinized company list. The public fund or its  
21 representative shall continue to provide such written  
22 notice on an annual basis if the company remains a  
23 scrutinized company.  
24 *b.* If, following notice as provided by this  
25 section, a scrutinized company ceases activity that  
26 designates it as a scrutinized company and submits

27 a written statement to the public fund that it has  
28 ceased engaging in activities that designates it as a  
29 scrutinized company, the company shall be removed from  
30 the scrutinized companies list.  
31 Sec. \_\_\_\_ **NEW SECTION. 12K.4 Prohibited**  
32 **investments — divestment.**  
33 1. The public fund shall not acquire publicly  
34 traded securities of a company on the public fund's  
35 most recent scrutinized companies list so long as

PAGE 4

1 such company remains on the public fund's scrutinized  
2 companies list as provided in this chapter.  
3 2. *a.* The public fund shall sell, redeem, divest,  
4 or withdraw all publicly traded securities of a company  
5 on the public fund's list of scrutinized companies,  
6 so long as the company remains on that list, within  
7 eighteen months following the first written notice  
8 sent to the scrutinized company as required by section  
9 12K.3.  
10 *b.* This subsection shall not be construed to  
11 require the premature or otherwise imprudent sale,  
12 redemption, divestment, or withdrawal of an investment,  
13 but such sale, redemption, divestment, or withdrawal  
14 shall be completed as provided by this subsection.  
15 3. The requirements of this section shall not  
16 apply to indirect holdings of a scrutinized company.  
17 The public fund shall, however, submit letters to  
18 the managers of such investment funds containing  
19 scrutinized companies requesting that they consider  
20 removing such companies from the fund or create a  
21 similar fund with indirect holdings devoid of such  
22 companies. If the manager creates a similar fund  
23 with indirect holdings devoid of such companies, the  
24 public fund is encouraged to replace all applicable  
25 investments with investments in the similar fund  
26 consistent with prudent investing standards.  
27 Sec. \_\_\_\_ **NEW SECTION. 12K.5 Reports.**  
28 1. *Scrutinized companies list.* Each public fund  
29 shall, within thirty days after the scrutinized  
30 companies list is created or updated as required by  
31 section 12K.3, make the list available to the public.  
32 2. *Annual report.* On October 1, 2017, and each  
33 October 1 thereafter, each public fund shall make  
34 available to the public, and file with the general  
35 assembly, an annual report covering the prior fiscal

PAGE 5

1 year that includes the following:  
2 *a.* The scrutinized companies list as of the end of

- 3 the fiscal year.
- 4 *b.* A summary of all written notices sent as  
5 required by section 12K.3 during the fiscal year.
- 6 *c.* All investments sold, redeemed, divested, or  
7 withdrawn as provided in section 12K.4 during the  
8 fiscal year.
- 9 Sec. \_\_\_\_. **NEW SECTION. 12K.6 Legal obligations** —  
10 **immunity.**
- 11 With respect to actions taken in compliance with  
12 this chapter, including all good-faith determinations  
13 regarding companies as required by this chapter,  
14 the public fund shall be immune from any liability  
15 and exempt from any conflicting statutory or common  
16 law obligations, including any such obligations  
17 in respect to choice of asset managers, investment  
18 funds, or investments for the public fund's securities  
19 portfolios.>
- 20 2. Title page, line 2, after <Israel> by inserting  
21 <and fossil fuel companies>
- 22 3. By renumbering as necessary.

KELLEY of Jasper

H-8013

- 1 Amend House File 2324 as follows:
- 2 1. Page 2, line 11, after <syndrome.> by inserting  
3 <The consumer education curriculum shall include one  
4 unit on financial literacy.>
- 5 2. Page 2, line 21, by striking <paragraph> and  
6 inserting <paragraphs>
- 7 3. Page 2, after line 23 by inserting:  
8 </. One unit of high-quality consumer science,  
9 financial literacy education.>
- 10 4. Title page, line 1, by striking <science and  
11 computer coding> and inserting <science, computer  
12 coding, and financial literacy>

PETTENGILL of Benton

H-8014

- 1 Amend House File 2311 as follows:
- 2 1. Page 1, after line 12 by inserting:  
3 <Sec. \_\_\_\_. **NEW SECTION. 321.260A Automated traffic**  
4 **law enforcement — notice of fine distribution on**  
5 **citation.**
- 6 If the department or a local authority issues a  
7 citation as a result of an image obtained from an  
8 automated traffic law enforcement system, the citation  
9 shall provide an itemized list of the fines and fees  
10 assessed pursuant to the citation, the name of each

11 person or entity that will receive a portion of the  
12 fines or fees, and the amount of the fines or fees that  
13 each person or entity will receive. For the purposes  
14 of this section, “*automated traffic law enforcement*  
15 *system*” means as defined in section 321.254.>  
16 2. By renumbering as necessary.

T. TAYLOR of Linn

H-8015

1 Amend the amendment, H-8014, to House File 2311 as  
2 follows:  
3 1. Page 1, line 11, by striking <person or> and  
4 inserting <state and local governmental entity and each  
5 private>  
6 2. Page 1, line 13, by striking <person or>

T. TAYLOR of Linn

H-8016

1 Amend House File 2339 as follows:  
2 1. Page 1, after line 10 by inserting:  
3 < . A drainage district or levee district  
4 established pursuant to chapter 468.>  
5 2. Title page, line 2, after <districts> by  
6 inserting <and drainage districts and levee districts>  
7 3. By renumbering as necessary.

ISENHART of Dubuque

H-8017

1 Amend House File 2339 as follows:  
2 1. Page 1, after line 10 by inserting:  
3 < . A rural improvement zone established pursuant  
4 to chapter 357H.>  
5 2. Title page, line 2, after <districts> by  
6 inserting <and rural improvement zones>  
7 3. By renumbering as necessary.

MAXWELL of Poweshiek

H-8018

1 Amend House File 2324 as follows:  
2 1. Page 1, after line 34 by inserting:  
3 <g. An estimate of the cost of implementation  
4 of requirements described in this section that, by  
5 the school year beginning July 1, 2018, one unit of  
6 high-quality computer science education be added to the



7 minimum educational program to be offered and taught  
 8 for grades nine through twelve and that the technology  
 9 education component of the minimum educational program  
 10 to be offered and taught for grades seven and eight  
 11 include one unit on computer coding. The estimate  
 12 shall include an estimate of the current capacity of  
 13 computer science teachers in Iowa for those grades,  
 14 including how many more computer science teachers will  
 15 be necessary in Iowa and how many school districts are  
 16 currently offering such courses.

17 2. By striking page 1, line 35, through page 2,  
 18 line 28.

19 3. Title page, by striking lines 1 through 5 and  
 20 inserting <An Act providing for a computer science  
 21 advisory council to be convened by the director of the  
 22 department of education.>

GAINES of Polk

H-8019

1 Amend House File 2359 as follows:

2 1. Page 54, by striking lines 4 through 7.

3 2. By renumbering, redesignating, and correcting  
 4 internal references as necessary.

COMMITTEE ON JUDICIARY

H-8020

1 Amend House File 2399 as follows:

2 1. Page 2, after line 34 by inserting:

3 <Sec. \_\_\_\_ **NEW SECTION. 708.2D Enhanced assault —**  
 4 **former relationship.**

5 An “*enhanced assault*” means an assault, as defined  
 6 in section 708.1, that does not meet the definition of  
 7 domestic abuse assault under section 708.2A, for which  
 8 a sentencing court may sentence an offender to the  
 9 additional sentencing provisions found under section  
 10 708.2A, subsection 7, paragraph “a”, or section 708.2A,  
 11 subsection 10, if the court or finder of fact finds  
 12 that the defendant and the victim had at the time of  
 13 the assault or within one year prior to the assault  
 14 a romantic relationship, based upon the following  
 15 factors: the nature and extent of, or expectation of,  
 16 a sexual or romantic relationship from the perspective  
 17 of the defendant, the duration of the relationship, and  
 18 the frequency of interaction between the defendant and  
 19 the victim.>

20 2. By renumbering as necessary.

BALTIMORE of Boone

H-8021

- 1 Amend House File 2325 as follows:
- 2 1. Page 2, line 29, by striking <that> and
- 3 inserting <if>

BRANHAGEN of Winneshiek

H-8022

- 1 Amend House File 2309 as follows:
- 2 1. Page 3, after line 26 by inserting:
- 3 <NEW PARAGRAPH. at. 4-methylmethcathinone. Other
- 4 names: Mephedrone; (RS)-2-methylamino-
- 5 1-(4-methylphenyl)propan-1-one.
- 6 NEW PARAGRAPH. au. 3,4-methylenedioxypropylvalerone.
- 7 Other names: MDPV; 1-(1,3-Benzodioxol-5-yl)-
- 8 2-(1-pyrrolidinyl)-1-pentanone.
- 9 NEW PARAGRAPH. av. 3,4-methylenedioxy-
- 10 N-methylcathinone. Other names: Methylone.
- 11 NEW PARAGRAPH. aw. Naphyrone. Other names:
- 12 naphthylpropylvalerone; 1-(naphthalen-2-yl)-
- 13 2-pyrrolidin-1-yl)pentan-1-one.
- 14 NEW PARAGRAPH. ax. 4-fluoro-N-methylcathinone or a
- 15 positional isomer of 4-fluoro-N-methylcathinone. Other
- 16 names: 4-FMC; flephedrone.
- 17 NEW PARAGRAPH. ay. 4-methoxymethcathinone. Other
- 18 names: Methedrone; Bk-PMMA.
- 19 NEW PARAGRAPH. az. Ethcathinone.
- 20 NEW PARAGRAPH. ba. 3,4-methylenedioxyethylcathinone.
- 21 Other names: ethylone.
- 22 NEW PARAGRAPH. bb. Beta-keto-N-methyl-3,4-
- 23 benzodioxolybutanamine. Other names: butylone;
- 24 bk-MBDB; 1-(1,3-benzodioxol-5-yl)-
- 25 2-(methylamino)butan-1-one.
- 26 NEW PARAGRAPH. bc. N,N-dimethylcathinone. Other
- 27 names: metamfepramone.
- 28 NEW PARAGRAPH. bd. Alpha-pyrrolidinopropiophenone.
- 29 Other names: alpha-PPP.
- 30 NEW PARAGRAPH. be. 4-methoxy-alpha-
- 31 pyrrolidinopropiophenone. Other names: MOPPP).
- 32 NEW PARAGRAPH. bf. 3,4-methylenedioxy-alpha-
- 33 pyrrolidinopropiophenone. Other names: MDPPP.
- 34 NEW PARAGRAPH. bg. 4-methyl-alpha-
- 35 pyrrolidinopropiophenone. Other names: 4-MePPP;

PAGE 2

- 1 MePPP; 4-methyl-[alpha]-pyrrolidinopropiophenone;
- 2 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one.
- 3 NEW PARAGRAPH. bh. Alpha-pyrrolidinopentiophenone.
- 4 Other names: alpha-PVP;

5 alpha-pyrrolidinovalerophenone;  
 6 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one.  
 7 NEW PARAGRAPH. *bi.* 6,7-dihydro-5H-indeno-  
 8 (5,6-d)-1,3-dioxol-6-amine. Other names: MDAL.  
 9 NEW PARAGRAPH. *bj.* 3-fluoro-N-methcathinone.  
 10 Other names: 3-FMC; 1-(3-fluorophenyl)-  
 11 2-(methylamino)propan-1-one.  
 12 NEW PARAGRAPH. *bk.* 4'-methyl-alpha-  
 13 pyrrolidinobutiophenone. Other names: MPBP.  
 14 NEW PARAGRAPH. *bl.* Alpha-  
 15 pyrrolidinobutiophenone. Other names: alpha-PBP;  
 16 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one.  
 17 NEW PARAGRAPH. *bm.* 4-methyl-N-ethylcathinone.  
 18 Other names: 4-MEC; 2-(ethylamino)-  
 19 1-(4-methylphenyl)propan-1-one.  
 20 NEW PARAGRAPH. *bn.* Pentedrone. Other names:  
 21 alpha-methylaminovalerophenone.  
 22 NEW PARAGRAPH. *bo.* Pentylone. Other names:  
 23 bk-MBDP; 1-(1,3-benzodioxol-5-yl)-  
 24 2-(methylamino)pentan-1-one.  
 25 Sec. \_\_\_\_\_. Section 124.204, subsection 6, paragraph  
 26 i, Code 2016, is amended by striking the paragraph.>  
 27 2. By striking page 3, line 27, through page 4,  
 28 line 15.  
 29 3. Page 6, after line 24 by inserting:  
 30 <NEW PARAGRAPH. 0000000d.  
 31 N-(1-phenethylpiperidin-4-yl)-  
 32 N-phenylacetamide. Other name: acetyl fentanyl.  
 33 NEW PARAGRAPH. 00000000d. N-(1-amino-3,3-  
 34 dimethyl-1-oxobutan-  
 35 2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.

## PAGE 3

1 Other names: MAB-CHMINACA; ADB-CHMINACA.>  
 2 4. Page 7, after line 1 by inserting:  
 3 <Sec. \_\_\_\_\_. Section 124.210, subsection 7, Code  
 4 2016, is amended by adding the following new paragraph:  
 5 NEW PARAGRAPH. *c.* Eluxadoline (5-[[[(2S)-2-amino-  
 6 3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl][(1S)-1-  
 7 (4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic  
 8 acid) (including its optical isomers) and its salts,  
 9 isomers, and salts of isomers.>  
 10 5. Page 15, after line 12 by inserting:  
 11 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 12 being deemed of immediate importance, takes effect upon  
 13 enactment.>  
 14 6. Title page, line 6, by striking <and>  
 15 7. Title page, line 7, after <penalties> by  
 16 inserting <, and including effective date provisions>

H-8023

1 Amend House File 2329 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 Section 1. NEW SECTION. 146B.1 Human fetal tissue  
5 — actions prohibited — penalties.

6 1. For the purposes of this section:

7 a. “*Abortion*” means as defined in section 146.1.

8 b. “*Human fetal tissue*” means tissue or cells  
9 obtained from a dead human embryo or fetus after a  
10 spontaneous termination of pregnancy, an abortion, or a  
11 stillbirth.

12 c. “*Spontaneous termination of pregnancy*” means as  
13 defined in section 144.29A.

14 d. “*Stillbirth*” means as defined in section 136A.2.

15 e. “*Valuable consideration*” does not include  
16 reasonable payments associated with the transportation,  
17 implantation, processing, preservation, quality  
18 control, or storage of human fetal tissue.

19 2. A person shall not knowingly acquire, receive,  
20 or otherwise transfer any human fetal tissue for  
21 valuable consideration in this state.

22 3. A person who violates this section is guilty of  
23 a class “C” felony, punishable by imprisonment for no  
24 more than ten years and a fine of not less than twice  
25 the amount of the valuable consideration received.>

26 2. Title page, line 1, by striking <fetal body  
27 parts> and inserting <human fetal tissue>

WESSEL-KROESCHELL of Story

H-8024

1 Amend House File 2386 as follows:

2 1. Page 1, after line 8 by inserting:  
3 <Sec. \_\_. Section 600A.8, Code 2016, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 11. The court finds there is clear  
6 and convincing evidence that the child was conceived as  
7 the result of sexual abuse as defined in section 709.1,  
8 and the biological parent against whom the sexual abuse  
9 was perpetrated requests termination of the parental  
10 rights of the biological parent who perpetrated the  
11 sexual abuse.>

12 2. By renumbering as necessary.

HEARTSILL of Marion

H-8025

1 Amend House File 2324 as follows:

- 2 1. Page 1, line 7, by striking <2018> and inserting
- 3 <2019>
- 4 2. Page 1, line 14, by striking <2017> and
- 5 inserting <2018>
- 6 3. Page 1, line 31, by striking <2018> and
- 7 inserting <2019>
- 8 4. Page 2, line 28, by striking <2018> and
- 9 inserting <2019>

GAINES of Polk

H-8026

1 Amend the amendment, H-8023, to House File 2329 as  
2 follows:

3 1. Page 1, by striking lines 2 through 27 and  
4 inserting:  
5 <1. By striking everything after the enacting  
6 clause and inserting:  
7 <Section 1. NEW SECTION. **146B.1 Human fetal tissue**  
8 **— actions prohibited — penalties.**

- 9 1. For the purposes of this section:
- 10 a. *“Abortion”* means as defined in section 146.1.
- 11 b. *“Human fetal tissue”* means tissue or cells
- 12 obtained from a dead human embryo or fetus after a
- 13 spontaneous termination of pregnancy, an abortion, or a
- 14 stillbirth.
- 15 c. *“Spontaneous termination of pregnancy”* means as
- 16 defined in section 144.29A.
- 17 d. *“Stillbirth”* means as defined in section 136A.2.
- 18 e. *“Valuable consideration”* does not include

19 reasonable payments associated with the transportation,  
20 implantation, processing, preservation, quality  
21 control, or storage of human fetal tissue.

22 2. A person shall not knowingly acquire, receive,  
23 or otherwise transfer any human fetal tissue for  
24 valuable consideration in this state.

25 3. A person who violates this section is guilty of  
26 a class “C” felony, punishable by imprisonment for no  
27 more than ten years and a fine of not less than twice  
28 the amount of the valuable consideration received.

29 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being  
30 deemed of immediate importance, takes effect upon  
31 enactment.>

32 2. Title page, line 1, by striking <fetal body  
33 parts> and inserting <human fetal tissue>

34 3. Title page, by striking line 2 and inserting  
35 <providing penalties, and including effective date

PAGE 2

1 provisions.>>

H-8027

1 Amend House File 2370 as follows:  
 2 1. Page 1, after line 8 by inserting:  
 3 <Sec. \_\_. Section 261B.11, subsections 2 and 3,  
 4 Code 2016, are amended to read as follows:  
 5 2. A school that claims an exemption from  
 6 registration under subsection 1, ~~paragraph “h”, “i”,~~  
 7 ~~“k”, “l”, or “m”,~~ must, at the commission’s request and  
 8 in the manner prescribed by rule of the commission,  
 9 apply for approval of the exemption and demonstrate to  
 10 the commission or its designee that it qualifies for  
 11 the exemption. The school must apply for approval of  
 12 its exemption claim on an application supplied by the  
 13 commission. The commission or its designee may approve  
 14 the school’s exemption claim for a period not to exceed  
 15 two years, or may deny it the exemption claim. A  
 16 school ~~whose exemption claim is approved~~ must reapply  
 17 to renew its an exemption no less frequently than every  
 18 two years approved pursuant to this section.  
 19 a. A school ~~that is granted~~ approved for an  
 20 exemption under this section must file evidence of  
 21 financial responsibility under section 714.18 or  
 22 demonstrate to the commission ~~or its designee~~ that the  
 23 school qualifies for an exemption under section 714.18  
 24 or 714.19.  
 25 b. A for-profit school with at least one program  
 26 of more than four months in length that leads to a  
 27 recognized educational credential, such as an academic  
 28 or professional degree, diploma, or license, must  
 29 submit to the commission ~~or its designee~~ a tuition  
 30 refund policy that meets the conditions of section  
 31 714.23.  
 32 3. A school that is denied an exemption claim  
 33 by the commission ~~or its designee~~, or that no longer  
 34 qualifies for a claimed exemption, shall apply for  
 35 registration or cease operating in Iowa.>

PAGE 2

1 2. Title page, line 1, by striking <providing an  
 2 exemption> and inserting <relating to exemptions>  
 3 3. By renumbering as necessary.

DOLECHECK of Ringgold

H-8028

1 Amend House File 2397 as follows:  
 2 1. Page 1, line 3, by striking <biobased> and  
 3 inserting <biobased>  
 4 2. Page 4, line 7, by striking <biobased> and

- 5 inserting ~~<biobased>~~  
 6 3. Page 4, line 13, by striking <biobased> and  
 7 inserting <biobased>  
 8 4. Page 4, line 32, by striking <biobased> and  
 9 inserting ~~<biobased>~~  
 10 5. Page 5, line 2, by striking <biobased> and  
 11 inserting <biobased>  
 12 6. Page 5, line 12, by striking <biobased> and  
 13 inserting ~~<biobased>~~  
 14 7. Page 5, line 16, by striking <biobased> and  
 15 inserting <biobased>

RIZER of Linn

H-8029

- 1 Amend the amendment, H-8007, to House File 2011 as  
 2 follows:  
 3 1. Page 1, by striking line 2 and inserting:  
 4 <1. By striking everything after the enacting  
 5 clause and>  
 6 2. Page 1, line 17, by striking <is a contract  
 7 employee of> and inserting <provides services under a  
 8 contract for such services to>  
 9 3. Page 2, line 4, by striking <is under contract  
 10 with> and inserting <provides services under a contract  
 11 for such services to>  
 12 4. Page 2, line 5, by striking <district> and  
 13 inserting <district.>  
 14 5. Page 2, line 7, by striking <is under contract>  
 15 and inserting <provides contracted services>

DAWSON of Woodbury  
 JONES of Clay

H-8030

- 1 Amend House File 2369 as follows:  
 2 1. Page 1, line 18, after <standards> by inserting  
 3 <and satisfies the requirements of subsection 6>

GASSMAN of Winnebago  
 STECKMAN of Cerro Gordo

H-8031

- 1 Amend Senate File 2200, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 16, by striking <a> and inserting  
 4 <an Iowa>

STECKMAN of Cerro Gordo

H-8032

- 1 Amend House File 2077 as follows:
- 2 1. Page 1, after line 28 by inserting:
- 3 <g. A person tracking the movement or location of
- 4 a device included within the person's shared cellular
- 5 communications service plan.>
- 6 2. By renumbering as necessary.

RIZER of Linn

H-8033

- 1 Amend House File 2403 as follows:
- 2 1. Page 1, by striking lines 25 and 26 and
- 3 inserting:
- 4 <2. A person shall not hunt, take, or attempt to
- 5 take deer while the person is on or in a baited area
- 6 and a person shall not hunt, take, or attempt to take
- 7 deer that is on or in a baited area.>
- 8 2. By striking page 1, line 32, through page 2,
- 9 line 2, and inserting <the state unless all feed is
- 10 removed from the baited area during the period of time
- 11 beginning on September 1 and ending on January 31 of
- 12 the following year. If salt, minerals, or any other
- 13 feed that will dissolve and leach into the soil is used
- 14 as bait, the area shall be considered>
- 15 3. Page 2, line 10, after <area.> by inserting
- 16 <A baited area remains a permanently baited area
- 17 regardless of any attempt to restrict access by deer
- 18 to the area by covering or fencing the area, or by any
- 19 other means.>

FISHER of Tama

H-8034

- 1 Amend House File 2357 as follows:
- 2 1. Page 1, line 3, by striking <restrictions>
- 3 2. Page 1, lines 19 and 20, by striking <that
- 4 restrict> and inserting <for>
- 5 3. Page 1, lines 24 and 25, by striking <that
- 6 restrict> and inserting <for>
- 7 4. Page 1, line 27, by striking <On or before
- 8 January 15, 2018> and inserting <Beginning no later
- 9 than January 1, 2017, and ending no earlier than
- 10 January 1, 2021>
- 11 5. Page 1, line 33, after <revised> by inserting
- 12 <no later than June 30, 2021>
- 13 6. Page 1, line 34, by striking <2018> and
- 14 inserting <2021>

FISHER of Tama



H-8035

- 1 Amend House File 2372 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 598.41, subsection 1, paragraph
- 4 a, Code 2016, is amended to read as follows:
- 5 a. The court ~~may~~ shall provide for joint custody
- 6 of the child by the parties. The court, insofar as is
- 7 reasonable and in the best interest of the child, shall
- 8 order the custody award, including liberal visitation
- 9 rights where appropriate, which will assure the child
- 10 the opportunity for the maximum continuing physical
- 11 and emotional contact with both parents after the
- 12 parents have separated or dissolved the marriage, and
- 13 which will encourage parents to share the rights and
- 14 responsibilities of raising the child unless direct
- 15 physical harm or significant emotional harm to the
- 16 child, other children, or a parent is likely to result
- 17 from such contact with one parent.
- 18 Sec. \_\_\_\_ Section 598.41, subsection 2, paragraph
- 19 a, Code 2016, is amended to read as follows:
- 20 a. ~~On~~ Notwithstanding subsection 1, paragraph
- 21 “a”, upon the application of either parent opposing
- 22 joint custody, the court shall consider granting joint
- 23 custody in cases where the parents do not agree to
- 24 joint custody the factors specified in subsection 3 to
- 25 determine if joint custody is reasonable and in the
- 26 best interest of the child.>
- 27 2. Title page, line 1, after <for> by inserting
- 28 <joint custody and>
- 29 3. By renumbering as necessary.

MOMMSEN of Clinton

H-8036

- 1 Amend House File 2421 as follows:
- 2 1. Page 1, line 7, by striking <teaching license
- 3 with a coaching endorsement or a>
- 4 2. Title page, line 1, by striking <endorsements
- 5 and>

KOESTER of Polk

H-8037

- 1 Amend House File 2310 as follows:
- 2 1. Page 1, line 5, by striking <control equipment
- 3 and>
- 4 2. Page 1, line 27, after <alarms.> by inserting
- 5 <For purposes of this paragraph, “*approved carbon*
- 6 *monoxide alarm*” means a carbon monoxide alarm that

7 meets the standards established by the underwriters'  
 8 laboratories or is approved by the state fire marshal  
 9 as established by rule under subsection 4.>  
 10 3. Page 2, by striking lines 9 through 12 and  
 11 inserting <carbon monoxide alarm in a location as  
 12 specified by rules established by the state fire  
 13 marshal under subsection 4, taking into account  
 14 the number and location of all fuel sources in the  
 15 building.>  
 16 4. Page 3, line 25, by striking <2017> and  
 17 inserting <2018>

VANDER LINDEN of Mahaska

H-8038

1 Amend House File 2338 as follows:  
 2 1. Page 1, line 9, by striking <twenty> and  
 3 inserting <thirteen>  
 4 2. Page 1, by striking lines 14 through 16  
 5 and inserting <a notice in a relevant contractor  
 6 organization publication and a relevant contractor plan  
 7 room service with statewide circulation, provided that  
 8 a notice is posted and a relevant construction lead  
 9 generating service with statewide circulation and on  
 10 an>  
 11 3. Page 1, by striking lines 24 through 26 and  
 12 inserting <filing bids in a relevant contractor plan  
 13 room service with statewide circulation and a relevant  
 14 construction lead generating service with statewide  
 15 circulation and on an internet site sponsored by either  
 16 a>

PETTENGILL of Benton

H-8039

1 Amend House File 2407 as follows:  
 2 1. Page 7, line 3, after <dismissed> by inserting  
 3 <without any adjudication of delinquency>  
 4 2. Page 7, line 4, after <court> by inserting <in  
 5 the matter>  
 6 3. Title page, line 2, after <records> by inserting  
 7 <in delinquency proceedings>

ROGERS of Black Hawk

H-8040

1 Amend House File 2413 as follows:  
 2 1. Page 1, before line 1 by inserting:  
 3 <Section 1. Section 256.7, subsection 21, paragraph

4 b, subparagraph (2), Code 2016, is amended to read as  
 5 follows:  
 6 (2) Notwithstanding subparagraph (1), for the  
 7 school year beginning July 1, 2016, and each succeeding  
 8 school year, the rules shall provide that all students  
 9 enrolled in school districts in grades three through  
 10 eleven shall be administered an assessment during  
 11 the last quarter of the school year that at a minimum  
 12 assesses the core academic indicators identified in  
 13 this paragraph “b”; is aligned with the Iowa common  
 14 core standards in both content and rigor; accurately  
 15 describes student achievement and growth for purposes  
 16 of the school, the school district, and state  
 17 accountability systems; and provides valid, reliable,  
 18 and fair measures of student progress toward college or  
 19 career readiness. However, if the state board proposes  
 20 rules providing for a statewide assessment other than  
 21 the assessment approved pursuant to subparagraph (1),  
 22 the state board shall submit its proposed rules to the  
 23 general assembly and shall not adopt such rules unless  
 24 the proposed rules are specifically authorized by a  
 25 constitutional majority of each house of the general  
 26 assembly and approved by the governor.>  
 27 2. Title page, line 1, by striking <reading  
 28 proficiency>  
 29 3. By renumbering as necessary.

SALMON of Black Hawk

H-8041

1 Amend House File 2324 as follows:  
 2 1. Page 1, line 7, by striking <2018> and inserting  
 3 <2019>  
 4 2. Page 1, line 14, by striking <2017> and  
 5 inserting <2018>  
 6 3. Page 1, line 31, by striking <2018> and  
 7 inserting <2019>  
 8 4. Page 1, after line 34 by inserting:  
 9 <g. An estimate of the cost of implementation  
 10 of requirements described in this section that, by  
 11 the school year beginning July 1, 2018, one unit of  
 12 high-quality computer science education be added to the  
 13 minimum educational program to be offered and taught  
 14 for grades nine through twelve and that the technology  
 15 education component of the minimum educational program  
 16 to be offered and taught for grades seven and eight  
 17 include one unit on computer coding. The estimate  
 18 shall include an estimate of the current capacity of  
 19 computer science teachers in Iowa for those grades,  
 20 including how many more computer science teachers will  
 21 be necessary in Iowa and how many school districts are

22 currently offering such courses.>  
23 5. Page 2, line 28, by striking <2018> and  
24 inserting <2019>

GAINES of Polk

H-8042

1 Amend House File 2385 as follows:  
2 1. Page 1, by striking lines 3 through 5 and  
3 inserting:  
4 <3. A person who violates this section is subject  
5 to a civil penalty not to exceed ~~one~~ three thousand  
6 dollars for each violation.>  
7 2. By striking page 1, line 28, through page 2,  
8 line 9.  
9 3. By renumbering as necessary.

LENSING of Johnson  
WESSEL-KROESCHELL of Story  
BENNETT of Linn

H-8043

1 Amend House File 2329 as follows:  
2 1. Page 1, line 4, after <part> by inserting  
3 <or fetus for purposes of animal or human research,  
4 experimentation, or study, or for transplantation>  
5 2. Page 1, after line 6 by inserting:  
6 <2. A person shall not experiment upon a fetus  
7 intended to be aborted unless the experimentation is  
8 therapeutic to the fetus.  
9 3. A person shall not aid or abet any prohibited  
10 action specified in subsection 1 or 2.>  
11 3. Page 1, by striking line 7 and inserting:  
12 <4. Subsections 1, 2, and 3 shall not apply to any  
13 of the following:>  
14 4. Page 1, after line 15 by inserting:  
15 <5. In addition to other remedies available,  
16 failure to comply with the requirements of this section  
17 shall provide a basis for recovery for the pregnant  
18 woman, or the parent or guardian of the pregnant woman  
19 if the pregnant woman is a minor, for a violation of  
20 this section. Such relief may include all of the  
21 following:  
22 a. Monetary damages for all psychological injuries  
23 occasioned by such violation.  
24 b. Statutory damages equal to three times the cost  
25 of the pregnant woman's delivery or abortion.  
26 c. A basis for professional disciplinary action  
27 under chapter 148.  
28 6. State funding shall not be appropriated to  
29 or expended by any state agency, state institution,

30 or program administered by the state including but  
 31 not limited to the medical assistance program if  
 32 such entity or program is found in violation of this  
 33 section.>  
 34 5. Page 1, line 16, by striking <3.> and inserting  
 35 <7.>

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1 6. Page 1, line 18, by striking <4.> and inserting  
 2 <8.>  
 3 7. Page 1, after line 19 by inserting:  
 4 <\_\_. “Experiment” or “experimentation” means the  
 5 use of fetal body parts or a fetus in any trial, test,  
 6 procedure, or observation carried out with the goal  
 7 of verifying, refuting, or establishing the validity  
 8 of a hypothesis, but does not include diagnostic or  
 9 remedial tests, procedures, or observations which have  
 10 the purpose of determining the life or health of the  
 11 fetus, preserving the life or health of the fetus or  
 12 the pregnant woman, or pathological study.>  
 13 8. Page 1, after line 24 by inserting:  
 14 <\_\_. “Pathological study” means the examination of  
 15 body tissue for diagnostic purposes.  
 16 \_\_. “Therapeutic” means intended to treat or cure  
 17 a disease or disorder by remedial agents or methods.>  
 18 9. Page 1, after line 28 by inserting:  
 19 <Sec. \_\_. STATUTORY CONSTRUCTION.  
 20 1. Nothing in this Act shall be construed to affect  
 21 existing federal or state law regarding abortion.  
 22 2. Nothing in this Act shall be construed as  
 23 creating or recognizing a right to abortion.  
 24 3. Nothing in this Act shall be construed to alter  
 25 generally accepted medical standards.  
 26 Sec. \_\_. SEVERABILITY. If any provision of  
 27 this Act or the application thereof to any person or  
 28 circumstances is held invalid, the invalidity shall  
 29 not affect other provisions or applications of the  
 30 Act which can be given effect without the invalid  
 31 provisions or application and, to this end, the  
 32 provisions of this Act are severable.  
 33 Sec. \_\_. RIGHT OF INTERVENTION. The general  
 34 assembly, by joint resolution, may appoint one or more  
 35 of its members, who sponsored or cosponsored this

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1 Act in the member’s official capacity to intervene  
 2 as a matter of right in any case in which the  
 3 constitutionality of this Act is challenged.>  
 4 10. By renumbering as necessary.

H-8044

- 1 Amend House File 2396 as follows:  
2 1. Page 1, line 19, after <location> by inserting  
3 <for the authority's programs>

LANDON of Polk

H-8045

- 1 Amend House File 2269 as follows:  
2 1. Page 2, by striking lines 24 through 30 and  
3 inserting:  
4 <4. a. A member who is a producer or livestock  
5 market representative described in subsection 1,  
6 paragraphs "a" through "c", shall serve a three-year  
7 term. The member shall not serve more than two  
8 consecutive full terms.  
9 b. Except for an ex officio members member,  
10 vacancies a vacancy in the council executive committee  
11 resulting from death, inability or refusal to serve,  
12 or failure to meet the qualifications of this chapter  
13 shall be filled by the council executive committee.  
14 If the council executive committee fails to fill  
15 a vacancy, the secretary shall fill it. Vacancy  
16 appointments A vacancy appointment shall be filled only  
17 for the remainder of the unexpired term.>

SEXTON of Calhoun

H-8046

- 1 Amend House File 228, as passed by the House, as  
2 follows:  
3 1. Page 1, line 2, by striking <2015> and inserting  
4 <2016>  
5 2. Page 1, line 10, by striking <2015> and  
6 inserting <2016>  
7 3. Page 2, line 8, after <thereof.> by inserting  
8 <However, prior to issuing a transitional coaching  
9 authorization to an individual under this paragraph  
10 "b", the board shall ensure that the individual meets  
11 all of the following requirements:  
12 (1) Completes a shortened course of training  
13 relating to the code of professional rights and  
14 responsibilities, practices, and ethics developed in  
15 accordance with section 272.2, subsection 1, paragraph  
16 "a", by the board specifically for transitional  
17 coaches.  
18 (2) Completes the child and dependent adult abuse  
19 mandatory reporter training required by sections 232.69  
20 and 235B.16.

- 21 (3) Completes a nationally recognized concussion in
- 22 youth sports training course.
- 23 (4) Complies with the background investigation
- 24 requirements established by the board pursuant to
- 25 section 272.2, subsection 17.>
- 26 4. Page 2, line 10, by striking <2015> and
- 27 inserting <2016>
- 28 5. Page 2, line 16, by striking <2015> and
- 29 inserting <2016>
- 30 6. Page 2, after line 20 by inserting:
- 31 <Sec. \_\_. Section 279.19B, Code 2016, is amended
- 32 by adding the following new subsection:
- 33 NEW SUBSECTION. 1A. For the first two weeks of
- 34 employment as a transitional coach and for the first
- 35 extracurricular interscholastic athletic contest or

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- 1 competition sponsored by an organization as defined
- 2 in section 280.13, the individual shall be supervised
- 3 by a certified athletic director, administrator, or
- 4 other practitioner in a supervisory role. If the
- 5 individual performs to the supervising practitioner’s
- 6 satisfaction, the supervising practitioner shall
- 7 sign and date an evaluation form provided by the
- 8 organization to certify that the individual meets
- 9 expectations to work with student athletes as a
- 10 transitional coach. The organization shall develop
- 11 and offer on its internet site an evaluation form that
- 12 meets the requirements of this subsection.>
- 13 7. Page 2, line 22, by striking <2015> and
- 14 inserting <2016>
- 15 8. By renumbering as necessary.

SENATE AMENDMENT

H-8047

- 1 Amend House File 2064 as follows:
- 2 1. Page 1, line 19, after <711.3> by inserting <
- 3 except as determined in subsection 3>
- 4 2. Page 1, by striking lines 25 through 29 and
- 5 inserting:
- 6 <2. a. A person serving a sentence for a
- 7 conviction of child endangerment in violation of
- 8 section 726.6, subsection 4, shall be denied parole
- 9 or work release until the person has served between
- 10 three-tenths and seven-tenths of the maximum term of
- 11 the person’s sentence as provided under paragraph “b”.
- 12 b. The sentencing court shall determine when
- 13 the person shall become eligible for consideration
- 14 of parole or work release within the parameters

15 specified under paragraph “a”, based upon all pertinent  
 16 information including the person’s criminal record and  
 17 whether the offense involved multiple intentional acts  
 18 or a series of intentional acts, or whether the offense  
 19 involved torture or cruelty.  
 20 3. a. A person serving a sentence for a conviction  
 21 of robbery in the second degree in violation of section  
 22 711.3 for a conviction that occurs on or after July 1,  
 23 2016, shall be denied parole or work release until the  
 24 person has served between three-tenths and seven-tenths  
 25 of the maximum term of the person’s sentence as  
 26 provided under paragraph “b”.  
 27 b. The sentencing court shall determine when  
 28 the person shall become eligible for consideration  
 29 of parole or work release within the parameters  
 30 specified under paragraph “a”, based upon all pertinent  
 31 information including the person’s criminal record and  
 32 the negative impact the offense has had on the victim  
 33 or other persons.>

RIZER of Linn

H-8048

1 Amend House File 2385 as follows:  
 2 1. Page 1, before line 1 by inserting:  
 3 <Section 1. Section 455B.307A, subsection 2, Code  
 4 2016, is amended to read as follows:  
 5 2. A person shall not discard solid waste onto  
 6 or in any water or land of the state, in a public  
 7 right-of-way, on another person’s land, or into areas  
 8 or receptacles provided for such purposes which are  
 9 under the control of or used by a person who has not  
 10 authorized the use of the receptacle by the person  
 11 discarding the solid waste.>  
 12 2. By renumbering as necessary.

PAUSTIAN of Scott

H-8049

1 Amend House File 2403 as follows:  
 2 1. Page 1, after line 24 by inserting:  
 3 <(f) Feed placed for preserve whitetail in a  
 4 hunting preserve pursuant to chapter 484C.>

FISHER of Tama

H-8050

1 Amend House File 2269 as follows:  
 2 1. Page 2, by striking lines 24 through 30 and



3 inserting:

4 <4. a. A member who is a producer or livestock  
 5 market representative described in subsection 1,  
 6 paragraphs “a” through “c”, shall serve a three-year  
 7 term. The member shall not serve more than two  
 8 consecutive full terms.

9 b. Except for an ex officio members member,  
 10 vacancies a vacancy in the council executive committee  
 11 resulting from death, inability or refusal to serve,  
 12 or failure to meet the qualifications of this chapter  
 13 shall be filled by the council executive committee.  
 14 If the council executive committee fails to fill  
 15 a vacancy, the secretary shall fill it. Vacaney  
 16 appointments A vacancy appointment shall be filled only  
 17 for the remainder of the unexpired term.>

18 2. Page 4, line 28, after <assessment> by inserting  
 19 <— rate>

20 3. Page 5, after line 8 by inserting:

<21 3. The rate of the recommended state assessment  
 22 shall be the same as the rate that was last in  
 23 effect under section 181.19 immediately prior to the  
 24 suspension of the state assessment.>

25 4. By striking page 5, line 9, through page 6, line  
 26 5, and inserting:

27 <Sec. \_\_. Section 181.8, Code 2016, is amended to  
 28 read as follows:

29 **181.8 Entering Executive committee — entering**  
 30 **premises — examining records.**

31 The council executive committee may authorize  
 32 its agents to enter at a reasonable time upon the  
 33 premises of any purchaser charged by this chapter with  
 34 remitting the state assessment to the council executive  
 35 committee, and to examine records and other instruments

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1 relating to the collection of the state assessment.  
 2 However, the council executive committee must first  
 3 have reasonable grounds to believe that the state  
 4 assessment has not been remitted or fully accounted  
 5 for.

6 ~~The council may enter into arrangements with persons~~  
 7 ~~purchasing cattle outside of this state for remitting~~  
 8 ~~the state assessment by such purchasers.~~

9 Sec. \_\_. Section 181.11, Code 2016, is amended to  
 10 read as follows:

11 **181.11 Collection of state assessment.**

12 1. A state assessment imposed as provided in  
 13 this chapter shall be levied and collected from the  
 14 purchaser on each sale of cattle at a rate provided in  
 15 this chapter. The state assessment shall be imposed  
 16 on any person selling cattle and shall be deducted by

17 the purchaser from the price paid to the seller. The  
 18 purchaser, at the time of the sale, shall make and  
 19 deliver to the seller a separate invoice for each sale  
 20 showing the names and addresses of the seller and the  
 21 purchaser, the number of cattle sold, and the date of  
 22 sale. The purchaser shall forward the state assessment  
 23 to the ~~council~~ executive committee at a time prescribed  
 24 by the ~~council~~ executive committee, but not later than  
 25 the last day of the month following the end of the  
 26 prior reporting period in which the cattle are sold.  
 27 2. The executive committee may enter into  
 28 arrangements with persons purchasing cattle outside of  
 29 this state for remitting the state assessment by such  
 30 purchasers.>  
 31 5. Page 6, line 11, by striking <sixty> and  
 32 inserting <sixty ninety>  
 33 6. Page 8, line 29, by striking <fifty cents> and  
 34 inserting <fifty cents one dollar>  
 35 7. Page 9, line 5, by striking <of fifty cents> and

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1 inserting <~~of fifty cents~~ not to exceed one dollar>  
 2 8. Page 9, after line 14 by inserting:  
 3 <Sec. \_\_. REPEAL. 2004 Iowa Acts, chapter 1037,  
 4 section 17, is repealed.>  
 5 9. Page 9, by striking lines 26 and 27 and  
 6 inserting <establish terms for any number of the five  
 7 members first elected or reelected by the Iowa beef  
 8 cattle producers association under that section on or  
 9 after the effective date of this Act to ensure elected  
 10 members serve staggered terms. The executive committee  
 11 may also establish initial terms for the two new  
 12 members appointed by the Iowa cattlemen's association  
 13 under that section as amended by this Act to ensure  
 14 appointed>  
 15 10. Page 10, after line 6 by inserting:  
 16 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 17 being deemed of immediate importance, takes effect upon  
 18 enactment.>  
 19 11. Title page, by striking lines 1 and 2 and  
 20 inserting <An Act providing for certain excise taxes  
 21 imposed on the sale of cattle and including effective  
 22 date provisions.>  
 23 12. By renumbering as necessary.

SEXTON of Calhoun

H-8051

1 Amend House File 2380 as follows:  
 2 1. Page 2, after line 20 by inserting:

3 <Sec. \_\_. NEW SECTION. 514C.31 Opioid analgesic  
4 **drug products — coverage.**  
5 1. *Definitions.* For purposes of this section,  
6 unless the context otherwise requires:  
7 a. “*Abuse-deterrent opioid analgesic drug product*”  
8 means a brand-name or generic opioid analgesic drug  
9 product approved by the United States food and drug  
10 administration with abuse-deterrence labeling claims  
11 that indicate the product is expected to result in a  
12 meaningful reduction in abuse of opioids.  
13 b. “*Carrier*” means an entity that provides health  
14 benefit plans in this state.  
15 c. “*Health benefit plan*” means a policy,  
16 certificate, or contract providing hospital or medical  
17 coverage, benefits, or services rendered by a health  
18 care provider.  
19 d. “*Opioid analgesic drug product*” means a drug  
20 product in the opioid analgesic drug class prescribed  
21 to treat moderate to severe pain or other conditions  
22 and includes immediate release, extended release, and  
23 long-acting forms, whether or not combined with other  
24 drug substances to form a single drug product or dosage  
25 form.  
26 2. *Coverage required.*  
27 a. Notwithstanding the uniformity of treatment  
28 requirements of section 514C.6, a contract, policy, or  
29 plan providing for third-party payment or prepayment  
30 of health or medical expenses that provides coverage  
31 benefits for opioid analgesic drug products shall  
32 provide coverage for an abuse-deterrent opioid  
33 analgesic drug product as a preferred drug on the  
34 carrier’s drug formulary or preferred drug list.  
35 b. Cost-sharing requirements for abuse-deterrent

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1 opioid analgesic drug products shall not exceed the  
2 lowest cost-sharing requirements applied to other  
3 covered prescription drugs on the carrier’s drug  
4 formulary or preferred drug list.  
5 3. *Prior authorization.*  
6 a. A prior authorization or utilization review  
7 requirement shall not require prior use of an opioid  
8 analgesic drug product other than an abuse-deterrent  
9 opioid analgesic drug product as a prerequisite for  
10 access to an abuse-deterrent opioid analgesic drug  
11 product.  
12 b. This subsection shall not be construed to  
13 prevent a carrier from requiring prior authorization  
14 for an abuse-deterrent opioid analgesic drug product,  
15 provided that the same prior authorization requirements  
16 are applied to all versions of the same opioid

17 analgesic drug products that are not abuse-deterrent  
18 opioid analgesic drug products.

19 4. *Applicability.*

20 a. This section applies to the following classes  
21 of third-party payment provider contracts or policies  
22 delivered, issued for delivery, continued, or renewed  
23 in this state on or after July 1, 2016:

24 (1) Individual or group accident and sickness  
25 insurance providing coverage on an expense-incurred  
26 basis.

27 (2) An individual or group hospital or medical  
28 service contract issued pursuant to chapter 509, 514,  
29 or 514A.

30 (3) An individual or group health maintenance  
31 organization contract regulated under chapter 514B.

32 (4) Any other entity engaged in the business of  
33 insurance, risk transfer, or risk retention, which is  
34 subject to the jurisdiction of the commissioner.

35 (5) A plan established pursuant to chapter 509A for

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1 public employees.

2 (6) An organized delivery system licensed by the  
3 director of public health.

4 b. This section shall not apply to accident-only,  
5 specified disease, short-term hospital or medical,  
6 hospital confinement indemnity, credit, dental, vision,  
7 Medicare supplement, long-term care, basic hospital  
8 and medical-surgical expense coverage as defined  
9 by the commissioner, disability income insurance  
10 coverage, coverage issued as a supplement to liability  
11 insurance, workers' compensation or similar insurance,  
12 or automobile medical payment insurance.>

13 2. Title page, line 1, after <relating to> by

14 inserting <drug overdose prevention, including>

15 3. Title page, line 3, by striking <victims.> and  
16 inserting <victims, coverage of opioid analgesic drug  
17 products, and providing an applicability date.>

18 4. By renumbering as necessary.

BAUDLER of Adair

H-8052

1 Amend House File 2329 as follows:

2 1. Page 1, line 4, after <part> by inserting  
3 <or fetus for purposes of animal or human research,  
4 experimentation, or study, or for transplantation>

5 2. Page 1, after line 19 by inserting:

6 <\_\_. "Experiment" or "experimentation" means the  
7 use of fetal body parts or a fetus in any trial, test,

- 8 procedure, or observation carried out with the goal  
 9 of verifying, refuting, or establishing the validity  
 10 of a hypothesis, but does not include diagnostic or  
 11 remedial tests, procedures, or observations which have  
 12 the purpose of determining the life or health of the  
 13 fetus, preserving the life or health of the fetus or  
 14 the pregnant woman, or pathological study.>  
 15 3. Page 1, after line 24 by inserting:  
 16 <\_\_. *“Pathological study”* means the examination of  
 17 body tissue for diagnostic purposes.>  
 18 4. By renumbering as necessary.

SALMON of Black Hawk  
 HEARTSILL of Marion

H-8053

- 1 Amend House File 2403 as follows:  
 2 1. Page 2, after line 19 by inserting:  
 3 <6. Notwithstanding any provision to the contrary,  
 4 the commission may, by rules adopted pursuant to  
 5 chapter 17A, prohibit baiting of deer in any county in  
 6 which there has been a positive test result for chronic  
 7 wasting disease.>

RUFF of Clayton

H-8054

- 1 Amend House File 2366 as follows:  
 2 1. Page 1, by striking lines 3 through 6 and  
 3 inserting:  
 4 <NEW SUBSECTION. 6. An officer or employee of  
 5 a county shall not interfere with the performance of  
 6 an advocate’s duties and responsibilities, provided  
 7 that the advocate performs the advocate’s duties in  
 8 accordance with all of the following:>  
 9 2. By renumbering as necessary.

HEATON of Henry

H-8055

- 1 Amend House File 2329 as follows:  
 2 1. Page 1, line 4, after <part> by inserting  
 3 <or fetus for purposes of animal or human research,  
 4 experimentation, or study, or for transplantation>  
 5 2. Page 1, after line 19 by inserting:  
 6 <\_\_. *“Experiment”* or *“experimentation”* means the  
 7 use of fetal body parts or a fetus in any trial, test,  
 8 procedure, or observation carried out with the goal  
 9 of verifying, refuting, or establishing the validity

- 10 of a hypothesis, but does not include diagnostic or  
 11 remedial tests, procedures, or observations which have  
 12 the sole purpose of determining the life or health of  
 13 the fetus, preserving the life or health of the fetus  
 14 or the pregnant woman, or pathological study.>  
 15 3. Page 1, after line 24 by inserting:  
 16 <\_\_. "Pathological study" means the examination of  
 17 body tissue for diagnostic purposes.>  
 18 4. By renumbering as necessary.

SALMON of Black Hawk  
 HEARTSILL of Marion

H-8056

- 1 Amend House File 2363 as follows:  
 2 1. Page 1, line 2, by striking <subsection> and  
 3 inserting <subsections>  
 4 2. Page 1, after line 8 by inserting:  
 5 <NEW SUBSECTION. 3B. A member of a governmental  
 6 body shall keep confidential all information relating  
 7 to all discussions and action occurring at a closed  
 8 session which relate to the specific reason announced  
 9 as justification for the closed session.  
 10 Sec. \_\_. Section 21.6, subsection 1, Code 2016, is  
 11 amended to read as follows:  
 12 1. The remedies provided by this section against  
 13 state governmental bodies and members of governmental  
 14 bodies shall be in addition to those provided by  
 15 section 17A.19. Any aggrieved person, taxpayer to, or  
 16 citizen of, the state of Iowa, or the attorney general  
 17 or county attorney, may seek judicial enforcement of  
 18 the requirements of this chapter. Suits to enforce  
 19 this chapter shall be brought in the district court  
 20 for the county in which the governmental body has its  
 21 principal place of business.  
 22 Sec. \_\_. Section 21.6, Code 2016, is amended by  
 23 adding the following new subsection:  
 24 NEW SUBSECTION. 3A. In addition to any other  
 25 penalties provided for in this chapter, upon a finding  
 26 by a preponderance of the evidence that a member of a  
 27 governmental body has violated section 21.5, subsection  
 28 3B, a court shall assess the member damages in the  
 29 amount of not more than one thousand dollars.>  
 30 3. Title page, line 1, after <attendance> by  
 31 inserting <and confidentiality>  
 32 4. Title page, line 2, after <body> by inserting  
 33 <and providing penalties>  
 34 5. By renumbering as necessary.

MASCHER of Johnson

H-8057

1 Amend House File 2386 as follows:

2 1. Page 1, line 5, after <709.1,> by inserting  
3 <except for a violation of section 709.4, subsection 1,  
4 paragraph "b", subparagraph (3), subparagraph division  
5 (d),>

6 2. Page 1, after line 8 by inserting:

7 <Sec. \_\_. Section 600A.8, Code 2016, is amended by  
8 adding the following new subsection:

9 NEW SUBSECTION. 11. The court finds there is clear  
10 and convincing evidence that the child was conceived as  
11 the result of sexual abuse as defined in section 709.1,  
12 except for a violation of section 709.4, subsection  
13 1, paragraph "b", subparagraph (3), subparagraph  
14 division (d), and the biological parent against whom  
15 the sexual abuse was perpetrated requests termination  
16 of the parental rights of the biological parent who  
17 perpetrated the sexual abuse.>

18 3. By renumbering as necessary.

HEARTSILL of Marion

H-8058

1 Amend House File 2380 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. NEW SECTION. 135.190 Opioid  
4 **antagonists — possession and administration by**  
5 **immediate family members.**

6 1. For purposes of this section, unless the context  
7 otherwise requires:

8 a. "*Immediate family member*" means a spouse;  
9 natural or adoptive parent, child, or sibling;  
10 stepparent, stepchild, or stepsibling; father-in-law,  
11 mother-in-law, son-in-law, daughter-in-law,  
12 brother-in-law, or sister-in-law; or grandparent or  
13 grandchild.

14 b. "*Licensed health care professional*" means the  
15 same as defined in section 280.16.

16 c. "*Opioid antagonist*" means the same as defined in  
17 section 147A.1.

18 d. "*Opioid-related overdose*" means the same as  
19 defined in section 147A.1.

20 2. Notwithstanding any other provision of law to  
21 the contrary, a licensed health care professional may  
22 prescribe an opioid antagonist to the immediate family  
23 member of a person who is at risk of experiencing an  
24 opioid-related overdose.

25 3. An immediate family member of a person who is  
26 at risk of experiencing an opioid-related overdose may  
27 possess and provide or administer an opioid antagonist

28 to the person who is at risk of experiencing an  
 29 opioid-related overdose if the immediate family member  
 30 reasonably and in good faith believes that the person  
 31 is experiencing an opioid-related overdose.  
 32 4. A prescriber of an opioid antagonist, who has  
 33 acted reasonably and in good faith, shall not be  
 34 liable for any injury arising from the provision,  
 35 administration, or assistance in the administration of

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1 an opioid antagonist as provided in this section.>  
 2 2. Title page, line 2, before <first> by inserting  
 3 <immediate family members and>  
 4 3. By renumbering as necessary.

KLEIN of Washington

H-8059

1 Amend House File 2385 as follows:  
 2 1. Page 1, by striking lines 3 through 5 and  
 3 inserting:  
 4 <3. A person who violates this section is subject  
 5 to a civil penalty not to exceed one thousand dollars  
 6 for each violation. However, a person who violates  
 7 this section, upon conviction, shall be guilty of a  
 8 serious misdemeanor if the solid waste is discarded on  
 9 land that is a street or highway as defined in section  
 10 321.1 or into areas or receptacles under the control  
 11 of or used by a person who has not authorized the use  
 12 of the area or receptacle.>

PAUSTIAN of Scott

H-8060

1 Amend House File 2420 as follows:  
 2 1. Page 2, after line 19 by inserting:  
 3 <(5) (a) Whether a conviction was obtained for  
 4 any crime associated with the untested sexual abuse  
 5 evidence collection kit.  
 6 (b) If such a conviction was obtained please  
 7 provide the defendant's name, case number, and the  
 8 county where the conviction occurred.>  
 9 2. Page 2, after line 28 by inserting:  
 10 <2A. If information was obtained under subsection  
 11 2, paragraph "c", subparagraph (5), that a conviction  
 12 was obtained for any crime associated with an untested  
 13 sexual abuse evidence collection kit, the attorney  
 14 general shall provide the office of the state public  
 15 defender with the defendant's name, case number, and



16 the county where the conviction occurred, within sixty  
 17 days of receiving such information.>  
 18 3. Page 3, after line 6 by inserting:  
 19 <5. The department of justice shall compile and  
 20 submit a report to the office of the state public  
 21 defender, not later than March 15, 2017, that provides  
 22 the date an untested sexual abuse evidence collection  
 23 kit was collected, where the collection occurred, and  
 24 the case number, if any, associated with the untested  
 25 sexual abuse evidence collection kit.>  
 26 4. By renumbering, redesignating, and correcting  
 27 internal references as necessary.

ANDERSON of Polk

H-8061

1 Amend House File 2406 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 <Section 1. SCHOOL ELECTION VOTER PARTICIPATION  
 5 TASK FORCE.  
 6 1. The secretary of state shall convene an  
 7 intergovernmental task force to investigate voter  
 8 participation rates at regular and special school  
 9 elections and to make recommendations for raising voter  
 10 participation rates at such elections.  
 11 2. The task force shall include the following  
 12 members:  
 13 a. The secretary of state, or the secretary's  
 14 designee.  
 15 b. Four county auditors, two from counties with  
 16 large populations and two from counties with small  
 17 populations.  
 18 c. Two members who are members of the board of  
 19 directors of a merged area.  
 20 d. A member of the board of directors of a school  
 21 district with a large student population.  
 22 e. A member of the board of directors of a school  
 23 district with a small student population.  
 24 f. Two members of the senate and two members  
 25 of the house of representatives, serving as ex  
 26 officio, nonvoting members. The legislative  
 27 members of the board shall be appointed one each  
 28 by the majority leader of the senate, the minority  
 29 leader of the senate, the speaker of the house of  
 30 representatives, and the minority leader of the house  
 31 of representatives.  
 32 3. The task force shall submit its recommendations  
 33 to the governor and the general assembly no later than  
 34 December 15, 2016.>  
 35 2. Title page, by striking lines 1 through 8 and

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- 1 inserting <An Act requiring the secretary of state to
- 2 convene a school election voter participation task
- 3 force.>

HUNTER of Polk

H-8062

- 1 Amend Senate File 2219, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 15, by striking <2017> and
- 4 inserting <2018>

VANDER LINDEN of Mahaska

H-8063

- 1 Amend the amendment, H-8057, to House File 2386 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 5.
- 4 2. Page 1, by striking lines 12 through 14 and
- 5 inserting <and the biological parent against whom>
- 6 3. By renumbering as necessary.

WOLFE of Clinton

H-8064

- 1 Amend House File 2366 as follows:
- 2 1. Page 1, by striking lines 3 through 6 and
- 3 inserting:
- 4 <NEW SUBSECTION. 6. A county board of supervisors
- 5 shall not retaliate against an advocate for performing
- 6 the advocate's duties and responsibilities, provided
- 7 that the advocate performs the advocate's duties in
- 8 accordance with all of the following:>
- 9 2. By renumbering as necessary.

HEATON of Henry

H-8065

- 1 Amend the amendment, H-8047, to House File 2064 as
- 2 follows:
- 3 1. Page 1, line 7, by striking <in violation of>
- 4 and inserting <as defined in section 726.6, subsection
- 5 1, paragraph "b", that is described and punishable
- 6 under>

RIZER of Linn

H-8066

1 Amend the amendment, H-8042, to House File 2385 as  
 2 follows:  
 3 1. Page 1, by striking lines 5 and 6 and inserting  
 4 <to a civil penalty ~~not to exceed~~ of one thousand  
 5 dollars for each violation a first offense, two  
 6 thousand dollars for a second offense, and three  
 7 thousand dollars for a third or subsequent offense.>>

LENSING of Johnson

H-8067

1 Amend House File 2388 as follows:  
 2 1. Page 1, line 23, by striking <plan.> and  
 3 inserting <plan, and may be performed only if the  
 4 licensed dental hygienist does not charge a fee or  
 5 receive compensation or remuneration in any form from  
 6 any person or third-party payer including but not  
 7 limited to an insurance company, health plan, or state  
 8 or federal benefit program.>  
 9 2. Page 2, line 1, after <inspection.> by  
 10 inserting <An oral inspection performed by a licensed  
 11 dental hygienist shall not constitute a dental exam and  
 12 shall not be performed for the purpose of diagnosing  
 13 a dental condition.>

L. MILLER of Scott  
LENSING of Johnson

H-8068

1 Amend House File 2414 as follows:  
 2 1. Page 1, line 22, by striking <hire> and  
 3 inserting <hire, or a shared expense carpool or vanpool  
 4 arrangement>  
 5 2. Page 2, after line 15 by inserting:  
 6 <Sec.    . **NEW SECTION. 321N.2 Exclusions** —  
 7 **driver requirements.**  
 8 1. A transportation network company, a  
 9 transportation network company driver, or a personal  
 10 vehicle used to provide a prearranged ride is not a  
 11 motor carrier as defined in section 325A.1, private  
 12 carrier as defined in section 325A.1, charter carrier  
 13 as defined in section 325A.12, or common carrier.  
 14 2. Prior to permitting an individual to act  
 15 as a transportation network company driver on a  
 16 transportation network company's digital network, the  
 17 company shall do all of the following:  
 18 *a.* Require the individual to submit an application  
 19 to the company with the individual's name, address,

20 and age, and with copies of the individual's driver's  
21 license, the registration for the personal vehicle the  
22 individual will use to provide prearranged rides, proof  
23 of financial responsibility covering the driver in the  
24 types and amounts required by section 321N.3, and any  
25 other information required by the company.  
26 b. Conduct, or instruct a third party to conduct,  
27 a local and national criminal background check on the  
28 individual and a search of the national sex offender  
29 registry database for the individual.  
30 c. Obtain and review a driving history research  
31 report on the individual.  
32 3. A transportation network company shall not  
33 knowingly allow an individual to act as a driver on  
34 the company's digital network if any of the following  
35 apply:

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1 a. The individual has been convicted of more than  
2 three moving violations.  
3 b. The individual has been convicted of violating  
4 section 321.218, 321.277, or 321J.21, or section  
5 321A.32, subsection 1, in the prior three-year period.  
6 c. The individual has been convicted in the prior  
7 seven-year period of a felony, of violating section  
8 321J.2 or 321J.2A, or of any crime involving resisting  
9 law enforcement, dishonesty, injury to another person,  
10 damage to the property of another person, or operating  
11 a vehicle in a manner that endangers another person.  
12 d. The individual is registered on the national sex  
13 offender registry.  
14 e. The individual is unable to provide any  
15 information required by this section.  
16 4. A transportation network company shall adopt and  
17 enforce a zero tolerance policy prohibiting the use of  
18 drugs or alcohol by a transportation network company  
19 driver while the driver is providing a prearranged ride  
20 or is logged on to the company's digital network and  
21 available to receive requests for transportation from  
22 potential riders. The policy shall include provisions  
23 providing for the investigation of alleged violations  
24 of the policy and the suspension of drivers under  
25 investigation.  
26 5. A transportation network company shall require  
27 that a personal vehicle used to provide prearranged  
28 rides shall comply with all applicable motor vehicle  
29 equipment requirements.>  
30 3. Page 2, line 16, by striking <321N.2> and  
31 inserting <321N.3>  
32 4. Page 3, line 5, after <accident.> by inserting  
33 If there is a lien on the personal vehicle used by the

34 <driver while the driver is logged on to a company's  
35 digital network and is available to receive requests

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1 for a prearranged ride, primary automobile insurance  
2 maintained pursuant to paragraph "c" shall also include  
3 comprehensive physical damage coverage and collision  
4 physical damage coverage.>  
5 5. Page 3, line 21, after <accident.> by inserting  
6 <If there is a lien on the personal vehicle used by the  
7 driver while the driver is engaged in a prearranged  
8 ride, primary automobile insurance maintained pursuant  
9 to paragraph "c" shall also include comprehensive  
10 physical damage coverage and collision physical damage  
11 coverage.>  
12 6. Page 4, line 33, by striking <321N.3> and  
13 inserting <321N.4>  
14 7. Page 5, line 12, by striking <321N.4> and  
15 inserting <321N.5>  
16 8. Page 6, line 18, by striking <potentially>  
17 9. Page 6, lines 26 and 27, by striking <that  
18 resulted in the claim>  
19 10. Page 6, after line 30 by inserting:  
20 <Sec. \_\_\_\_ . Section 325A.1, subsections 6, 7, and  
21 13, Code 2016, are amended to read as follows:  
22 6. "*Motor carrier*" means a person defined in  
23 subsection 8, 9, or 10, but does not include a  
24 transportation network company or a transportation  
25 network company driver, as defined in section 321N.1.  
26 7. "*Motor carrier certificate*" means a certificate  
27 issued by the department to any person transporting  
28 passengers on any highway of this state for hire,  
29 other than a transportation network company or a  
30 transportation network company driver, as defined in  
31 section 321N.1. This certificate is transferable.  
32 13. "*Private carrier*" means a person who provides  
33 transportation of property or passengers by motor  
34 vehicle, is not a for-hire motor carrier or a  
35 transportation network company or a transportation

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1 network company driver, as defined in section 321N.1,  
2 or who transports commodities of which the person is  
3 the owner, lessee, or bailee and the transportation  
4 is a furtherance of the person's primary business or  
5 occupation.  
6 Sec. \_\_\_\_ . Section 325A.11, Code 2016, is amended to  
7 read as follows:  
8 **325A.11 Passenger transportation.**  
9 In addition to the requirements of subchapter 1,

10 motor carriers of passengers and charter carriers shall  
 11 comply with the requirements of this subchapter. A  
 12 transportation network company or a transportation  
 13 network company driver, as defined in section 321N.1,  
 14 need not comply with the requirements of subchapter 1  
 15 or this subchapter.

16 Sec. \_\_\_. Section 325A.12, subsection 3, Code 2016,  
 17 is amended by adding the following new paragraph:  
 18 NEW PARAGRAPH. e. A transportation network company  
 19 or a transportation network company driver, as defined  
 20 in section 321N.1.

21 Sec. \_\_\_. Section 327D.1, Code 2016, is amended to  
 22 read as follows:

23 **327D.1 Applicability of chapter.**

24 This chapter applies to intrastate transportation  
 25 by for-hire common carriers of persons and property.  
 26 However, this chapter does not apply to regular route  
 27 motor carriers of passengers or charter carriers, as  
 28 defined under section 325A.12, or a transportation  
 29 network company or a transportation network company  
 30 driver, as defined in section 321N.1.>

31 11. Page 6, line 32, by striking <321N.2> and  
 32 inserting <321N.3>

33 12. Page 6, line 34, by striking <321N.2> and  
 34 inserting <321N.3>

35 13. By renumbering, redesignating, and correcting

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1 internal references as necessary.

PETTENGILL of Benton

H-8069

1 Amend House File 2392 as follows:

2 1. Page 3, lines 14 and 15, by striking <approved  
 3 by the department> and inserting <that meets standards  
 4 adopted by the department>

5 2. Page 3, line 17, after <109-270> by inserting  
 6 <state board>

7 3. Page 4, line 9, by striking <approved>

8 4. Page 4, by striking lines 10 through 13 and  
 9 inserting <and decision-making systems.>

10 5. Page 4, line 20, by striking <approved>

11 6. Page 7, lines 25 and 26, by striking <paragraphs  
 12 c and d, Code 2016, are> and inserting <paragraph c,  
 13 Code 2016, is>

14 7. Page 8, by striking lines 4 through 20 and  
 15 inserting:

16 <Sec. \_\_\_. Section 85.61, subsection 2, paragraph  
 17 d, Code 2016, is amended by striking the paragraph.>

- 18 8. Page 9, by striking lines 1 through 3 and  
 19 inserting <college pursuant to a contractual agreement  
 20 with a school corporation or accredited nonpublic  
 21 school to provide the program.>  
 22 9. Page 11, line 12, by striking <incorporate  
 23 twenty-first century skills.>  
 24 10. Page 11, line 15, by striking <and incorporate>  
 25 and inserting <incorporate>  
 26 11. Page 11, line 18, by striking <"h"> and  
 27 inserting <"h", and incorporate relevant twenty-first  
 28 century skills>  
 29 12. Page 12, by striking lines 6 through 13 and  
 30 inserting <education service areas: agriculture,  
 31 business or office occupations, health occupations,  
 32 family and consumer sciences or home economics  
 33 occupations, industrial technology or trade and  
 34 industrial education, and marketing education  
 35 (a) Agriculture, food, and natural resources.

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- 1 (b) Arts, communications, and information systems.  
 2 (c) Applied sciences, technology, engineering, and  
 3 manufacturing, including transportation, distribution,  
 4 logistics, architecture, and construction.  
 5 (d) Health sciences.  
 6 (e) Human services, including law, public safety,  
 7 government, public administration, and education and  
 8 training.  
 9 (f) Business, finance, marketing, and management,  
 10 including hospitality and tourism.  
 11 (02) Instruction provided under subparagraph (1)  
 12 shall be>  
 13 13. Page 22, line 16, by striking <258.14> and  
 14 inserting <258.4>  
 15 14. Page 22, by striking line 21 and inserting <not  
 16 subject to the requirements of section 69.16.>  
 17 15. Page 24, line 28, by striking <industry,  
 18 including> and inserting <industry and>  
 19 16. Page 27, line 21, after <districts> by  
 20 inserting <and a community college>  
 21 17. Page 27, line 23, by striking <and a community  
 22 college>  
 23 18. Page 27, line 26, by striking <at a minimum  
 24 fulfills> and inserting <may fulfill>  
 25 19. By renumbering as necessary.

HANUSA of Pottawattamie

H-8070

1 Amend the amendment, H-8057, to House File 2386 as

2 follows:

3 1. Page 1, by striking lines 2 through 18 and  
 4 inserting:  
 5 <1. By striking everything after the enacting  
 6 clause and inserting:  
 7 <Section 1. Section 232.116, subsection 1, Code  
 8 2016, is amended by adding the following new paragraph:  
 9 NEW PARAGRAPH. *p.* The court finds clear and  
 10 convincing evidence that the child was conceived as the  
 11 result of sexual abuse as defined in section 709.1, and  
 12 the biological parent against whom the sexual abuse  
 13 was perpetrated requests termination of the parental  
 14 rights of the biological parent who perpetrated the  
 15 sexual abuse. However, this ground for ordering  
 16 termination of parental rights does not apply to a  
 17 violation of section 709.4, subsection 1, paragraph  
 18 "b", subparagraph (3), subparagraph division (d), if  
 19 the perpetrator is under twenty-two years of age.  
 20 Sec. 2. Section 600A.8, Code 2016, is amended by  
 21 adding the following new subsection:  
 22 NEW SUBSECTION. 11. The court finds clear and  
 23 convincing evidence that the child was conceived as the  
 24 result of sexual abuse as defined in section 709.1, and  
 25 the biological parent against whom the sexual abuse  
 26 was perpetrated requests termination of the parental  
 27 rights of the biological parent who perpetrated the  
 28 sexual abuse. However, this ground for ordering  
 29 termination of parental rights does not apply to a  
 30 violation of section 709.4, subsection 1, paragraph  
 31 "b", subparagraph (3), subparagraph division (d), if  
 32 the perpetrator is under twenty-two years of age.>>

HEARTSILL of Marion

H-8071

1 Amend Senate File 1, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 8A.311, Code 2016, is amended  
 6 by adding the following new subsection:  
 7 NEW SUBSECTION. 12A. A department or agency is not  
 8 required to comply with section 904.807 or 904.808 if  
 9 the department or agency can verify the products are  
 10 manufactured within the state.>

COMMITTEE ON STATE GOVERNMENT

H-8072

1 Amend Senate File 503, as passed by the Senate, as



2 follows:

- 3 1. Page 1, line 1, by striking <2015> and inserting  
4 <2016>  
5 2. Page 1, line 22, by striking <paragraph> and  
6 inserting <subsection>

COMMITTEE ON WAYS AND MEANS

H-8073

1 Amend the amendment, H-8047, to House File 2064 as  
2 follows:

- 3 1. Page 1, line 20, after <a.> by inserting <(1)>  
4 2. Page 1, line 26, by striking <paragraph "b"> and  
5 inserting <subparagraph (2)>  
6 3. Page 1, line 27, by striking <b.> and inserting  
7 <(2)>  
8 4. Page 1, line 30, by striking <paragraph "a"> and  
9 inserting <subparagraph (1)>  
10 5. Page 1, after line 33 by inserting:  
11 < b. (1) Effective July 1, 2018, a person who  
12 began serving a sentence prior to July 1, 2016,  
13 for a conviction of robbery in the second degree in  
14 violation of section 711.3, who has not previously been  
15 convicted of a forcible felony, shall be denied parole  
16 or work release until the person has served between  
17 three-tenths and seven-tenths of the maximum term of  
18 the person's sentence.  
19 (2) When the board of parole considers a person  
20 for parole or work release pursuant to this paragraph  
21 "b" the board shall consider all pertinent information  
22 including the person's criminal record and the negative  
23 impact the offense has had on the victim or other  
24 persons.>>

WOLFE of Clinton

H-8074

1 Amend the amendment, H-8069, to House File 2392 as  
2 follows:

- 3 1. Page 2, line 6, after <safety.> by inserting  
4 <corrections, security.>  
5 2. Page 2, after line 12 by inserting:  
6 < . Page 13, by striking lines 11 through 15  
7 and inserting <occupations, and health occupations  
8 relating to service areas specified in section 256.11,  
9 subsection 5, paragraph "h". By July 1, 1993,>  
10 < . Page 14, after line 30 by inserting:  
11 <Sec. . Section 256.40, subsection 2, paragraph  
12 d, Code 2016, is amended to read as follows:  
13 d. Provide a one-stop contact point for information

14 useful to both educators and employers, including  
 15 information on internships, job shadowing experiences,  
 16 apprenticeable occupations as defined in section  
 17 15B.2, and other workplace learning opportunities for  
 18 students, particularly related to science, technology,  
 19 engineering, or mathematics occupations, occupations  
 20 related to critical infrastructure and commercial and  
 21 residential construction, or targeted industries as  
 22 defined in section 15.102.

23 Sec. \_\_\_. Section 256.40, subsection 3, Code 2016,  
 24 is amended to read as follows:

25 3. The department shall establish and facilitate a  
 26 steering committee comprised of representatives from  
 27 the department of workforce development, the economic  
 28 development authority, the community colleges, the  
 29 institutions under the control of the state board  
 30 of regents, accredited private institutions, area  
 31 education agencies, school districts, ~~and~~ the workplace  
 32 learning connection, and an apprenticeship sponsor as  
 33 defined in section 15B.2. The steering committee shall  
 34 be responsible for the development and implementation  
 35 of the statewide work-based learning intermediary

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1 network.>>

2 3. By renumbering as necessary.

RUFF of Clayton  
 HANUSA of Pottawattamie

H-8075

1 Amend the amendment, H-8069, to House File 2392 as  
 2 follows:

3 1. Page 2, before line 13 by inserting:

4 <\_\_. Page 21, after line 19 by inserting:

5 <9A. "Work-based learning" means opportunities and  
 6 experiences that include but are not limited to tours,  
 7 job shadowing, rotations, mentoring, entrepreneurship,  
 8 service learning, internships, and apprenticeships.>>

9 2. Page 2, after line 24 by inserting:

10 <\_\_. Page 39, after line 16 by inserting:

11 <Sec. \_\_\_. DEPARTMENT OF EDUCATION — CAREER AND  
 12 TECHNICAL EDUCATION STATUS REPORT. The department  
 13 of education shall review the status of compliance  
 14 of career and technical education programs offered  
 15 for grades seven through twelve that identifies the  
 16 content areas currently offered and taught in this  
 17 state's school districts and the gaps between the  
 18 current content areas and the career and technical  
 19 education service areas required as provided in section

20 256.11, as amended by this Act. The report shall also  
 21 establish a timeline by which the provisions of this  
 22 Act shall be fully implemented, including but not  
 23 limited to adoption of rules by the state board of  
 24 education establishing standards to ensure regional  
 25 centers have appropriate educational programs, adequate  
 26 participation, and are located within an appropriate  
 27 distance of participating high schools and in a manner  
 28 compatible with development of a statewide network  
 29 of regional centers. The report shall also identify  
 30 the measures by which regional career and technical  
 31 education planning partnerships will be evaluated,  
 32 the measures being taken to ensure that career and  
 33 technical education teachers for grades 7 through  
 34 12 receive high-quality professional development  
 35 opportunities geared toward updating and enhancing

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1 their instructional and technical skills, and the  
 2 timelines by which all such measures are in place.  
 3 The department shall submit the status report to the  
 4 general assembly not later than November 15, 2016.>>  
 5 3. By renumbering as necessary.

WINCKLER of Scott

H-8076

1 Amend House File 2148 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 <Section 1. Section 321.37, subsection 2, Code  
 5 2016, is amended to read as follows:  
 6 2. Registration plates issued for a motor vehicle  
 7 which is model year 1948 or older, ~~and is~~ reconstructed  
 8 or specially constructed ~~vehicles built~~ to resemble a  
 9 model year 1948 vehicle or older, or is registered as  
 10 an antique vehicle under section 321.115, other than a  
 11 truck registered for more than five tons, motorcycle,  
 12 or truck tractor, may display one registration plate  
 13 on the rear of the vehicle if the other registration  
 14 plate issued to the vehicle is carried in the vehicle  
 15 at all times when the vehicle is operated on a public  
 16 highway.>  
 17 2. Title page, line 1, by striking <issuance and>  
 18 3. Title page, line 2, after <on> by inserting  
 19 <antique>

BYRNES of Mitchell

H-8077

- 1 Amend House File 2390 as follows:  
2 1. Page 1, before line 1 by inserting:  
3 <Section 1. Section 26.2, subsection 2, Code 2016,  
4 is amended to read as follows:  
5 2. “*Governmental entity*” means the state, political  
6 subdivisions of the state, public school corporations,  
7 and all officers, boards, or commissions empowered  
8 by law to enter into contracts for the construction  
9 of public improvements, excluding the state board of  
10 regents and the state department of transportation.>  
11 2. Title page, lines 2 and 3, by striking <  
12 conducted by the state board of regents>  
13 3. By renumbering as necessary.

HUNTER of Polk

H-8078

- 1 Amend House File 2390 as follows:  
2 1. Page 2, after line 7 by inserting:  
3 <c. (1) For purposes of this paragraph:  
4 (a) “*Labor organization*” means an area or state  
5 building and construction trades or crafts council,  
6 organization, or association or a comparable body.  
7 (b) “*Project labor agreement*” means a comprehensive  
8 pre-hire collective bargaining agreement that is  
9 negotiated between the board and an appropriate labor  
10 organization and sets out the basic terms and working  
11 conditions for that particular construction, repair,  
12 or improvement.  
13 (2) The board shall require that every contractor  
14 or subcontractor for that construction, repair, or  
15 improvement agree to negotiate or become a party to a  
16 project labor agreement with one or more appropriate  
17 labor organizations. A project labor agreement  
18 reached pursuant to this paragraph shall do all of the  
19 following:  
20 (a) Bind all contractors and subcontractors for  
21 that construction, repair, or improvement through the  
22 inclusion of appropriate specifications in all relevant  
23 solicitation provisions and contract documents.  
24 (b) Allow all contractors and subcontractors to  
25 compete for contracts and subcontracts without regard  
26 to whether they are otherwise parties to collective  
27 bargaining agreements.  
28 (c) Contain guarantees against strikes, lockouts,  
29 and similar job disruptions.  
30 (d) Set forth effective, prompt, and mutually  
31 binding procedures for resolving labor disputes arising  
32 during the term of the project labor agreement.

33 (e) Provide other mechanisms for labor-management  
34 cooperation on matters of mutual interest and concern,  
35 including but not limited to productivity, quality of

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1 work, safety, and health.  
2 (f) Fully conform to all applicable state laws and  
3 rules.>

HUNTER of Polk

H-8079

1 Amend House File 2390 as follows:  
2 1. Page 2, after line 7 by inserting:  
3 <Sec. \_\_. **NEW SECTION. 262.34C Payment of**  
4 **prevailing wages required.**  
5 1. *a.* Contractors and subcontractors engaged in  
6 a public improvement for the board shall pay not less  
7 than the current specified prevailing wage rates to all  
8 of their workers engaged in the public improvement.  
9 However, this section does not prohibit the payment  
10 of more than the prevailing wage rate to any workers  
11 engaged in a public improvement for the board.  
12 *b.* All contractors and subcontractors required to  
13 pay the prevailing wage rate under this section shall  
14 pay the wages in legal tender, without any deduction  
15 for food, sleeping accommodations, transportation, use  
16 of tools or safety equipment, vehicle or equipment  
17 rental, or any other thing of any kind or description.  
18 2. As used in this section, unless the context  
19 otherwise requires:  
20 *a.* “*Commissioner*” means the labor commissioner  
21 appointed pursuant to section 91.2.  
22 *b.* “*Prevailing wage rate*” means the hourly wage  
23 plus fringe benefits, which the commissioner determines  
24 prevails in accordance with this section, including all  
25 of the following:  
26 (1) Apprentice ratios and the prevailing apprentice  
27 pay levels for each craft, classification, or type of  
28 worker which the commissioner determines prevails in  
29 accordance with this section.  
30 (2) A prevailing rate for overtime pay for work in  
31 excess of the normal prevailing workday and for weekend  
32 overtime pay for each craft, classification, or type of  
33 worker, including apprentices.  
34 (3) Holiday pay for holidays that prevail in the  
35 locality in which the work is being performed.

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- 1 3. *a.* The commissioner shall determine annually  
2 and publish, on the first business day of July, the  
3 prevailing wage rates by locality for each craft,  
4 classification, or type of worker needed to perform  
5 work on public improvements. The rates shall be  
6 conclusive for one year from the date of publication  
7 unless superseded within the one year by a later  
8 publication of the commissioner, or for a longer period  
9 as provided in this subsection.
- 10 *b.* The commissioner shall announce all prevailing  
11 wage rate determinations by locality and give notice  
12 by posting them on the portion of the department of  
13 workforce development's internet site. A printed  
14 version of the prevailing wage rates for the state  
15 shall be available to the public upon request.
- 16 *c.* The public body awarding any contract for a  
17 public improvement, or otherwise undertaking any  
18 public improvement, shall obtain from the internet  
19 site the prevailing wage rate in the locality in which  
20 work on the public improvement is to be performed for  
21 each craft, classification, or type of worker needed  
22 to perform work on the public improvement. After a  
23 public improvement contract is awarded, or a public  
24 improvement is otherwise undertaken, the prevailing  
25 wage rate published by the commissioner and stated  
26 in the public body's public improvement procurement  
27 documents shall remain in effect throughout the  
28 duration of the public improvement unless superseded  
29 by a later determination and publication by the  
30 commissioner, or unless multiyear prevailing wage rates  
31 have been published by the commissioner at the time the  
32 public improvement procurement documents were released.
- 33 *d.* (1) In determining the annual prevailing wage  
34 rate for any craft, classification, or type of worker,  
35 the commissioner shall ascertain and consider the

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- 1 applicable wage rates and fringe benefits established  
2 by collective bargaining agreements, the prevailing  
3 wage rate determinations that may exist for federal  
4 public improvements within the locality and other  
5 data obtained by the department during any prevailing  
6 wage rate survey of contractors who participate in  
7 an apprenticeship program approved by and registered  
8 with the United States department of labor's office  
9 of apprenticeship, who provide health insurance  
10 and retirement benefits for their workers, and who  
11 are registered with the department of workforce  
12 development. Based upon these considerations, the

13 commissioner shall calculate the prevailing wage rates  
14 based on the wage rate plus fringe benefits most often  
15 occurring for each craft, classification, or other type  
16 of worker within each locality.

17 (2) The minimum annual prevailing wage rate  
18 determination established by the department of  
19 workforce development shall not be lower than the  
20 prevailing wage rate determination that may exist for  
21 federal public improvements within the locality and in  
22 the nearest labor market area.

23 (3) None of the fringe benefits enumerated in  
24 this section may be considered in the determination  
25 of prevailing wage rates if the contractor or  
26 subcontractor is required by other federal, state, or  
27 local law to provide such fringe benefits.

28 e. If the commissioner determines that the  
29 prevailing wage rate for any craft, classification, or  
30 type of worker is the rate established by a collective  
31 bargaining agreement applicable in the locality, the  
32 commissioner may adopt that rate by reference and that  
33 determination shall be effective for the life of the  
34 agreement or until the commissioner adopts another  
35 rate.

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1 f. (1) At any time within fifteen days after the  
2 department of workforce development has published on  
3 the department's internet site the annual prevailing  
4 wage rates for each classification, craft, or other  
5 type of worker in the locality, any interested person  
6 affected may object to the determination or the part  
7 of the determination as the interested person may deem  
8 objectionable by filing a written notice with the  
9 commissioner by restricted certified mail as defined  
10 in section 618.15. When objecting to a prevailing  
11 wage rate determination, the interested person shall  
12 submit, as a part of the written notice, the prevailing  
13 wage rate the interested person believes to be the  
14 correct prevailing wage rate determination, stating  
15 the specific grounds to support that position. Upon  
16 receipt of the notice of objection, the commissioner  
17 shall reconsider the determination and shall affirm  
18 or modify the determination and reply in writing by  
19 restricted certified mail to the interested person  
20 within fifteen days from the date of the receipt of  
21 the notice of objection. Any modification to the  
22 prevailing wage rate determination shall be effective  
23 on the date the modification is published by the  
24 commissioner.

25 (2) If the commissioner declines to modify the  
26 determination, within ten days upon receiving receipt

27 of the commissioner's decision, the interested person  
28 affected may submit in writing the objection to the  
29 department of workforce development by restricted  
30 certified mail, stating the specified grounds of the  
31 objection. The department of inspections and appeals  
32 shall be notified of the objection and set a date for  
33 a hearing before an administrative law judge on the  
34 objection, after giving notice by restricted certified  
35 mail to the interested person and the department of

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1 workforce development at least ten days before the date  
2 of the hearing of the time and place of the hearing.  
3 The hearing shall be held within forty-five days after  
4 the objection is filed, and shall not be postponed or  
5 reset for a later date except upon the consent, in  
6 writing, of the interested person and the department  
7 of workforce development.  
8 *g.* The party requesting a hearing shall have the  
9 burden of establishing that the annual prevailing  
10 wage rate determination for that locality was not  
11 determined in accordance with this section. If the  
12 party requesting a hearing under this subsection  
13 objects to the commissioner's failure to include  
14 a craft, classification, or type of worker within  
15 the annual prevailing wage rate determination in  
16 the locality, the objector shall have the burden of  
17 establishing that there is no existing prevailing  
18 wage rate classification for the particular craft,  
19 classification, or type of worker in any of the  
20 localities under consideration.  
21 *h.* The administrative law judge may in the  
22 administrative law judge's discretion hear each  
23 written objection filed separately or consolidate  
24 for hearing any one or more written objections filed  
25 with the department of workforce development. At the  
26 hearing, the department of workforce development shall  
27 introduce into evidence the investigation it instituted  
28 which formed the basis of its determination, and the  
29 department of workforce development or any interested  
30 objectors may introduce evidence that is material to  
31 the determination. The administrative law judge shall  
32 rule upon each written objection and make a final  
33 determination, as the administrative law judge believes  
34 the evidence warrants, and promptly serve a copy of the  
35 final determination by personal service or restricted

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1 certified mail on all parties to the proceedings.  
2 The administrative law judge shall render a final



3 determination within thirty days after the conclusion  
 4 of the hearing.  
 5 *i.* If proceedings to review judicially the  
 6 final determination of the administrative law judge  
 7 are not instituted as provided in this section,  
 8 the determination shall be final and binding. The  
 9 provisions of section 17A.19 shall apply to and govern  
 10 all proceedings. Appeals from all final orders and  
 11 judgments entered by the court in review of the final  
 12 determination of the administrative law judge may be  
 13 taken by any party to the action. In all reviews or  
 14 appeals under this chapter, the attorney general shall  
 15 represent the department of workforce development and  
 16 defend its determination.  
 17 *j.* This section does not give reason or provide  
 18 cause for an injunction to halt or delay any public  
 19 improvement.>  
 20 2. By renumbering as necessary.

HUNTER of Polk

H-8080

1 Amend Senate File 2185, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, before line 1 by inserting:  
 4 <Section 1. Section 709.21, subsection 3, Code  
 5 2015, is amended to read as follows:  
 6 3. A person who violates this section commits a  
 7 ~~serious~~ an aggravated misdemeanor.>  
 8 2. By renumbering as necessary.

COMMITTEE ON PUBLIC SAFETY

H-8081

1 Amend House File 2403 as follows:  
 2 1. Page 1, after line 24 by inserting:  
 3 <(f) Feed placed for preserve whitetail in a  
 4 hunting preserve pursuant to chapter 484C.>  
 5 2. Page 1, by striking lines 25 and 26 and  
 6 inserting:  
 7 <2. A person shall not hunt, take, or attempt to  
 8 take deer while the person is on or in a baited area  
 9 and a person shall not hunt, take, or attempt to take  
 10 deer that is on or in a baited area.>  
 11 3. By striking page 1, line 32, through page 2,  
 12 line 2, and inserting <the state unless all feed is  
 13 removed from the baited area during the period of time  
 14 beginning on September 1 and ending on January 31 of  
 15 the following year. If salt, minerals, or any other  
 16 feed that will dissolve and leach into the soil is used

17 as bait, the area shall be considered>  
 18 4. Page 2, lines 6 and 7, by striking <two hundred>  
 19 and inserting <fifty>  
 20 5. Page 2, line 10, after <area.> by inserting  
 21 <A baited area remains a permanently baited area  
 22 regardless of any attempt to restrict access by deer  
 23 to the area by covering or fencing the area, or by any  
 24 other means.>

FISHER of Tama

H-8082

1 Amend House File 2357 as follows:  
 2 1. Page 1, line 3, by striking <restrictions>  
 3 2. Page 1, lines 19 and 20, by striking <that  
 4 restrict> and inserting <for>  
 5 3. Page 1, line 21, after <section 483A.28.>  
 6 by inserting <Seasons established pursuant to this  
 7 subsection shall not apply to the noncommercial harvest  
 8 of snapping turtles.>  
 9 4. Page 1, line 22, by striking <3. a.  
 10 Notwithstanding> and inserting <3. Notwithstanding>  
 11 5. Page 1, lines 24 and 25, by striking <that  
 12 restrict> and inserting <for>  
 13 6. Page 1, line 27, by striking <b. On or before  
 14 January 15, 2018> and inserting <4. Beginning no  
 15 later than January 1, 2017, and ending no earlier than  
 16 January 1, 2021>  
 17 7. Page 1, line 33, after <revised> by inserting  
 18 <no later than June 30, 2021>  
 19 8. Page 1, line 34, by striking <paragraph> and  
 20 inserting <subsection>  
 21 9. Page 1, line 34, by striking <2018> and  
 22 inserting <2021>

FISHER of Tama

H-8083

1 Amend House File 2429 as follows:  
 2 1. By striking page 2, line 34, through page 3,  
 3 line 28.  
 4 2. Title page, line 2, by striking <requirements  
 5 and>  
 6 3. By renumbering as necessary.

VANDER LINDEN of Mahaska

H-8084

1 Amend the amendment, H-8076, to House File 2148 as

- 2 follows:
- 3 1. Page 1, by striking lines 4 and 5 and inserting:
- 4 <<Sec. \_\_\_\_ Section 321.1, Code 2016, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 76A. “*Sports car*” means a motor
- 7 vehicle originally manufactured with seats for two
- 8 passengers, with a front bumper that sits eight inches
- 9 from the ground or less, and capable of exceeding one
- 10 hundred thirty miles per hour.
- 11 Sec. \_\_\_\_ Section 321.37, subsection 2, Code 2016,
- 12 is amended to read as follows:>
- 13 2. Page 1, line 9, before <or is> by inserting <is
- 14 a sports car.>
- 15 3. Page 1, after line 19 by inserting:
- 16 <\_\_. Title page, line 2, after <vehicles> by
- 17 inserting <and sports cars>>
- 18 4. By renumbering as necessary.

BYRNES of Mitchell

H-8085

- 1 Amend House File 2397 as follows:
- 2 1. Page 1, by striking lines 1 through 6.
- 3 2. Page 1, line 9, by striking <~~Lubricants and oils~~
- 4 Industrial lubricants> and inserting <Lubricants and
- 5 oils>
- 6 3. Page 1, by striking line 13 and inserting
- 7 <purchase of lubricating oil and, industrial oil, and
- 8 automotive engine oil to>
- 9 4. Page 1, by striking lines 17 and 18 and
- 10 inserting:
- 11 <2. Require that purchases of lubricating oil and,
- 12 industrial oil, and automotive engine oil be made from
- 13 the seller whose oil product>
- 14 5. Page 1, line 35, by striking <preference
- 15 biopreferred> and inserting <preference>
- 16 6. Page 2, line 1, by striking <~~oils industrial~~
- 17 lubricants> and inserting <oils>
- 18 7. Page 2, line 3, by striking <preference
- 19 biopreferred> and inserting <preference>
- 20 8. Page 2, by striking line 12 and inserting
- 21 <lubricating oil, and industrial oil, and automotive
- 22 engine oil procurement>
- 23 9. Page 2, by striking lines 16 through 23 and
- 24 inserting:
- 25 <4. a. Provide that when purchasing hydraulic
- 26 fluids, greases, and other industrial lubricants,
- 27 the department or a state agency authorized by the
- 28 department to directly purchase hydraulic fluids,
- 29 greases, and other industrial lubricants shall give
- 30 preference to purchasing biobased hydraulic fluids,

31 greases, and other industrial lubricants manufactured  
 32 from biobased products, with additional preference  
 33 given to biobased products derived from soybeans.>  
 34 10. Page 2, line 29, by striking <hydraulic fluids,  
 35 greases, and other> and inserting <hydraulic fluids,

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1 greases, and other>  
 2 11. Page 2, lines 32 and 33, by striking <hydraulic  
 3 fluids, greases, and other> and inserting <hydraulic  
 4 fluids, greases, and other>  
 5 12. Page 3, lines 1 and 2, by striking <hydraulic  
 6 fluids, greases, and other> and inserting <hydraulic  
 7 fluids, greases, and other>  
 8 13. By striking page 3, line 19, through page 5,  
 9 line 17.  
 10 14. Title page, line 2, by striking <industrial  
 11 lubricants> and inserting <certain lubricants and oils>  
 12 15. By renumbering as necessary.

RIZER of Linn

## H-8086

1 Amend Senate File 453, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 2, by striking <2015> and inserting  
 4 <2016>  
 5 2. Page 1, line 31, by striking <2015> and  
 6 inserting <2016>  
 7 3. Page 1, line 32, by striking <subsection> and  
 8 inserting <subsections>  
 9 4. Page 1, before line 33 by inserting:  
 10 <NEW SUBSECTION. 24A. "Managing pharmacy" means  
 11 a licensed pharmacy that oversees the activities of a  
 12 telepharmacy site.>  
 13 5. Page 2, before line 1 by inserting:  
 14 <NEW SUBSECTION. 40B. "Telepharmacy site" means  
 15 a licensed pharmacy that is operated by a managing  
 16 pharmacy and staffed by one or more qualified certified  
 17 pharmacy technicians where pharmaceutical care  
 18 services, including the storage and dispensing of  
 19 prescription drugs, drug regimen review, and patient  
 20 counseling, are provided by a licensed pharmacist  
 21 through the use of technology.  
 22 Sec. \_\_\_\_ Section 155A.13, subsection 3, Code 2016,  
 23 is amended to read as follows:  
 24 3. a. The board may issue a special or limited-use  
 25 pharmacy license based upon special conditions of  
 26 use imposed pursuant to rules adopted by the board  
 27 for cases in which the board determines that certain

28 requirements may be waived.  
 29 b. The board shall adopt rules for the issuance  
 30 of a special or limited-use pharmacy license to a  
 31 telepharmacy site. The rules shall address:  
 32 (1) Requirements for establishment and operation  
 33 of a telepharmacy site, including but not limited  
 34 to physical requirements and required policies and  
 35 procedures.

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1 (2) Requirements for being a managing pharmacy.  
 2 (3) Requirements governing operating agreements  
 3 between telepharmacy sites and managing pharmacies.  
 4 (4) Training and experience required for certified  
 5 pharmacy technicians working at a telepharmacy site.  
 6 (5) Requirements for a pharmacist providing  
 7 services to and supervising a telepharmacy site.  
 8 (6) Any other health and safety concerns associated  
 9 with a telepharmacy site.  
 10 c. The board shall issue a special or limited-use  
 11 pharmacy license to a telepharmacy site that meets the  
 12 minimum requirements established by the board by rule.>  
 13 6. Page 2, line 1, by striking <2015> and inserting  
 14 <2016>  
 15 7. Page 7, line 22, by striking <2015> and  
 16 inserting <2016>  
 17 8. Page 8, line 3, by striking <2015> and inserting  
 18 <2016>  
 19 9. By renumbering as necessary.

BEST of Carroll

H-8087

1 Amend House File 2429 as follows:  
 2 1. By striking page 1, line 1, through page 2, line  
 3 33.  
 4 2. Page 4, line 29, by striking <division of this>  
 5 3. Title page, by striking line 1 and inserting <An  
 6 Act concerning>  
 7 4. Title page, line 2, by striking <and gambling>  
 8 and inserting <gambling>  
 9 5. By renumbering as necessary.

OLSON of Polk

H-8088

1 Amend House File 2394 as follows:  
 2 1. Page 1, before line 1 by inserting:  
 3 <Section 1. Section 16.91, subsection 3, Code 2016,

4 is amended to read as follows:

5 3. With the approval of the authority board the  
6 division and its board shall consult with the insurance  
7 division of the department of commerce in developing  
8 a guaranty contract acceptable to the secondary  
9 market and developing any other feature of the program  
10 with which the insurance division may have special  
11 expertise. ~~The insurance division shall establish the~~  
12 ~~amount for a loss reserve fund.~~ Except as provided in  
13 this subsection, the Iowa title guaranty program is not  
14 subject to the jurisdiction of or regulation by the  
15 insurance division or the commissioner of insurance.

16 Sec. \_\_\_\_ NEW SECTION. **321N.1 Definitions.**

17 As used in this chapter, unless the context  
18 otherwise requires:

19 1. *“Digital network”* means an online-enabled  
20 application, software, internet site, or system offered  
21 or utilized by a transportation network company that  
22 enables transportation network company riders to  
23 prearrange rides with transportation network company  
24 drivers.

25 2. *“Personal vehicle”* means a motor vehicle that  
26 is used by a transportation network company driver and  
27 is owned, leased, or otherwise authorized for use by  
28 the transportation network company driver. *“Personal*  
29 *vehicle”* does not include a taxicab, limousine, or  
30 other vehicle for hire.

31 3. *“Prearranged ride”* means the provision of  
32 transportation by a transportation network company  
33 driver to a transportation network company rider.  
34 A prearranged ride begins when a driver accepts a  
35 ride request from a rider through a digital network

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1 controlled by a transportation network company,  
2 continues while the driver transports the requesting  
3 rider, and ends when the last requesting rider departs  
4 from the driver’s personal vehicle. A prearranged  
5 ride does not include transportation provided using a  
6 taxicab, limousine, or other vehicle for hire, or a  
7 shared expense carpool or vanpool arrangement.

8 4. *“Transportation network company”* or *“company”*  
9 means a corporation, partnership, sole proprietorship,  
10 or other entity that operates in this state and  
11 uses a digital network to connect transportation  
12 network company riders to transportation network  
13 company drivers who provide prearranged rides. A  
14 transportation network company is not deemed to  
15 control, direct, or manage a transportation network  
16 company driver that connects to its digital network,  
17 or the driver’s personal vehicle, except as agreed to

18 by the company and the driver pursuant to a written  
19 contract.

20 5. “*Transportation network company driver*” or  
21 “*driver*” means an individual who does all of the  
22 following:

23 a. Receives connections to potential transportation  
24 network company riders and other related services  
25 from a transportation network company in exchange for  
26 payment of a fee to the transportation network company.

27 b. Uses a personal vehicle to offer or provide  
28 prearranged rides to transportation network company  
29 riders upon connection through a digital network  
30 controlled by a transportation network company in  
31 return for compensation or payment of a fee.

32 6. “*Transportation network company rider*” or “*rider*”  
33 means an individual or group of individuals who use  
34 a transportation network company’s digital network to  
35 connect with a transportation network company driver to

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1 request a prearranged ride for the individual or group  
2 of individuals, and who receive the prearranged ride in  
3 the driver’s personal vehicle between locations chosen  
4 by the individual or group of individuals.

5 Sec. \_\_. NEW SECTION. 321N.2 Exclusions — driver  
6 **requirements.**

7 1. A transportation network company, a  
8 transportation network company driver, or a personal  
9 vehicle used to provide a prearranged ride is not a  
10 motor carrier as defined in section 325A.1, private  
11 carrier as defined in section 325A.1, charter carrier  
12 as defined in section 325A.12, or common carrier.

13 2. Prior to permitting an individual to act  
14 as a transportation network company driver on a  
15 transportation network company’s digital network, the  
16 company shall do all of the following:

17 a. Require the individual to submit an application  
18 to the company with the individual’s name, address,  
19 and age, and with copies of the individual’s driver’s  
20 license, the registration for the personal vehicle the  
21 individual will use to provide prearranged rides, proof  
22 of financial responsibility covering the driver in the  
23 types and amounts required by section 321N.3, and any  
24 other information required by the company.

25 b. Conduct, or instruct a third party to conduct,  
26 a local and national criminal background check on the  
27 individual and a search of the national sex offender  
28 registry database for the individual.

29 c. Obtain and review a driving history research  
30 report on the individual.

31 3. A transportation network company shall not

32 knowingly allow an individual to act as a driver on  
33 the company's digital network if any of the following  
34 apply:  
35 a. The individual has been convicted of more than

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1 three moving violations.  
2 b. The individual has been convicted of violating  
3 section 321.218, 321.277, or 321J.21, or section  
4 321A.32, subsection 1, in the prior three-year period.  
5 c. The individual has been convicted in the prior  
6 seven-year period of a felony, of violating section  
7 321J.2 or 321J.2A, or of any crime involving resisting  
8 law enforcement, dishonesty, injury to another person,  
9 damage to the property of another person, or operating  
10 a vehicle in a manner that endangers another person.  
11 d. The individual is registered on the national sex  
12 offender registry.  
13 e. The individual is unable to provide any  
14 information required by this section.  
15 4. A transportation network company shall adopt and  
16 enforce a zero tolerance policy prohibiting the use of  
17 drugs or alcohol by a transportation network company  
18 driver while the driver is providing a prearranged ride  
19 or is logged on to the company's digital network and  
20 available to receive requests for transportation from  
21 potential riders. The policy shall include provisions  
22 providing for the investigation of alleged violations  
23 of the policy and the suspension of drivers under  
24 investigation.  
25 5. A transportation network company shall require  
26 that a personal vehicle used to provide prearranged  
27 rides shall comply with all applicable motor vehicle  
28 equipment requirements.  
29 Sec. \_\_. NEW SECTION. 321N.3 Financial  
30 **responsibility.**  
31 1. A transportation network company driver, or a  
32 transportation network company on the driver's behalf,  
33 shall maintain primary automobile insurance that does  
34 all of the following:  
35 a. Recognizes that the driver is a transportation

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1 network company driver or that the driver otherwise  
2 uses a motor vehicle to transport passengers for  
3 compensation.  
4 b. Covers the driver while the driver is logged on  
5 to the transportation network company's digital network  
6 and while the driver is engaged in a prearranged ride.  
7 c. Covers the driver in the amounts set forth in



8 subsections 2 and 3.

9 2. *a.* While a participating transportation network  
10 company driver is logged on to a transportation network  
11 company's digital network and is available to receive  
12 requests for a prearranged ride, but is not engaged  
13 in a prearranged ride, primary automobile insurance  
14 maintained pursuant to paragraph "*c*" shall cover the  
15 driver in the amount of at least fifty thousand dollars  
16 because of bodily injury to or death of one person in  
17 any one accident, the amount of at least one hundred  
18 thousand dollars because of bodily injury to or death  
19 of two or more persons in any one accident, and the  
20 amount of at least twenty-five thousand dollars because  
21 of injury to or destruction of property of others in  
22 any one accident.

23 *b.* The requirements of paragraph "*a*" shall be in  
24 addition to the automobile insurance requirements set  
25 forth in chapter 516A or any other provision of law.

26 *c.* The requirements of paragraph "*a*" may be  
27 satisfied by any of the following:

28 (1) Insurance maintained by the transportation  
29 network company driver.

30 (2) Insurance maintained by the transportation  
31 network company.

32 (3) A combination of subparagraphs (1) and (2).

33 3. *a.* While a transportation network company  
34 driver is engaged in a prearranged ride, primary  
35 automobile insurance maintained pursuant to paragraph

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1 "*c*" shall cover the driver in the amount of at least  
2 one million dollars because of bodily injury to  
3 or death of one or more persons and injury to or  
4 destruction of property of others in any one accident.

5 *b.* The requirements of paragraph "*a*" shall be in  
6 addition to the automobile insurance requirements set  
7 forth in chapter 516A or any other provision of law.

8 *c.* The requirements of paragraph "*a*" may be  
9 satisfied by any of the following:

10 (1) Insurance maintained by the transportation  
11 network company driver.

12 (2) Insurance maintained by the transportation  
13 network company.

14 (3) A combination of subparagraphs (1) and (2).

15 4. If insurance maintained by a transportation  
16 network company driver under this chapter lapses or  
17 does not provide coverage in the amounts required  
18 by subsections 2 and 3, insurance maintained by a  
19 transportation network company shall provide coverage  
20 in the amounts required by subsections 2 and 3  
21 beginning with the first dollar of a claim, and the

22 company shall have a duty to defend the claim.  
23 5. Coverage under an automobile insurance policy  
24 maintained by a transportation network company under  
25 this chapter shall not be dependent on the insurer  
26 of a driver's personal vehicle first denying a claim,  
27 nor shall a personal automobile insurance policy be  
28 required to first deny a claim.  
29 6. Insurance maintained under this chapter shall be  
30 provided by an insurer governed by chapter 515 or 518,  
31 or by a surplus lines insurer governed by chapter 515L.  
32 A surplus lines insurer that issues a policy pursuant  
33 to this section shall be considered an insurance  
34 carrier duly authorized to transact business in this  
35 state for the purposes of chapter 321A.

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1 7. Insurance maintained under this chapter shall  
2 be deemed to satisfy the financial responsibility  
3 requirements for a motor vehicle under chapter 321A.  
4 8. A transportation network company driver shall  
5 carry proof of financial liability coverage, as  
6 required by section 321.20B, in the amounts required  
7 by subsections 2 and 3, at all times during which the  
8 driver uses a motor vehicle in connection with the  
9 use of a transportation network company's digital  
10 network. In the event of an accident, the driver  
11 shall provide proof of financial liability coverage to  
12 any directly interested party or insurer, and to any  
13 investigating police officer, upon request and in a  
14 format provided for under section 321.20B. Upon such a  
15 request, the driver shall also disclose to any directly  
16 interested party or insurer, and to any investigating  
17 police officer, whether the driver was logged on  
18 to a company's digital network or was providing a  
19 prearranged ride at the time of the accident.  
20 Sec. \_\_. NEW SECTION. 321N.4 Disclosure  
21 requirements.  
22 A transportation network company shall disclose  
23 all of the following information to a transportation  
24 network company driver in writing before the driver may  
25 accept a request from a rider for a prearranged ride on  
26 the company's digital network:  
27 1. The types, amounts, terms, and limits of  
28 automobile insurance provided by the company to the  
29 driver while the driver uses a personal vehicle in  
30 connection with the use of the company's digital  
31 network.  
32 2. That the driver's own automobile insurance  
33 policy, depending on the policy's terms, may not  
34 provide any coverage while the driver is logged on  
35 to the company's digital network and is available to

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1 receive requests for a prearranged ride, or while the  
2 driver is engaged in a prearranged ride.

3 Sec. \_\_\_\_ **NEW SECTION. 321N.5 Insurers.**

4 1. *a.* Notwithstanding any other provision of law  
5 to the contrary, an insurer that writes automobile  
6 insurance within this state may exclude any and all  
7 coverage afforded to an insured person under a policy  
8 issued to the owner or operator of a personal vehicle  
9 for any injury or loss that occurs while the insured  
10 is logged on to a transportation network company's  
11 digital network or while the insured is providing a  
12 prearranged ride. This right to exclude coverage  
13 may apply to any type of coverage provided for in  
14 the insured's policy, including but not limited to  
15 liability coverage for bodily injury and property  
16 damage, personal injury protection coverage, uninsured  
17 and underinsured motorist coverage, medical payments  
18 coverage, comprehensive physical damage coverage, and  
19 collision physical damage coverage.

20 *b.* This chapter shall not be construed to require  
21 an insurer to provide coverage to an individual while  
22 the individual is logged on to a company's digital  
23 network, is engaged in a prearranged ride, or is  
24 otherwise transporting another individual or group of  
25 individuals in a vehicle for compensation.

26 *c.* This chapter shall not be construed to preclude  
27 an insurer from providing coverage for a transportation  
28 network company driver's personal vehicle, if the  
29 insurer chooses to do so by contract or endorsement.

30 2. *a.* An insurer that excludes coverage pursuant  
31 to subsection 1 shall not have a duty to defend or  
32 indemnify a claim expressly excluded from a policy  
33 issued by the insurer. This chapter shall not be  
34 deemed to invalidate or limit an exclusion contained  
35 in a policy, including a policy in use or approved for

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1 use in this state prior to the effective date of this  
2 Act, that excludes coverage for vehicles used to carry  
3 individuals or property for compensation or vehicles  
4 available for hire by the public.

5 *b.* An insurer that defends or indemnifies a claim  
6 against an insured transportation network company  
7 driver that is excluded under the terms of the driver's  
8 policy shall have a right of action for contribution  
9 or indemnity against an insurer providing automobile  
10 insurance to the driver under this chapter during the  
11 period in which the loss occurred.

12 3. In a claims coverage investigation, any involved

13 transportation network company and any insurer  
14 providing coverage pursuant to this chapter shall  
15 cooperate to facilitate the exchange of relevant  
16 information with parties directly involved in the  
17 claim, and with any insurer of the transportation  
18 network company driver, where applicable, including  
19 but not limited to the precise times during which the  
20 driver logged on and off of the company's digital  
21 network in the twelve-hour period immediately preceding  
22 and in the twelve-hour period immediately following  
23 the accident, and shall disclose to one another a  
24 clear description of any relevant automobile insurance  
25 provided pursuant to this chapter, including any  
26 applicable limits and exclusions.

27 Sec. \_\_\_\_ Section 325A.1, subsections 6, 7, and 13,  
28 Code 2016, are amended to read as follows:

29 6. "*Motor carrier*" means a person defined in  
30 subsection 8, 9, or 10, but does not include a  
31 transportation network company or a transportation  
32 network company driver, as defined in section 321N.1.

33 7. "*Motor carrier certificate*" means a certificate  
34 issued by the department to any person transporting  
35 passengers on any highway of this state for hire,

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1 other than a transportation network company or a  
2 transportation network company driver, as defined in  
3 section 321N.1. This certificate is transferable.

4 13. "*Private carrier*" means a person who provides  
5 transportation of property or passengers by motor  
6 vehicle, is not a for-hire motor carrier or a  
7 transportation network company or a transportation  
8 network company driver, as defined in section 321N.1,  
9 or who transports commodities of which the person is  
10 the owner, lessee, or bailee and the transportation  
11 is a furtherance of the person's primary business or  
12 occupation.

13 Sec. \_\_\_\_ Section 325A.11, Code 2016, is amended to  
14 read as follows:

15 **325A.11 Passenger transportation.**

16 In addition to the requirements of subchapter 1,  
17 motor carriers of passengers and charter carriers shall  
18 comply with the requirements of this subchapter. A  
19 transportation network company or a transportation  
20 network company driver, as defined in section 321N.1,  
21 need not comply with the requirements of subchapter 1  
22 or this subchapter.

23 Sec. \_\_\_\_ Section 325A.12, subsection 3, Code 2016,  
24 is amended by adding the following new paragraph:  
25 NEW PARAGRAPH. e. A transportation network company  
26 or a transportation network company driver, as defined

27 in section 321N.1.  
 28 Sec. \_\_\_\_ Section 327D.1, Code 2016, is amended to  
 29 read as follows:  
 30 **327D.1 Applicability of chapter.**  
 31 This chapter applies to intrastate transportation  
 32 by for-hire common carriers of persons and property.  
 33 However, this chapter does not apply to regular route  
 34 motor carriers of passengers or charter carriers, as  
 35 defined under section 325A.12, or a transportation

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1 network company or a transportation network company  
 2 driver, as defined in section 321N.1.>  
 3 2. Page 10, after line 10 by inserting:  
 4 <Sec. \_\_\_\_ APPLICABILITY OF TRANSPORTATION NETWORK  
 5 COMPANY INSURANCE PROVISIONS. The section of this  
 6 Act enacting section 321N.3 shall apply on and after  
 7 the date of approval of the form filings necessary  
 8 to implement section 321N.3 by the commissioner of  
 9 insurance as required under 191 IAC 20.4.>  
 10 3. Title page, line 2, after <commerce,> by  
 11 inserting <involving financial regulation of  
 12 transportation network companies including insurance  
 13 requirements,>  
 14 4. Title page, line 3, after <penalties> by  
 15 inserting <and applicability provisions>

PETTENGILL of Benton

H-8089

1 Amend the amendment, H-8080, to Senate File 2185, as  
 2 passed by the Senate, as follows:  
 3 1. Page 1, after line 7 by inserting:  
 4 <\_\_\_\_. Title page, line 3, by striking <providing  
 5 penalties> and inserting <modifying penalties for  
 6 invasion of privacy>>

HEARTSILL of Marion

H-8090

1 Amend House File 2329 as follows:  
 2 1. Page 1, after line 28 by inserting:  
 3 <Sec. \_\_\_\_ APPLICABILITY. This Act applies to  
 4 fetal body parts resulting from the termination of a  
 5 fetus by an abortion performed or induced on or after  
 6 the effective date of this Act.  
 7 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This Act,  
 8 being deemed of immediate importance, takes effect upon  
 9 enactment.>

- 10 2. Title page, by striking lines 1 and 2 and  
 11 inserting <An Act prohibiting certain actions regarding  
 12 fetal body parts, providing penalties, and including  
 13 effective date and applicability provisions.>  
 14 3. By renumbering as necessary.

WINDSCHITL of Harrison

H-8091

- 1 Amend Senate File 2163, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 272.10, subsection 2, Code  
 6 2016, is amended to read as follows:  
 7 2. Licensing fees are payable to the treasurer  
 8 of state and shall be deposited with the executive  
 9 director of the board. The executive director  
 10 shall deposit ~~twenty-five~~ twenty percent of the fees  
 11 collected annually with the treasurer of state and  
 12 the fees shall be credited to the general fund of  
 13 the state. The remaining licensing fees collected  
 14 during the fiscal year shall be retained by and are  
 15 appropriated to the board for the purposes related to  
 16 the board's duties. Notwithstanding section 8.33,  
 17 licensing fees retained by and appropriated to the  
 18 board pursuant to this section that remain unencumbered  
 19 or unobligated at the close of the fiscal year shall  
 20 not revert but shall remain available for expenditure  
 21 for the activities of the board as provided in this  
 22 chapter until the close of the succeeding fiscal year.>  
 23 2. Title page, by striking lines 2 through 4 and  
 24 inserting <educational examiners.>

COMMITTEE ON EDUCATION

H-8092

- 1 Amend Senate File 2061, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, after line 28 by inserting:  
 4 <Sec. \_\_\_\_ **NEW SECTION. 815.15 Violations of local**  
 5 **ordinances — reimbursement.**  
 6 1. If an attorney is appointed in a case to  
 7 represent an indigent person for an alleged violation  
 8 of a local ordinance that may require a term of  
 9 confinement, the office of the state public defender  
 10 shall seek reimbursement from the political subdivision  
 11 of the state that was the plaintiff in the case for the  
 12 compensation paid to and the expenses incurred by the  
 13 attorney.

14 2. A political subdivision of the state shall  
 15 reimburse the office of the state public defender for  
 16 the compensation and expenses paid from the indigent  
 17 defense fund in section 815.11 to an attorney who  
 18 represented the indigent person pursuant to subsection  
 19 1.>

COMMITTEE ON JUDICIARY

H-8093

1 Amend the amendment, H-8023, to House File 2329 as  
 2 follows:  
 3 1. Page 1, by striking lines 2 through 27 and  
 4 inserting:  
 5 <1. By striking everything after the enacting  
 6 clause and inserting:  
 7 <Section 1. **NEW SECTION. 146B.1 Human fetal tissue**  
 8 **— actions prohibited — penalties.**  
 9 1. For the purposes of this section:  
 10 a. “*Abortion*” means as defined in section 146.1.  
 11 b. “*Human fetal tissue*” means tissue or cells  
 12 obtained from a dead human embryo or fetus after a  
 13 spontaneous termination of pregnancy, an abortion, or a  
 14 stillbirth.  
 15 c. “*Spontaneous termination of pregnancy*” means as  
 16 defined in section 144.29A.  
 17 d. “*Stillbirth*” means as defined in section 136A.2.  
 18 e. “*Valuable consideration*” does not include  
 19 reasonable payments associated with the transportation,  
 20 implantation, processing, preservation, quality  
 21 control, or storage of human fetal tissue.  
 22 2. A person shall not knowingly acquire, receive,  
 23 or otherwise transfer any human fetal tissue for  
 24 valuable consideration in this state.  
 25 3. This section shall not be interpreted to  
 26 prohibit the use of human fetal tissue for therapeutic  
 27 purposes or research otherwise authorized by state or  
 28 federal law.  
 29 4. A person who violates this section is guilty of  
 30 a class “C” felony, punishable by imprisonment for no  
 31 more than ten years and a fine of not less than twice  
 32 the amount of the valuable consideration received.  
 33 Sec. 2. **EFFECTIVE UPON ENACTMENT.** This Act, being  
 34 deemed of immediate importance, takes effect upon  
 35 enactment.>

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1 2. Title page, line 1, by striking <fetal body  
 2 parts> and inserting <human fetal tissue>  
 3 3. Title page, by striking line 2 and inserting

4 <providing penalties, and including effective date  
5 provisions.>>

WESSEL-KROESCHELL of Story

H-8094

1 Amend Senate File 2258, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, line 31, by striking <six months> and  
4 inserting <thirty days>  
5 2. Page 5, after line 10 by inserting:  
6 <Sec. \_\_. Section 232.68, subsection 2, paragraph  
7 a, subparagraph (3), Code 2016, is amended to read as  
8 follows:  
9 (3) The commission of a sexual offense with or to  
10 a child pursuant to chapter 709, section 726.2, or  
11 section 728.12, subsection 1, as a result of the acts  
12 or omissions of the person responsible for the care of  
13 the child or of a person who resides in a home with the  
14 child. Notwithstanding section 702.5, the commission  
15 of a sexual offense under this subparagraph includes  
16 any sexual offense referred to in this subparagraph  
17 with or to a person under the age of eighteen years.>  
18 3. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES

H-8095

1 Amend House File 2429 as follows:  
2 1. Page 4, line 13, by striking <county> and  
3 inserting <applicable county or counties>

VANDER LINDEN of Mahaska

H-8096

1 Amend the amendment, H-8088, to House File 2394 as  
2 follows:  
3 1. By striking page 1, line 15, through page 11,  
4 line 15, and inserting <insurance division or the  
5 commissioner of insurance>>

PETTENGILL of Benton

H-8097

1 Amend Senate File 2247, as passed by the Senate, as  
2 follows:  
3 1. Page 2, by striking lines 7 through 15.

COMMITTEE ON TRANSPORTATION



H-8098

- 1 Amend Senate File 2162, as passed by the Senate, as  
 2 follows:  
 3 1. Page 2, after line 16 by inserting:  
 4 <2A. Rules adopted pursuant to this section shall  
 5 provide for the division's acceptance of the filing of  
 6 paper documents.>  
 7 2. By renumbering, redesignating, and correcting  
 8 internal references as necessary.

COMMITTEE ON STATE GOVERNMENT

H-8099

- 1 Amend Senate File 2259, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 13, by striking <judge> and  
 4 inserting <court, with preference given to the  
 5 committing judge, if available.>

COMMITTEE ON HUMAN RESOURCES

H-8100

- 1 Amend Senate File 2273, as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 10A.104, subsection 12, Code  
 6 2016, is amended to read as follows:  
 7 12. Administer inspections and licensing of hotels  
 8 and home ~~food establishments~~ bakeries.  
 9 Sec. 2. Section 137D.1, subsections 3 and 4, Code  
 10 2016, are amended to read as follows:  
 11 3. ~~"Home food establishment"~~ "Home bakery" means  
 12 a business on the premises of a residence in which  
 13 prepared food is created for sale or resale, for  
 14 consumption off the premises, if the business has  
 15 gross annual sales of prepared food of less than  
 16 ~~twenty~~ thirty-five thousand dollars. However, a ~~home~~  
 17 ~~food establishment~~ "home bakery" does not include a  
 18 residence in which food is prepared to be used or  
 19 sold by churches, fraternal societies, charitable  
 20 organizations, or civic organizations.  
 21 4. "Prepared food" means soft pies, bakery  
 22 products with a custard or cream filling, or ~~any~~  
 23 ~~other potentially hazardous~~ baked goods that are a  
 24 time/temperature control for safety food. "Prepared  
 25 food" does not ~~mean nonhazardous~~ include baked goods  
 26 that are not a time/temperature control for safety  
 27 food, including but not limited to breads, fruit pies,

28 cakes, or other ~~nonhazardous~~ pastries that are not a  
 29 time/temperature control for safety food.

30 Sec. 3. Section 137D.1, Code 2016, is amended by  
 31 adding the following new subsection:

32 **NEW SUBSECTION.** 5. *“Time/temperature control*  
 33 *for safety food”* means a food that requires time and  
 34 temperature controls for safety to limit pathogenic  
 35 microorganism growth or toxin formation.

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1 Sec. 4. Section 137D.2, Code 2016, is amended to  
 2 read as follows:

3 **137D.2 Licenses and inspections.**

4 1. A person shall not open or operate a home ~~food~~  
 5 ~~establishment~~ bakery until a license has been obtained  
 6 from the department of inspections and appeals. The  
 7 department shall collect a fee of ~~thirty-three dollars~~  
 8 ~~and seventy-five cents~~ fifty dollars for a license.  
 9 After collection, the fees shall be deposited in the  
 10 general fund of the state. A license shall expire one  
 11 year from date of issue. A license is renewable.

12 2. A person shall not sell or distribute from  
 13 a home ~~food establishment~~ bakery if the home ~~food~~  
 14 ~~establishment~~ bakery is unlicensed, the license of the  
 15 home ~~food establishment~~ bakery is suspended, or the  
 16 food fails to meet standards adopted for such food by  
 17 the department.

18 3. An application for a license under this chapter  
 19 shall be made upon a form furnished by the department  
 20 and shall contain the items required by it according to  
 21 rules adopted by the department.

22 4. The department shall regulate, license, and  
 23 inspect home ~~food establishments~~ bakeries according to  
 24 standards adopted by rule.

25 5. The department shall provide for the periodic  
 26 inspection of a home ~~food establishment~~ bakery. The  
 27 inspector may enter the home ~~food establishment~~ bakery  
 28 at any reasonable hour to make the inspection. The  
 29 department shall inspect only those areas related to  
 30 preparing food for sale.

31 6. The department shall regulate and inspect food  
 32 prepared at a home ~~food establishment~~ bakery according  
 33 to standards adopted by rule. The inspection may  
 34 occur at any place where the prepared food is created,  
 35 transported, or stored for sale or resale.

PAGE 3

1 Sec. 5. Section 137D.3, Code 2016, is amended to  
 2 read as follows:

3 **137D.3 Penalty.**

4 A person who violates a provision of this chapter,  
 5 including a standard adopted by departmental rule,  
 6 relating to home ~~food establishments~~ bakeries or  
 7 prepared foods created in a home ~~food establishment~~  
 8 bakery, is guilty of a simple misdemeanor. Each day  
 9 that the violation continues constitutes a separate  
 10 offense.

11 Sec. 6. Section 137D.4, Code 2016, is amended to  
 12 read as follows:

13 **137D.4 Injunction.**

14 A person operating a home ~~food establishment~~  
 15 bakery or selling prepared foods created at a home  
 16 ~~food establishment~~ bakery in violation of a provision  
 17 of this chapter may be restrained by injunction  
 18 from further operating that home ~~food establishment~~  
 19 bakery. If an imminent health hazard exists, the  
 20 home ~~food establishment~~ bakery must cease operation.  
 21 Operation shall not be resumed until authorized by the  
 22 department.

23 Sec. 7. Section 137D.6, Code 2016, is amended to  
 24 read as follows:

25 **137D.6 Conflicts with state building code.**

26 Provisions of this chapter, including standards  
 27 for home ~~food establishments~~ bakeries adopted by the  
 28 department, in conflict with the state building code,  
 29 as adopted pursuant to section 103A.7, shall not apply  
 30 where the state building code has been adopted or when  
 31 the state building code applies throughout the state.

32 Sec. 8. Section 137D.8, subsections 1 and 3, Code  
 33 2016, are amended to read as follows:

34 1. The person's home ~~food establishment~~ bakery does  
 35 not conform to a provision of this chapter or a rule

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1 adopted pursuant to this chapter.

2 3. The person conducts an activity constituting a  
 3 criminal offense in the home ~~food establishment~~ bakery  
 4 and is convicted of a serious misdemeanor or a more  
 5 serious offense as a result.

6 Sec. 9. Section 137F.1, subsection 7, paragraph d,  
 7 Code 2016, is amended to read as follows:

8 *d.* Premises which are a home ~~food establishment~~  
 9 bakery pursuant to chapter 137D.>

10 2. Title page, by striking lines 1 through 3 and  
 11 inserting <An Act relating to licensure of home food  
 12 establishments.>

H-8101

1 Amend Senate File 2275, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 157.1, subsection 5, paragraph  
6 a, Code 2016, is amended to read as follows:

7 a. Arranging, braiding, dressing, curling, waving,  
8 press and curl hair straightening, shampooing, cutting,  
9 singeing, bleaching, coloring, or similar works, upon  
10 the hair of any person, or upon a wig or hairpiece when  
11 done in conjunction with haircutting or hairstyling by  
12 any means. "Cosmetology" does not include natural hair  
13 braiding.

14 Sec. 2. Section 157.1, Code 2016, is amended by  
15 adding the following new subsections:

16 NEW SUBSECTION. 19A. "Mechanical device" means a  
17 clip, comb, hairpin, or scissors.

18 NEW SUBSECTION. 24A. "Natural hair braiding" means  
19 twisting, wrapping, weaving, extending, locking, or  
20 braiding hair by hand or with a mechanical device.  
21 "Natural hair braiding", also known as African-style  
22 hair braiding, is not limited to any particular  
23 cultural, ethnic, racial, or religious forms of hair  
24 styles.

25 a. "Natural hair braiding" includes:

26 (1) The use of natural or synthetic hair  
27 extensions, natural or synthetic hair and fibers,  
28 decorative beads, or other hair accessories.

29 (2) Minor trimming of natural hair or hair  
30 extensions incidental to twisting, wrapping, weaving,  
31 extending, locking, or braiding hair.

32 (3) The use of topical agents such as conditioners,  
33 gels, moisturizers, oils, and pomades.

34 b. "Natural hair braiding" does not include:

35 (1) The application of dyes, reactive chemicals, or

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1 other preparations to alter the color of the hair or to  
2 straighten, curl, or alter the structure of the hair.

3 (2) The use of chemical hair joining agents such as  
4 synthetic tape, keratin bonds, or fusion bonds.>

5 2. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT

H-8102

1 Amend Senate File 166, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. NEW SECTION. 99E.1 Definitions.  
 6 As used in this chapter, unless the context  
 7 otherwise requires:  
 8 1. *“Applicant”* means an internet fantasy sports  
 9 contest service provider applying for a license to  
 10 conduct internet fantasy sports contests under this  
 11 chapter.  
 12 2. *“Commission”* means the state racing and gaming  
 13 commission created under section 99D.5.  
 14 3. *“Fantasy sports contest”* includes any fantasy or  
 15 simulated game or contest in which the fantasy sports  
 16 contest operator is not a participant in the game or  
 17 contest, the value of all prizes and awards offered to  
 18 winning participants are established and made known  
 19 to the participants in advance of the contest, all  
 20 winning outcomes reflect the relative knowledge and  
 21 skill of the participants and shall be determined by  
 22 accumulated statistical results of the performance  
 23 of individuals, including athletes in the case of  
 24 sporting events, and no winning outcome is based on the  
 25 score, point spread, or any performance or performances  
 26 of any single actual team or solely on any single  
 27 performance of an individual athlete or player in any  
 28 single actual event. For purposes of this subsection,  
 29 *“athlete”* does not include an athlete participating in  
 30 any extracurricular interscholastic athletic contest or  
 31 competition which is sponsored or administered by an  
 32 organization as defined in section 280.13.  
 33 4. *“Internet fantasy sports contest”* means a method  
 34 of entering a fantasy sports contest by which a person  
 35 may establish an account with an internet fantasy

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1 sports contest service provider, deposit money into  
 2 the account, and use the account balance for entering  
 3 a fantasy sports contest by utilizing electronic  
 4 communication.  
 5 5. *“Internet fantasy sports contest adjusted*  
 6 *revenues”* means, for each internet fantasy sports  
 7 contest, the amount equal to the total charges and  
 8 fees collected from all participants entering the  
 9 internet fantasy sports contest less winnings paid to  
 10 participants in the contest, multiplied by the resident  
 11 percentage.  
 12 6. *“Internet fantasy sports contest player”* means a  
 13 person who is at least twenty-one years of age, is a  
 14 resident of this state, and participates in an internet  
 15 fantasy sports contest operated by an internet fantasy  
 16 sports contest service provider.

17 7. *“Internet fantasy sports contest service*  
 18 *provider”* means a person, including a licensee under  
 19 chapter 99D or 99F, who conducts an internet fantasy  
 20 sports contest as authorized by this chapter.

21 8. *“Resident percentage”* means, for each internet  
 22 fantasy sports contest, the percentage, rounded to the  
 23 nearest tenth of a percent, equal to the total charges  
 24 and fees collected from all internet fantasy sports  
 25 contest players divided by the total charges and fees  
 26 collected from all participants in the internet fantasy  
 27 sports contest.

28 Sec. 2. **NEW SECTION. 99E.2 Internet fantasy sports**  
 29 **contests authorized.**

30 The system of entering an internet fantasy sports  
 31 contest as provided by this chapter is legal when  
 32 conducted by a licensed internet fantasy sports contest  
 33 service provider as provided in this chapter.

34 Sec. 3. **NEW SECTION. 99E.3 Commission — powers.**

35 The commission shall have full jurisdiction over and

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1 shall supervise internet fantasy sports contests and  
 2 internet fantasy sports contest service providers as  
 3 governed by this chapter. The commission shall have  
 4 the following powers and shall adopt rules pursuant to  
 5 chapter 17A to implement this chapter:

6 1. To investigate applicants and determine the  
 7 eligibility of applicants for a license to conduct  
 8 internet fantasy sports contests.

9 2. To license and regulate internet fantasy sports  
 10 contest service providers subject to the requirements  
 11 of this chapter.

12 3. To investigate alleged violations of this  
 13 chapter or the commission rules, orders, or final  
 14 decisions and to take appropriate disciplinary action  
 15 against a licensee, or institute appropriate legal  
 16 action for enforcement, or both. Information gathered  
 17 during an investigation is confidential during the  
 18 pendency of the investigation.

19 4. To assess fines and revoke or suspend licenses.

20 5. To require, beginning July 1, 2018, licensees  
 21 to establish a process with the state for licensees to  
 22 have electronic access to names and social security  
 23 numbers of debtors of claimant agencies through a  
 24 secured interactive internet site maintained by the  
 25 state.

26 6. To take any other action as may be reasonable or  
 27 appropriate to enforce this chapter and the commission  
 28 rules.

29 Sec. 4. **NEW SECTION. 99E.4 Requirements of**  
 30 **applicant — fee — penalty.**

31 1. An applicant for a license to conduct internet  
 32 fantasy sports contests shall complete and sign an  
 33 application on the form prescribed and published by  
 34 the commission. The application shall include such  
 35 information of the applicant that the commission deems

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1 necessary for purposes of issuing a license pursuant  
 2 to this chapter.  
 3 2. The commission shall charge the applicant a fee  
 4 set by the department of public safety, division of  
 5 criminal investigation, to defray the costs associated  
 6 with any investigations conducted pursuant to the  
 7 requirements of this section concerning the applicant.  
 8 This fee is in addition to any other license fee  
 9 charged by the commission. The fee may be retained by  
 10 the department of public safety, division of criminal  
 11 investigation, and shall be considered repayment  
 12 receipts as defined in section 8.2.  
 13 3. A license shall not be granted to an applicant  
 14 if there is substantial evidence that any of the  
 15 following apply:  
 16 a. A license issued to the applicant to conduct  
 17 internet fantasy sports contests in another  
 18 jurisdiction has been revoked by an entity licensing  
 19 persons to conduct such contests in that jurisdiction.  
 20 b. The applicant has not demonstrated financial  
 21 responsibility sufficient to adequately meet the  
 22 requirements of the enterprise proposed.  
 23 c. The applicant does not adequately disclose the  
 24 true owners of the enterprise proposed.  
 25 d. The applicant has knowingly made a false  
 26 statement of a material fact to the commission.  
 27 e. The applicant has failed to meet a monetary  
 28 obligation in connection with conducting an internet  
 29 fantasy sports contest.  
 30 f. The applicant is not of good repute and moral  
 31 character or the applicant has pled guilty to, or has  
 32 been convicted of, a felony.  
 33 4. A person who knowingly makes a false statement  
 34 on the application is guilty of an aggravated  
 35 misdemeanor.

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1 5. For the purposes of this section, "*applicant*"  
 2 includes each member of the board of directors of an  
 3 internet fantasy sports contest service provider.  
 4 Sec. 5. **NEW SECTION. 99E.5 Licenses — fees —**  
 5 **terms and conditions — revocation.**  
 6 1. If the commission is satisfied that the

7 requirements of this chapter and its rules adopted  
8 under this chapter applicable to licensees have been  
9 or will be complied with, the commission shall issue a  
10 license for a period of not more than three years to an  
11 applicant to conduct internet fantasy sports contests  
12 in this state.

13 2. A licensed internet fantasy sports contest  
14 service provider shall comply with all of the following  
15 requirements:

16 a. Prevent employees of the internet fantasy sports  
17 contest service provider and relatives living in the  
18 same household as such employees from competing in  
19 any internet fantasy sports contest conducted by the  
20 service provider in which the service provider offers a  
21 cash prize over five dollars.

22 b. Verify that an internet fantasy sports contest  
23 player is twenty-one years of age or older and is a  
24 resident of Iowa.

25 c. Ensure that individuals who participate in a  
26 game or contest that is the subject of an internet  
27 fantasy sports contest are restricted from entering an  
28 internet fantasy sports contest in which the outcome  
29 is determined, in whole or in part, by the accumulated  
30 statistical results of a team of individuals in the  
31 game or contest in which they participate.

32 d. Allow individuals to restrict themselves from  
33 entering an internet fantasy sports contest conducted  
34 by the internet fantasy sports contest service provider  
35 upon request and take reasonable steps to prevent those

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1 individuals from entering any internet fantasy sports  
2 contests conducted by the internet fantasy sports  
3 contest service provider.

4 e. Disclose the number of entries a single internet  
5 fantasy sports contest player may submit to each  
6 internet fantasy sports contest and take reasonable  
7 steps to prevent players from submitting more than the  
8 allowable number of entries for that internet fantasy  
9 sports contest.

10 f. Segregate internet fantasy sports contest player  
11 funds from operational funds and maintain a reserve  
12 in the form of cash, cash equivalents, an irrevocable  
13 letter of credit, a bond, or a combination thereof in  
14 the amount of the deposits in internet fantasy sports  
15 contest player accounts for the benefit and protection  
16 of internet fantasy sports contest player funds held  
17 in internet fantasy sports contest accounts by the  
18 internet fantasy sports contest service provider.

19 g. Annually contract with a third party to  
20 perform an independent audit, consistent with the



21 standards established by the public company accounting  
 22 oversight board, to ensure compliance with all of the  
 23 requirements in this chapter and submit the results of  
 24 the independent audit to the commission.

25 *h.* Pay the tax as provided in section 99E.6.

26 3. The annual license fee to conduct internet  
 27 fantasy sports contests shall be five hundred dollars.  
 28 Moneys collected by the commission from the annual  
 29 license fee paid under this subsection shall be  
 30 considered repayment receipts as defined in section  
 31 8.2.

32 4. Upon a violation of any of the conditions listed  
 33 in section 99E.4 or this section by a licensee, the  
 34 commission shall immediately revoke the license.

35 Sec. 6. NEW SECTION. **99E.6 Internet fantasy sports**

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1 **contest tax — rate.**

2 A tax of seven and one-half percent is imposed on  
 3 internet fantasy sports contest adjusted revenues.  
 4 The tax imposed by this section shall be paid by the  
 5 internet fantasy sports contest service provider to  
 6 the commission as provided by the commission. The tax  
 7 shall be deposited in the rebuild Iowa infrastructure  
 8 fund created in section 8.57.

9 Sec. 7. NEW SECTION. **99E.7 Internet fantasy sports**  
 10 **contests — age restrictions.**

11 A person under the age of twenty-one years shall not  
 12 enter an internet fantasy sports contest. A person  
 13 who violates this section with respect to entering an  
 14 internet fantasy sports contest commits a scheduled  
 15 violation under section 805.8C, subsection 11.

16 Sec. 8. NEW SECTION. **99E.8 Division of criminal**  
 17 **investigation.**

18 The division of criminal investigation of the  
 19 department of public safety may investigate to  
 20 determine licensee compliance with the requirements  
 21 of this chapter. Investigations may be conducted  
 22 either on the criminal investigation division's own  
 23 initiative or at the request of the commission. The  
 24 criminal investigation division and the commission  
 25 shall cooperate to the maximum extent possible on an  
 26 investigation.

27 Sec. 9. NEW SECTION. **99E.9 Setoff.**

28 1. A licensee or a person acting on behalf of a  
 29 licensee shall be provided electronic access to the  
 30 names of the persons indebted to a claimant agency  
 31 pursuant to the process established pursuant to section  
 32 99E.3, subsection 5. The electronic access provided  
 33 by the claimant agency shall include access to the  
 34 names of the debtors, their social security numbers,

35 and any other information that assists the licensee

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1 in identifying the debtors. If the name of a debtor  
2 provided to the licensee through electronic access is  
3 retrieved by the licensee and the winnings are equal  
4 to or greater than one thousand two hundred dollars  
5 per occurrence, the retrieval of such a name shall  
6 constitute a valid lien upon and claim of lien against  
7 the winnings of the debtor whose name is electronically  
8 retrieved from the claimant agency. If a debtor's  
9 winnings are equal to or greater than one thousand two  
10 hundred dollars per occurrence, the full amount of the  
11 debt shall be collectible from any winnings due the  
12 debtor without regard to limitations on the amounts  
13 that may be collectible in increments through setoff  
14 or other proceedings.

15 2. The licensee is authorized and directed to  
16 withhold any winnings of a debtor which are paid out  
17 directly by the licensee subject to the lien created by  
18 this section and provide notice of such withholding to  
19 the winner when the winner appears and claims winnings  
20 in person. The licensee shall pay the funds over to  
21 the collection entity which administers the setoff  
22 program pursuant to section 8A.504.

23 3. Notwithstanding any other provision of law to  
24 the contrary, the licensee may provide to a claimant  
25 agency all information necessary to accomplish and  
26 effectuate the intent of this section, and likewise the  
27 claimant agency may provide all information necessary  
28 to accomplish and effectuate the intent of this  
29 section.

30 4. The information obtained by a claimant agency  
31 from the licensee in accordance with this section shall  
32 retain its confidentiality and shall only be used by a  
33 claimant agency in the pursuit of its debt collection  
34 duties and practices. An employee or prior employee  
35 of a claimant agency who unlawfully discloses any such

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1 information for any other purpose, except as otherwise  
2 specifically authorized by law, shall be subject to the  
3 penalties specified by law for unauthorized disclosure  
4 of confidential information by an agent or employee of  
5 the claimant agency.

6 5. The information obtained by a licensee from a  
7 claimant agency in accordance with this section shall  
8 retain its confidentiality and only be used by the  
9 licensee in the pursuit of debt collection duties and  
10 practices. An employee or prior employee of a licensee

11 who unlawfully discloses any such information for  
 12 any other purpose, except as otherwise specifically  
 13 authorized by law, shall be subject to the same  
 14 penalties specified by law for unauthorized disclosure  
 15 of confidential information by an agent or employee of  
 16 the licensee.

17 6. Except as otherwise provided in this chapter,  
 18 attachments, setoffs, or executions authorized and  
 19 issued pursuant to law shall be withheld if timely  
 20 served upon the licensee.

21 7. A claimant agency or licensee, acting in good  
 22 faith, shall not be liable to any person for actions  
 23 taken pursuant to this section.

24 Sec. 10. NEW SECTION. 99E.10 Penalties.

25 In addition to any other penalty specified in this  
 26 chapter, a person who willfully fails to comply with  
 27 the requirements of this chapter and the rules adopted  
 28 pursuant to chapter 17A commits a class "D" felony and,  
 29 in addition, shall be barred for life from internet  
 30 fantasy sports contests.

31 Sec. 11. Section 232C.4, subsection 3, Code 2016,  
 32 is amended to read as follows:

33 3. An emancipated minor shall remain subject  
 34 to voting restrictions under chapter 48A, gambling  
 35 restrictions under chapter 99B, 99D, 99F, 99G, or 725,

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1 internet fantasy sports contest restrictions under  
 2 chapter 99E, alcohol restrictions under chapter 123,  
 3 compulsory attendance requirements under chapter 299,  
 4 and cigarette tobacco restrictions under chapter 453A.

5 Sec. 12. Section 714B.10, subsection 1, Code 2016,  
 6 is amended to read as follows:

7 1. Advertising by sponsors registered pursuant  
 8 to chapter 557B, licensed pursuant to chapter 99B, or  
 9 regulated pursuant to chapter 99D, 99E, 99F, or 99G.

10 Sec. 13. Section 805.8C, Code 2016, is amended by  
 11 adding the following new subsection:

12 NEW SUBSECTION. 11. *Internet fantasy sports contest*  
 13 *violations.* For violations of legal age for entering  
 14 an internet fantasy sports contest under section 99E.7,  
 15 the scheduled fine is five hundred dollars. Failure  
 16 to pay the fine by a person under the age of eighteen  
 17 shall not result in the person being detained in a  
 18 secure facility.

19 Sec. 14. IMPLEMENTATION DATE. The following  
 20 provision or provisions of this Act shall not be  
 21 implemented until July 1, 2018:

22 1. The section of this Act enacting section 99E.9.>

23 2. Title page, line 1, after <contests> by  
 24 inserting <, providing for a tax, making penalties

25 applicable, and including implementation provisions>

## COMMITTEE ON STATE GOVERNMENT

H-8103

- 1 Amend Senate File 2187, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 13, by striking <request.> and  
4 inserting <request, if the form indicates the licensee  
5 was honorably discharged.>

## COMMITTEE ON VETERANS AFFAIRS

H-8104

- 1 Amend Senate File 2277, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 6, by striking <customary and  
4 reasonable>

## COMMITTEE ON ECONOMIC GROWTH

H-8105

- 1 Amend Senate File 2258, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 11, after line 27 by inserting:  
4 <Sec. \_\_\_. DRUG ENDANGERED CHILDREN WORKGROUP.  
5 1. The governor's office of drug control policy  
6 shall convene a stakeholder workgroup to meet during  
7 the 2016 legislative interim to examine issues and  
8 develop policy recommendations relating to the  
9 protection and safety of drug endangered children for  
10 purposes of child in need of assistance and child abuse  
11 proceedings. The workgroup shall request relevant  
12 data and outcome measures relating to drug endangered  
13 children from workgroup member organizations and from  
14 state departments and agencies, including but not  
15 limited to the departments of human services and public  
16 safety, the juvenile court, the judicial branch, and  
17 other appropriate organizations. The workgroup shall  
18 comprehensively review and analyze such information and  
19 propose a statutory definition of a drug endangered  
20 child for purposes of child in need of assistance and  
21 child abuse proceedings.  
22 2. The workgroup shall be composed of all of the  
23 following members:  
24 a. Four members of the general assembly appointed  
25 to serve in an ex officio, nonvoting capacity. The  
26 legislative members shall be selected, one member each,  
27 by the majority leader of the senate, the minority

28 leader of the senate, the speaker of the house of  
 29 representatives, and the minority leader of the house  
 30 of representatives.

31 b. Fifteen voting members to include all of the  
 32 following:

33 (1) One representative from each of the following:

34 (a) The division of criminal and juvenile justice  
 35 planning in the department of human rights.

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- 1 (b) The department of human services.  
 2 (c) The child advocacy board.  
 3 (d) The department of justice.  
 4 (e) The judicial branch.  
 5 (f) The governor's office of drug control policy.  
 6 (g) The Iowa alliance for drug endangered children.  
 7 (h) The Iowa county attorneys association.  
 8 (i) The Iowa state sheriffs' and deputies'  
 9 association.  
 10 (j) A child welfare service provider group.  
 11 (k) A health care provider group.  
 12 (l) A mental health care provider group.  
 13 (m) A substance abuse provider group.  
 14 (n) A peace officer group.  
 15 (2) A child abuse prevention advocate.  
 16 3. The workgroup shall meet up to two times during  
 17 the 2016 legislative interim and shall submit findings  
 18 and recommendations in a report to the general assembly  
 19 by December 15, 2016.  
 20 4. If possible, organizations participating in  
 21 the workgroup shall absorb costs associated with the  
 22 workgroup. The governor's office of drug control  
 23 policy shall pay other costs associated with the  
 24 workgroup, not to exceed one thousand dollars, from the  
 25 operating budget of the office.>  
 26 2. By renumbering as necessary.

DAWSON of Woodbury

H-8106

- 1 Amend Senate File 2144, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 6, after <records> by inserting  
 4 <, limited to the patient's diagnosis, current  
 5 medications, and current treatment plan.>  
 6 2. Page 2, line 14, after <information> by  
 7 inserting <, limited to the patient's diagnosis,  
 8 current medications, and current treatment plan.>  
 9 3. Page 2, line 29, after <records> by inserting  
 10 <, limited to the patient's diagnosis, current

- 11 medications, and current treatment plan,>  
12 4. Page 4, line 2, after <information> by inserting  
13 <, limited to the patient's diagnosis, current  
14 medications, and current treatment plan,>  
15 5. By renumbering as necessary.

ANDERSON of Polk

H-8107

- 1 Amend Senate File 2115, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 3, after <a.> by inserting <(1)>  
4 2. Page 1, after line 12 by inserting:  
5 <(2) A person does not commit interference with  
6 official acts involving a jailer under subparagraph  
7 (1) unless the person has first appeared before a  
8 magistrate.>

OLSON of Polk

H-8108

- 1 Amend the amendment, H-8105, to Senate File 2258,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 2, by striking lines 20 through 25 and  
5 inserting:  
6 <4. If possible, workgroup members and workgroup  
7 member organizations shall pay any costs incurred  
8 by members in attending workgroup meetings. The  
9 governor's office of drug control policy shall not be  
10 responsible for payment of per diem and other expenses  
11 of workgroup members but may pay any additional costs  
12 associated with the workgroup, not to exceed one  
13 thousand dollars, from the operating budget of the  
14 office.>  
15 2. By renumbering as necessary.

DAWSON of Woodbury

H-8109

- 1 Amend Senate File 165, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 6, before <or> by inserting <revoke  
4 the designation of a county seat,>  
5 2. Page 1, by striking lines 12 and 13 and  
6 inserting <general election next following the filing  
7 of the petition, except as provided in subsection 5.>  
8 3. Page 1, lines 15 and 16, by striking <or  
9 consolidation within two years,> and inserting

- 10 <revocation, or consolidation>  
 11 4. Page 1, after line 29 by inserting:  
 12 <0c. The question to revoke the designation of  
 13 a county seat shall be submitted to the electors in  
 14 substantially the following form:  
 15 Shall (name of county), with its county seat located  
 16 at (name of city serving as county seat), revoke the  
 17 county seat designation of (name of city serving as  
 18 county seat)?>  
 19 5. Page 2, line 4, after <establishment,> by  
 20 inserting <revocation,>  
 21 6. Page 2, line 10, by striking <sixty percent> and  
 22 inserting <a majority>  
 23 7. Page 2, line 13, after <establish,> by inserting  
 24 <revoke designation of,>  
 25 8. Page 2, by striking lines 18 through 21 and  
 26 inserting:  
 27 <b. If a petition under this section is filed with  
 28 the board less than eighty-two days before the next  
 29 general election, the board shall direct the county  
 30 commissioner of elections to submit the question to the  
 31 voters of the county at the next succeeding general  
 32 election.>  
 33 9. Page 2, by striking lines 23 and 24 and  
 34 inserting:  
 35 <1. A county shall have at least one seat of

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- 1 government and not more than two seats of government  
 2 at any one time.>  
 3 10. Title page, line 1, after <establishing,> by  
 4 inserting <revoking the designation of,>  
 5 11. By renumbering as necessary.

## COMMITTEE ON LOCAL GOVERNMENT

## H-8110

- 1 Amend the amendment, H-8107, to Senate File 2115, as  
 2 passed by the Senate, as follows:  
 3 1. Page 1, by striking lines 3 through 8 and  
 4 inserting:  
 5 <\_\_. Page 1, by striking lines 1 through 12 and  
 6 inserting:  
 7 <Section 1. Section 719.1, subsection 1, paragraphs  
 8 a and b, Code 2016, are amended to read as follows:  
 9 a. A person commits interference with official acts  
 10 when the person knowingly resists or obstructs anyone  
 11 known by the person to be a peace officer, jailer,  
 12 emergency medical care provider under chapter 147A,  
 13 or fire fighter, whether paid or volunteer, in the

14 performance of any act which is within the scope of  
 15 the lawful duty or authority of that officer, jailer,  
 16 emergency medical care provider under chapter 147A,  
 17 or fire fighter, whether paid or volunteer, or who  
 18 knowingly resists or obstructs the service or execution  
 19 by any authorized person of any civil or criminal  
 20 process or order of any court.  
 21 *b.* Interference with official acts is a simple  
 22 misdemeanor. ~~In addition to any other penalties, the~~  
 23 ~~punishment imposed under this paragraph shall include~~  
 24 ~~assessment of a fine of not less than two hundred~~  
 25 ~~fifty dollars but shall not be subject to a term of~~  
 26 imprisonment.>>

OLSON of Polk

H-8111

1 Amend the amendment, H-8102, to Senate File 166,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 5, line 25, after <that> by inserting  
 5 <coaches, officials, players, contestants, or other>

VANDER LINDEN of Mahaska

H-8112

1 Amend the amendment, H-8106, to Senate File 2144, as  
 2 passed by the Senate, as follows:  
 3 1. Page 1, by striking line 5 and inserting  
 4 <medications, current treatment plan, and any  
 5 information necessary for the safety of the patient.>  
 6 2. Page 1, by striking line 8 and inserting  
 7 <current medications, current treatment plan, and any  
 8 information necessary for the safety of the patient.  
 9 3. Page 1, by striking line 11 and inserting  
 10 <medications, current treatment plan, and any  
 11 information necessary for the safety of the patient,>  
 12 4. Page 1, by striking line 14 and inserting  
 13 <medications, current treatment plan, and any  
 14 information necessary for the safety of the patient,>  
 15 5. By renumbering as necessary.

ANDERSON of Polk

H-8113

1 Amend House File 2264, as passed by the House, as  
 2 follows:  
 3 1. Page 2, after line 5 by inserting:  
 4 <Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This Act,



- 5 being deemed of immediate importance, takes effect upon  
 6 enactment.>  
 7 2. Title page, line 2, after <bullying> by  
 8 inserting <and including effective date provisions>  
 9 3. By renumbering as necessary.

## SENATE AMENDMENT

H-8114

- 1 Amend House File 2341, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 5 through 11 and  
 4 inserting <operations or otherwise establish a presence  
 5 in this state if, with the exception of a school that  
 6 qualifies for an>  
 7 2. Page 1, by striking lines 15 through 19.  
 8 3. Page 1, line 20, by striking <3.> and inserting  
 9 <2.>  
 10 4. Page 1, after line 24 by inserting:  
 11 <3. This section shall not apply to a foreign  
 12 medical school that is accredited by a foreign entity  
 13 recognized by the national committee on foreign medical  
 14 education and accreditation.>  
 15 5. By renumbering as necessary.

## SENATE AMENDMENT

H-8115

- 1 Amend House File 2370, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, line 12, by striking <must,;> and  
 4 inserting <must>  
 5 2. Page 1, by striking lines 13 and 14 and  
 6 inserting <apply for approval of the exemption>  
 7 3. Page 1, line 16, after <exemption> by inserting  
 8 and meets consumer protection standards established by  
 9 <the commission>  
 10 4. Page 1, line 20, after <may> by inserting <for  
 11 good cause>

## SENATE AMENDMENT

H-8116

- 1 Amend House File 2363, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, line 2, by striking <subsections> and  
 4 inserting <subsection>  
 5 2. Page 1, by striking lines 9 through 32.  
 6 3. Title page, by striking lines 1 through 3 and

7 inserting <An Act relating to member attendance at a  
8 closed session of a governmental body.>

## SENATE AMENDMENT

H-8117

1 Amend the amendment, H-8087, to House File 2429 as  
2 follows:

- 3 1. Page 1, after line 4 by inserting:  
4 <\_\_. Page 4, lines 31 and 32, by striking <  
5 division of this>>  
6 2. By renumbering as necessary.

OLSON of Polk

H-8118

1 Amend Senate File 2214, as passed by the Senate, as  
2 follows:

- 3 1. Page 2, after line 20 by inserting:  
4 <Sec. \_\_. **NEW SECTION. 514C.5A Prescription drug**  
5 **medication synchronization.**  
6 1. A carrier, as defined in section 513B.2, that  
7 provides prescription drug coverage through a policy  
8 or contract delivered, issued for delivery, continued,  
9 or renewed on or after January 1, 2017, shall develop  
10 and offer medication synchronization services that  
11 allow for the alignment of refill dates for a covered  
12 individual's prescription drugs that are a covered  
13 benefit. At a minimum, the carrier shall cover  
14 dispensing fees at a rate no lower than the contracted  
15 amount and the services shall include early refill and  
16 short fill requests for prescription drugs using the  
17 submission clarification and message codes adopted by  
18 the national council for prescription drug plans or  
19 alternative codes specified by the carrier.  
20 2. For purposes of this section, "*medication*  
21 *synchronization*" means the coordination of medication  
22 refills for a patient taking two or more medications  
23 for a chronic condition that are dispensed by a single  
24 network pharmacy to facilitate the synchronization  
25 of an individual's medications for the purpose of  
26 improving medication adherence.>  
27 2. Title page, line 1, after <to> by inserting  
28 <prescription drugs including>  
29 3. Title page, line 2, after <the prescription>  
30 by inserting <and providing insurance coverage for  
31 medication synchronization>  
32 4. By renumbering as necessary.

L. MILLER of Scott

H-8119

1 Amend the amendment, H-8086, to Senate File 453, as  
2 passed by the Senate, as follows:

3 1. Page 2, before line 2 by inserting:

4 ~~<(3) Requirements that the managing pharmacy~~  
5 ~~demonstrate to the board that there is limited access~~  
6 ~~to pharmacy services in the community where the~~  
7 ~~telepharmacy site is located.~~

8 (a) The managing pharmacy shall submit information  
9 demonstrating the need for the telepharmacy site  
10 upon initial application for a special or limited-use  
11 pharmacy license for the telepharmacy site.

12 (b) The board shall consider the availability of  
13 pharmacists in the community, whether the request is  
14 for availability of patient care in a critical access  
15 area or is solely for the benefit of the managing  
16 pharmacy, whether any benefit to the managing pharmacy  
17 will balance the benefit to the patients of the  
18 telepharmacy site, the population of the community to  
19 be served by the remote site, and the need for the  
20 service.>

21 2. Page 2, line 2, by striking ~~<(3)>~~ and inserting  
22 ~~<(4)>~~

23 3. Page 2, line 4, by striking ~~<(4)>~~ and inserting  
24 ~~<(5)>~~

25 4. Page 2, line 6, by striking ~~<(5)>~~ and inserting  
26 ~~<(6)>~~

27 5. Page 2, line 8, by striking ~~<(6)>~~ and inserting  
28 ~~<(7)>~~

29 6. Page 2, after line 12 by inserting:

30 ~~<d. The board shall not approve a telepharmacy site~~  
31 ~~if a licensed pharmacy that dispenses prescription~~  
32 ~~drug orders to outpatients is located within the~~  
33 ~~same community as the proposed telepharmacy site~~  
34 ~~or is located within fifteen miles of the proposed~~  
35 ~~telepharmacy site.>~~

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1 7. By renumbering as necessary.

PETTENGILL of Benton

H-8120

1 Amend House File 588, as passed by the House, as  
2 follows:

3 1. Page 1, line 2, by striking ~~<2015>~~ and inserting  
4 ~~<2016>~~

5 2. Page 1, line 32, by striking ~~<2015>~~ and  
6 inserting ~~<2016>~~

7 3. Page 2, line 5, by striking <2016> and inserting  
8 <2017>  
9 4. Page 2, line 8, by striking <2016> and inserting  
10 <2017>

## SENATE AMENDMENT

H-8121

1 Amend Senate File 2260, as passed by the Senate, as  
2 follows:  
3 1. Page 1, before line 1 by inserting:  
4 <Section 1. Section 22.7, Code 2016, is amended by  
5 adding the following new subsection:  
6 NEW SUBSECTION. 68. Information required to be  
7 provided by a disclosing entity pursuant to 42 C.F.R.  
8 §455.104, pertaining to an individual with an ownership  
9 or control interest who is an officer or director of  
10 a nonprofit corporation.>  
11 2. Page 1, by striking lines 12 through 15 and  
12 inserting <or control information from a nonprofit  
13 corporation. The department of human services may only  
14 disseminate such ownership or control information to  
15 a managed care organization if, and only to the extent,  
16 necessary to ensure compliance with federal law.>  
17 3. Page 1, after line 15 by inserting:  
18 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. This Act,  
19 being deemed of immediate importance, takes effect upon  
20 enactment.>  
21 4. Title page, line 3, after <program> by inserting  
22 <, and including effective date provisions>  
23 5. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-8122

1 Amend Senate File 2136, as passed by the Senate, as  
2 follows:  
3 1. Page 1, after line 11 by inserting:  
4 <Sec. \_\_. Section 139A.8, subsection 4, Code 2016,  
5 is amended to read as follows:  
6 4. a. Immunization is not required for a person's  
7 enrollment in any elementary or secondary school or  
8 licensed child care center if either of the following  
9 applies:  
10 (1) The applicant, or if the applicant is a minor,  
11 the applicant's parent or legal guardian, submits  
12 to the admitting official a statement signed by a  
13 physician, advanced registered nurse practitioner,  
14 or physician assistant who is licensed by the board  
15 of medicine, board of nursing, or board of physician

16 assistants that the immunizations required would be  
 17 injurious to the health and well-being of the applicant  
 18 or any member of the applicant's family.

19 (2) The applicant, or if the applicant is a minor,  
 20 the applicant's parent or legal guardian, submits an  
 21 affidavit signed by the applicant, or if the applicant  
 22 is a minor, the applicant's parent or legal guardian,  
 23 stating that the immunization conflicts with the tenets  
 24 and practices of a recognized religious denomination of  
 25 which the applicant is an adherent or member.

26 b. In addition to the exemptions provided in  
 27 paragraph "a", if the immunization is against  
 28 meningococcal disease as required pursuant to  
 29 subsection 2, paragraph "e", the immunization is not  
 30 required for a person's enrollment in any elementary  
 31 or secondary school or licensed child care center  
 32 if the applicant, or if the applicant is a minor,  
 33 the applicant's parent or legal guardian, submits an  
 34 affidavit signed by the applicant, or if the applicant  
 35 is a minor, the applicant's parent or legal guardian,

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1 stating that the applicant opposes the immunization on  
 2 the basis of personal conviction.

3 ~~b.~~ c. The exemptions under this subsection do not  
 4 apply in times of emergency or epidemic as determined  
 5 by the state board of health and as declared by the  
 6 director of public health.>

7 2. By renumbering as necessary.

RIZER of Linn

H-8123

1 Amend House File 2266, as passed by the House, as  
 2 follows:

3 1. Page 1, line 16, by striking <relative> and  
 4 inserting <person authorized to control the decedent's  
 5 remains under section 144C.5>

6 2. Page 1, line 30, by striking <relative> and  
 7 inserting <person authorized to control the decedent's  
 8 remains under section 144C.5>

SENATE AMENDMENT

H-8124

1 Amend House File 617, as passed by the House, as  
 2 follows:

3 1. Page 1, line 1, by striking <2015> and inserting  
 4 <2016>

- 5 2. Page 1, lines 31 and 32, by striking <must have  
6 at least two hundred members in this state and>  
7 3. Page 3, line 14, by striking <2015> and  
8 inserting <2016>  
9 4. Page 3, after line 26 by inserting:  
10 <Sec. \_\_\_. CONSIDERATION OF APPLICATIONS  
11 FOR AND ISSUANCE OF SPECIAL REGISTRATION PLATES  
12 WITH A PROCESSED EMBLEM. The state department  
13 of transportation may continue to issue special  
14 registration plates with a processed emblem approved  
15 by the department before January 1, 2017, pursuant to  
16 section 321.34, subsection 13, Code 2016, and may grant  
17 an application for and issue a new special registration  
18 plate with a processed emblem if the application for  
19 the plate is submitted to the department before January  
20 1, 2017, but shall not accept, consider, or grant an  
21 application for a new special registration plate with a  
22 processed emblem submitted pursuant to section 321.34,  
23 subsection 13, Code 2016, on or after January 1, 2017.>  
24 5. Page 3, line 28, by striking <2016> and  
25 inserting <2017>  
26 6. By renumbering as necessary.

## SENATE AMENDMENT

H-8125

- 1 Amend House File 2345, as passed by the House, as  
2 follows:  
3 1. Page 1, line 3, by striking <department> and  
4 inserting <department, in collaboration with the Iowa  
5 county engineers association,>  
6 2. Page 1, line 4, after <received> by inserting  
7 <from counties>  
8 3. Page 1, line 4, by striking <section 309.44> and  
9 inserting <sections 309.22 and 309.22A>  
10 4. Page 1, line 8, after <agency.> by inserting  
11 <This section is repealed June 30, 2019.>  
12 5. Page 1, line 9, by striking <309.44> and  
13 inserting <309.22A>  
14 6. Page 1, line 11, by striking <Between December 1  
15 and December 15> and inserting:  
16 <1. On or before September 15>  
17 7. Page 1, line 13, by striking <department> and  
18 inserting <department, as part of the annual report  
19 required under section 309.22.>  
20 8. Page 1, line 17, by striking <1.> and inserting  
21 <a.>  
22 9. Page 1, line 20, by striking <2.> and inserting  
23 <b.>  
24 10. Page 1, line 26, by striking <3.> and inserting  
25 <c.>

- 26 11. Page 1, line 30, by striking <4.> and inserting  
 27 <d.>  
 28 12. Page 1, after line 32 by inserting:  
 29 <2. This section is repealed June 30, 2019.>  
 30 13. Title page, line 1, by striking <requiring> and  
 31 inserting <relating to>  
 32 14. Title page, line 2, by striking <  
 33 transportation> and inserting <transportation,  
 34 including reports>  
 35 15. By renumbering, redesignating, and correcting

## PAGE 2

- 1 internal references as necessary.

## SENATE AMENDMENT

H-8126

- 1 Amend Senate File 2228, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 3, lines 5 and 6, by striking <included in  
 4 any retail installment contract> and inserting <clearly  
 5 and conspicuously disclosed in any motor vehicle  
 6 purchase agreement>

## COMMITTEE ON TRANSPORTATION

H-8127

- 1 Amend House File 2279, as passed by the House, as  
 2 follows:  
 3 1. Page 3, by striking lines 10 through 12 and  
 4 inserting:  
 5 <1. A person shall not knowingly possess a firearm  
 6 suppressor in this state in violation of federal law.>

## SENATE AMENDMENT

H-8128

- 1 Amend the amendment, H-8102, to Senate File 166,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 6, after line 25 by inserting:  
 5 <i. Include on the internet site required to be  
 6 accessed by an internet fantasy sports contest player  
 7 in order to participate in an internet fantasy sports  
 8 contest the toll-free telephone number for the gambling  
 9 treatment program administered by the Iowa department  
 10 of public health.  
 11 j. Restrict access to a fantasy sports contest

12 offered by the internet fantasy sports contest service  
13 provider at no charge to participants in this state who  
14 are at least eighteen years of age.>  
15 2. By renumbering, redesignating, and correcting  
16 internal references as necessary.

KELLEY of Jasper

H-8129

1 Amend Senate File 2233, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 6, by striking lines 12 through 15 and  
4 inserting <determining the best interest of the child.>  
5 2. Page 9, line 10, by striking <522.> and  
6 inserting <522 or the Iowa national guard civil relief  
7 provisions contained in chapter 29A, subchapter VI.  
8 A court shall not issue a temporary order granting  
9 custodial responsibility without notice to the  
10 deploying parent.>  
11 3. Page 12, line 11, by striking <shall> and  
12 inserting <may>  
13 4. Page 13, by striking lines 19 through 21 and  
14 inserting <temporary order is terminated, unless it  
15 is contrary to the best interest of the child, which  
16 may include additional contact time to compensate for  
17 contact time lost during deployment.>  
18 5. Page 14, line 2, after <522> by inserting  
19 <and the Iowa national guard civil relief provisions  
20 contained in chapter 29A, subchapter VI>  
21 6. Page 14, by striking lines 11 and 12 and  
22 inserting:  
23 <2. The court may appoint a guardian ad litem  
24 or an attorney to represent the best interest of the  
25 child or may require an appropriate agency to make an  
26 investigation of the parties as provided in section  
27 598.12.>  
28 7. Page 15, line 24, by striking <shall> and  
29 inserting <may>  
30 8. Page 15, by striking lines 26 through 28 and  
31 inserting <best interest of the child, which may  
32 include additional contact time to compensate for  
33 contact time lost during deployment.>  
34 9. By renumbering as necessary.

RIZER of Linn

H-8130

1 Amend the amendment, H-8100, to Senate File 2273, as  
2 passed by the Senate, as follows:  
3 1. Page 2, by striking lines 7 and 8 and inserting



4 <department shall collect a fee of thirty-three dollars  
5 and seventy-five cents for a license.>

L. MILLER of Scott

H-8131

1 Amend House File 2432, as follows:  
2 1. Page 1, line 7, after <branch.> by inserting <A  
3 salary increase approved by the supreme court shall  
4 be made a public record through a court order no less  
5 than thirty days prior to the effective date of the  
6 increase. A salary increase shall not take effect in a  
7 fiscal year until the general operating moneys for the  
8 judicial branch have been appropriated for that fiscal  
9 year.>

WORTHAN of Buena Vista

H-8132

1 Amend Senate File 2277, as passed by the Senate, as  
2 follows:  
3 1. Page 1, after line 16 by inserting:  
4 <Sec. \_\_. APPLICABILITY. This Act applies to  
5 franchise agreements entered into on or after July 1,  
6 2016.>  
7 2. Title page, line 2, after <agreement> by  
8 inserting <and including applicability date provisions>

ROGERS of Black Hawk

H-8133

1 Amend House File 2437 as follows:  
2 1. Page 5, by striking lines 22 through 31 and  
3 inserting:  
4 <Sec. \_\_. Section 321.194, Code 2016, is amended  
5 to read as follows:  
6 **321.194 Special minors' licenses.**  
7 1. *Driver's license issued for travel to and from*  
8 *school Persons eligible.* Upon certification of a  
9 special need by the school board, superintendent of  
10 the applicant's school, or principal, if authorized by  
11 the superintendent, the department may issue a class  
12 C or M driver's license to a person between the ages  
13 of fourteen and eighteen years ~~whose~~ if all of the  
14 following apply:  
15 a. The person's driving privileges have not been  
16 suspended, revoked, or barred under this chapter or  
17 chapter 321J during, and ~~who~~ the person has not been  
18 convicted of a moving traffic violation or involved

19 in a motor vehicle accident for, the six-month period  
 20 immediately preceding the application for the special  
 21 minor's license ~~and who,~~

22 b. The person has successfully completed an  
 23 approved driver education course. However, the  
 24 completion of a course is not required if the applicant  
 25 demonstrates to the satisfaction of the department  
 26 that completion of the course would impose a hardship  
 27 upon the applicant. The department shall adopt rules  
 28 defining the term "*hardship*" and establish procedures  
 29 for the demonstration and determination of when  
 30 completion of the course would impose a hardship upon  
 31 an applicant.

32 2. Driving privileges.

33 a. Permitted operations. The driver's license  
 34 entitles the holder, while having the license in  
 35 immediate possession, to operate a motor vehicle other

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1 than a commercial motor vehicle or as a chauffeur:

2 (1) During the hours of 5:00 a.m. to 10:00 p.m.  
 3 over the most direct and accessible route between the  
 4 licensee's residence and schools of enrollment or  
 5 the closest school bus stop or public transportation  
 6 service, and between schools of enrollment, for  
 7 the purpose of attending duly scheduled courses of  
 8 instruction and extracurricular activities within the  
 9 school district of enrollment.

10 (2) During the hours of 5:00 a.m. to 10:00 p.m.  
 11 over the most direct and accessible route between the  
 12 licensee's residence or school of enrollment and a  
 13 site, facility, or school that is not the ~~student's~~  
 14 licensee's school of enrollment for the purpose of  
 15 participating in extracurricular activities conducted  
 16 under a sharing agreement with the ~~student's licensee's~~  
 17 school of enrollment or conducted at a site or facility  
 18 designated by the licensee's school district for  
 19 the accommodation of the school's extracurricular  
 20 activities, provided the site, facility, or school is  
 21 within the licensee's school district of enrollment  
 22 or is within a school district contiguous to the  
 23 licensee's school district of enrollment.

24 (3) To a service station for the purpose of  
 25 refueling, so long as the service station is the  
 26 station closest to the route the licensee is traveling  
 27 on under subparagraph (1) or (2).

28 (4) At any time when the licensee is accompanied in  
 29 accordance with section 321.180B, subsection 1.

30 b. Restrictions.

31 (1) Passengers. Unless accompanied in accordance  
 32 with section 321.180B, subsection 1, a person issued

33 a driver's license pursuant to this section must  
 34 limit the number of unrelated minor passengers in  
 35 the motor vehicle when the licensee is operating the

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1 motor vehicle to one. For purposes of this section,  
 2 "*unrelated minor passenger*" means a passenger who is  
 3 under eighteen years of age and who is not a sibling of  
 4 the driver, a stepsibling of the driver, or a child who  
 5 resides in the same household as the driver.  
 6 (2) *Electronic communication devices.* A person  
 7 issued a driver's license under this section shall not  
 8 use an electronic communication device or an electronic  
 9 entertainment device while driving a motor vehicle  
 10 unless the motor vehicle is at a complete stop off the  
 11 traveled portion of the roadway. This subparagraph  
 12 does not apply to the use of electronic equipment which  
 13 is permanently installed in the motor vehicle or to a  
 14 portable device which is operated through permanently  
 15 installed equipment. The department, in cooperation  
 16 with the department of public safety, shall establish  
 17 educational programs to foster compliance with the  
 18 requirements of this subparagraph.  
 19 *e. 3. Certification of need and issuance of*  
 20 *license.* Each application shall be accompanied by  
 21 a statement from the school board, superintendent,  
 22 or principal, if authorized by the superintendent,  
 23 of the applicant's school. The statement shall be  
 24 upon a form provided by the department. The school  
 25 board, superintendent, or principal, if authorized by  
 26 the superintendent, shall certify that a need exists  
 27 for the license and that the board, superintendent,  
 28 or principal authorized by the superintendent is not  
 29 responsible for actions of the applicant which pertain  
 30 to the use of the driver's license. Upon receipt of a  
 31 statement of necessity, the department shall issue the  
 32 driver's license provided the applicant is otherwise  
 33 eligible for issuance of the license. The fact that  
 34 the applicant resides at a distance less than one mile  
 35 from the applicant's school of enrollment is prima

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1 facie evidence of the nonexistence of necessity for  
 2 the issuance of a license. The school board shall  
 3 develop and adopt a policy establishing the criteria  
 4 that shall be used by a school district administrator  
 5 to approve or deny certification that a need exists for  
 6 a license. The student may appeal to the school board  
 7 the decision of a school district administrator to  
 8 deny certification. The decision of the school board

9 is final. The driver's license shall not be issued  
 10 for purposes of attending a public school in a school  
 11 district other than either of the following:  
 12 (1) a. The district of residence of the parent or  
 13 guardian of the student.  
 14 (2) b. A district which is contiguous to the  
 15 district of residence of the parent or guardian of  
 16 the student, if the student is enrolled in the public  
 17 school which is not the school district of residence  
 18 because of open enrollment under section 282.18 or as  
 19 a result of an election by the student's district of  
 20 residence to enter into one or more sharing agreements  
 21 pursuant to the procedures in chapter 282.  
 22 ~~d. (1) A person issued a driver's license under~~  
 23 ~~this section shall not use an electronic communication~~  
 24 ~~device or an electronic entertainment device while~~  
 25 ~~driving a motor vehicle unless the motor vehicle is~~  
 26 ~~at a complete stop off the traveled portion of the~~  
 27 ~~roadway. This subparagraph does not apply to the use~~  
 28 ~~of electronic equipment which is permanently installed~~  
 29 ~~in the motor vehicle or to a portable device which is~~  
 30 ~~operated through permanently installed equipment.~~  
 31 ~~(2) The department, in cooperation with the~~  
 32 ~~department of public safety, shall establish~~  
 33 ~~educational programs to foster compliance with the~~  
 34 ~~requirements of subparagraph (1).~~  
 35 2. 4. Suspension and revocation. A driver's

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1 license issued under this section is subject to  
 2 suspension or revocation for the same reasons and  
 3 in the same manner as suspension or revocation of  
 4 any other driver's license. The department may also  
 5 suspend a driver's license issued under this section  
 6 upon receiving satisfactory evidence that the licensee  
 7 has violated the restrictions of the license or has  
 8 been involved in one or more accidents chargeable to  
 9 the licensee. The department may suspend a driver's  
 10 license issued under this section upon receiving a  
 11 record of the licensee's conviction for one violation.  
 12 The department shall revoke the license upon receiving  
 13 a record of conviction for two or more violations of a  
 14 law of this state or a city ordinance regulating the  
 15 operation of motor vehicles on highways other than  
 16 parking violations as defined in section 321.210.  
 17 After a person licensed under this section receives two  
 18 or more convictions which require revocation of the  
 19 person's license under this section, the department  
 20 shall not grant an application for a new driver's  
 21 license until the expiration of thirty days.  
 22 3. 5. Citations for violation of restrictions. A

23 person who violates the restrictions imposed under  
 24 subsection 1, paragraph “a” or “d”, 2 may be issued a  
 25 citation under this section and shall not be issued a  
 26 citation under section 321.193. A violation of the  
 27 restrictions imposed under subsection 1, paragraph “a”  
 28 or “d”, 2 shall not be considered a moving violation.  
 29 Sec. \_\_. Section 321.482A, unnumbered paragraph 1,  
 30 Code 2016, is amended to read as follows:  
 31 Notwithstanding section 321.482, a person who is  
 32 convicted of operating a motor vehicle in violation  
 33 of section 321.178, subsection 2, paragraph “a”,  
 34 subparagraph (2), section 321.180B, subsection 6,  
 35 section 321.194, subsection 1 2, paragraph “d” “b”,

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1 subparagraph (2), section 321.256, section 321.257,  
 2 section 321.275, subsection 4, section 321.276,  
 3 321.297, 321.298, 321.299, 321.302, 321.303, 321.304,  
 4 321.305, 321.306, 321.307, 321.308, section 321.309,  
 5 subsection 2, or section 321.311, 321.319, 321.320,  
 6 321.321, 321.322, 321.323, 321.324, 321.324A, 321.327,  
 7 321.329, 321.333, or 321.372, subsection 3, causing  
 8 serious injury to or the death of another person may be  
 9 subject to the following penalties in addition to the  
 10 penalty provided for a scheduled violation in section  
 11 805.8A or any other penalty provided by law:>  
 12 2. By renumbering as necessary.

B. MOORE of Jackson

H-8134

1 Amend House File 2283, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 3 through 19 and  
 4 inserting:  
 5 <2. a. A person shall not operate or ride a  
 6 snowmobile with a firearm in the person’s possession  
 7 unless it is unloaded and enclosed in a carrying case.  
 8 However, a nonambulatory person may carry an uncased  
 9 and unloaded firearm while operating or riding a  
 10 snowmobile.  
 11 b. (1) A person may operate or ride on a  
 12 snowmobile with a loaded firearm, whether concealed or  
 13 not, without a permit to carry weapons, if the person  
 14 operates or rides on land owned or possessed by the  
 15 person, and the person’s conduct is otherwise lawful.  
 16 (2) If a person is operating or riding on a  
 17 snowmobile on land that is not owned or possessed  
 18 by the person, the person may operate or ride the  
 19 snowmobile with a loaded firearm, whether concealed or

20 not, if all of the following apply:

21 (a) The firearm is a pistol or revolver and is  
22 secured in a retention holster upon the person.

23 (b) The person has in the person's possession and  
24 displays to a peace officer on demand a valid permit to  
25 carry weapons which has been issued to the person.

26 (c) The person's conduct is within the limits of  
27 the permit to carry weapons.

28 c. A person shall not discharge a firearm while on  
29 a snowmobile, except that a nonambulatory person may  
30 discharge a firearm from a snowmobile while lawfully  
31 hunting if the person is not operating or riding a  
32 moving snowmobile.>

33 2. By striking page 1, line 22, through page 2,  
34 line 8, and inserting:

35 <2. a. A person shall not operate or ride an

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1 all-terrain vehicle with a firearm in the person's  
2 possession unless it is unloaded and enclosed in a  
3 carrying case. However, a nonambulatory person may  
4 carry an uncased and unloaded firearm while operating  
5 or riding an all-terrain vehicle.

6 b. (1) A person may operate or ride on an  
7 all-terrain vehicle with a loaded firearm, whether  
8 concealed or not, without a permit to carry weapons, if  
9 the person operates or rides on land owned or possessed  
10 by the person, and the person's conduct is otherwise  
11 lawful.

12 (2) If a person is operating or riding on an  
13 all-terrain vehicle on land that is not owned or  
14 possessed by the person, the person may operate or ride  
15 the all-terrain vehicle with a loaded firearm, whether  
16 concealed or not, if all of the following apply:

17 (a) The firearm is a pistol or revolver and is  
18 secured in a retention holster upon the person.

19 (b) The person has in the person's possession and  
20 displays to a peace officer on demand a valid permit to  
21 carry weapons which has been issued to the person.

22 (c) The person's conduct is within the limits of  
23 the permit to carry weapons.

24 c. A person shall not discharge a firearm while on  
25 an all-terrain vehicle, except that a nonambulatory  
26 person may discharge a firearm from an all-terrain  
27 vehicle while lawfully hunting if the person is not  
28 operating or riding a moving all-terrain vehicle.>

H-8135

1 Amend House File 2385, as passed by the House, as  
2 follows:

3 1. Page 1, by striking lines 3 through 5 and  
4 inserting:

5 <3. A person who violates this section is subject  
6 to a civil penalty ~~not to exceed of~~ one thousand  
7 dollars for ~~each violation a first offense, two~~  
8 thousand dollars for a second offense, and three  
9 thousand dollars for a third or subsequent offense.>

10 2. By striking page 1, line 28, through page 2,  
11 line 9.

12 3. By renumbering as necessary.

SENATE AMENDMENT

H-8136

1 Amend House File 2380 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. **NEW SECTION. 135.190 Possession and**  
5 **administration of opioid antagonists.**

6 1. For purposes of this section, unless the context  
7 otherwise requires:

8 a. *"Opioid antagonist"* means the same as defined in  
9 section 147A.1.

10 b. *"Opioid-related overdose"* means the same as  
11 defined in section 147A.1.

12 c. *"Person in a position to assist"* means a family  
13 member, friend, caregiver, health care provider,  
14 employee of a substance abuse treatment facility, or  
15 other person who may be in a place to render aid to  
16 a person at risk of experiencing an opioid-related  
17 overdose.

18 2. A person in a position to assist may possess  
19 and provide or administer an opioid antagonist to  
20 an individual if the person in a position to assist  
21 reasonably and in good faith believes that such  
22 individual is experiencing an opioid-related overdose.

23 3. A person in a position to assist who has acted  
24 reasonably and in good faith shall not be liable for  
25 any injury arising from the provision, administration,  
26 or assistance in the administration of an opioid  
27 antagonist as provided in this section.

28 Sec. 2. Section 147A.1, Code 2016, is amended by  
29 adding the following new subsections:

30 **NEW SUBSECTION. 6A. "First responder"** means an  
31 emergency medical care provider, a registered nurse  
32 staffing an authorized service program under section  
33 147A.12, a physician assistant staffing an authorized

34 service program under section 147A.13, a fire fighter,  
35 or a peace officer as defined in section 801.4 who

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1 is trained and authorized to administer an opioid  
2 antagonist.  
3 NEW SUBSECTION. 6B. *“Licensed health care*  
4 *professional”* means the same as defined in section  
5 280.16.  
6 NEW SUBSECTION. 6C. *“Opioid antagonist”* means  
7 a drug that binds to opioid receptors and blocks  
8 or inhibits the effects of opioids acting on those  
9 receptors, including but not limited to naloxone  
10 hydrochloride or any other similarly acting  
11 drug approved by the United States food and drug  
12 administration.

13 NEW SUBSECTION. 6D. *“Opioid-related overdose”*  
14 means a condition affecting a person which may  
15 include extreme physical illness, a decreased level  
16 of consciousness, respiratory depression, a coma, or  
17 the ceasing of respiratory or circulatory function  
18 resulting from the consumption or use of an opioid, or  
19 another substance with which an opioid was combined.  
20 **Sec. 3. NEW SECTION. 147A.18 Possession and**  
21 **administration of an opioid antagonist — immunity.**

22 1. Notwithstanding any other provision of law to  
23 the contrary, a licensed health care professional may  
24 prescribe an opioid antagonist in the name of a service  
25 program, law enforcement agency, or fire department to  
26 be maintained for use as provided in this section.

27 2. A service program, law enforcement agency,  
28 or fire department may obtain a prescription for and  
29 maintain a supply of opioid antagonists. A service  
30 program, law enforcement agency, or fire department  
31 that obtains such a prescription shall replace an  
32 opioid antagonist upon its use or expiration.

33 3. A first responder employed by a service program,  
34 law enforcement agency, or fire department that  
35 maintains a supply of opioid antagonists pursuant to

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1 this section may possess and provide or administer such  
2 an opioid antagonist to an individual if the first  
3 responder reasonably and in good faith believes that  
4 such individual is experiencing an opioid-related  
5 overdose.

6 4. The following persons, provided they have acted  
7 reasonably and in good faith, shall not be liable for  
8 any injury arising from the provision, administration,  
9 or assistance in the administration of an opioid



10 antagonist as provided in this section:

11 a. A first responder who provides, administers, or  
12 assists in the administration of an opioid antagonist  
13 to an individual as provided in this section.

14 b. A service program, law enforcement agency, or  
15 fire department.

16 c. The prescriber of the opioid antagonist.

17 5. The department shall adopt rules pursuant  
18 to chapter 17A to implement and administer this  
19 section, including but not limited to standards  
20 and procedures for the prescription, distribution,  
21 storage, replacement, and administration of opioid  
22 antagonists, and for the training and authorization  
23 to be required for first responders to administer an  
24 opioid antagonist.

25 Sec. 4. CONTINGENT IMPLEMENTATION. Implementation  
26 of the section of this Act enacting section 147A.18 is  
27 contingent upon the availability of funding.>

28 2. Title page, by striking lines 1 through 3 and  
29 inserting <An Act relating to the possession and  
30 administration of emergency drugs by first responders  
31 and other persons in a position to assist for purposes  
32 of treating drug overdose victims and including  
33 contingent implementation provisions.>

KLEIN of Washington  
ABDUL-SAMAD of Polk

H-8137

1 Amend Senate File 2205, as passed by the Senate, as  
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 282.1, Code 2016, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. 3. For purposes of this section,  
7 "*resident*" shall include a child who is physically  
8 present in a district and is in the district for the  
9 purpose of participating in a regionally, state, or  
10 nationally recognized athletic league if the child  
11 provides the district with a written certification from  
12 the athletic league that the child is participating in  
13 the athletic league or will participate in the current  
14 or following school year.>

15 2. Page 2, by striking lines 5 through 9 and  
16 inserting:

17 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. The section  
18 of this Act amending section 282.18, subsection 11,  
19 takes effect upon enactment.

20 Sec. \_\_. RETROACTIVE APPLICABILITY. The section  
21 of this Act amending section 282.18, subsection 11,  
22 applies retroactively to July 1, 2015, for school

- 23 calendars beginning on or after that date.>  
 24 3. Title page, line 1, before <varsity> by  
 25 inserting <school district residency for children  
 26 participating in athletic leagues and>  
 27 4. By renumbering as necessary.

BYRNES of Mitchell

H-8138

- 1 Amend House File 2440 as follows:  
 2 1. Page 3, line 14, by striking <requirement> and  
 3 inserting <and insurance verification requirements>  
 4 2. Page 5, by striking lines 30 and 31 and  
 5 inserting:  
 6 <5. *Notification and insurance verification during*  
 7 *disaster response period.*>  
 8 3. Page 6, after line 17 by inserting:  
 9 <\_\_. Upon request of the secretary of state, an  
 10 out-of-state business that enters the state to perform  
 11 disaster and emergency-related work during a disaster  
 12 response period shall provide proof of workers'  
 13 compensation insurance coverage and liability insurance  
 14 coverage, if any. Such proof shall be provided within  
 15 ten days of the request.>  
 16 4. Page 6, line 18, after <notification> by  
 17 inserting <and insurance verification>  
 18 5. By renumbering, redesignating, and correcting  
 19 internal references as necessary.

BYRNES of Mitchell

H-8139

- 1 Amend House File 2439 as follows:  
 2 1. Page 2, by striking lines 9 through 11 and  
 3 inserting <by the public safety answering points for  
 4 the receipt and disposition of 911 calls.>  
 5 2. Page 5, by striking lines 9 through 11 and  
 6 inserting <local E911 systems, and the expenses of  
 7 members of the E911 communications council for travel,  
 8 monthly meetings, and training, provided, however, that  
 9 the members have not received reimbursement funds for  
 10 such expenses from another source.>  
 11 3. Page 5, line 25, by striking <Costs> and  
 12 inserting <Local costs>

WORTHAN of Buena Vista

H-8140

- 1 Amend the amendment, H-8133, to House File 2437 as

2 follows:

3 1. Page 1, after line 1 by inserting:

4 <\_\_. By striking page 1, line 3, through page 3,  
5 line 22, and inserting:

6 <Sec. \_\_. Section 321.1, Code 2016, is amended by  
7 adding the following new subsection:

8 NEW SUBSECTION. 06A. “*Autocycle*” means a  
9 three-wheeled motor vehicle originally designed with  
10 two front wheels and one rear wheel, a steering wheel  
11 rather than handlebars, no more than two permanent  
12 seats that do not require the operator or a passenger  
13 to straddle or sit astride the vehicle, and foot  
14 pedals that control the brakes, acceleration, and  
15 clutch, where applicable. A motor vehicle meeting the  
16 definition of “*autocycle*” is an autocycle even if the  
17 vehicle bears a vehicle identification number, or is  
18 accompanied by a manufacturer’s certificate of origin,  
19 that identifies the vehicle as a motorcycle.

20 Sec. \_\_. Section 321.1, subsection 40, paragraph  
21 a, Code 2016, is amended to read as follows:

22 a. “*Motorcycle*” means every motor vehicle having a  
23 saddle or seat for the use of the rider and designed to  
24 travel on not more than three wheels in contact with  
25 the ground including a motor scooter but excluding a  
26 tractor, an autocycle, and a motorized bicycle.

27 Sec. \_\_. Section 321.34, subsection 1, Code 2016,  
28 is amended to read as follows:

29 1. *Plates issued.* The county treasurer upon  
30 receiving application, accompanied by proper fee, for  
31 registration of a vehicle shall issue to the owner one  
32 registration plate for a motorcycle, motorized bicycle,  
33 autocycle, truck tractor, trailer, or semitrailer and  
34 two registration plates for every other motor vehicle.  
35 The registration plates, including special registration

PAGE 2

1 plates, shall be assigned to the owner of a vehicle.  
2 When the owner of a registered vehicle transfers or  
3 assigns ownership of the vehicle to another person, the  
4 owner shall remove the registration plates from the  
5 vehicle. The owner shall forward the plates to the  
6 county treasurer where the vehicle is registered or the  
7 owner may have the plates assigned to another vehicle  
8 within thirty days after transfer, upon payment of the  
9 fees required by law. The owner shall immediately  
10 affix registration plates retained by the owner  
11 to another vehicle owned or acquired by the owner,  
12 providing the owner complies with section 321.46.  
13 The department shall adopt rules providing for the  
14 assignment of registration plates to the transferee of  
15 a vehicle for which a credit is allowed under section

16 321.46, subsection 6.

17 Sec. \_\_\_\_\_. Section 321.34, subsection 5, paragraph  
18 a, Code 2016, is amended to read as follows:

19 a. Upon application and the payment of a fee of  
20 twenty-five dollars, the director may issue to the  
21 owner of a motor vehicle registered in this state or  
22 a trailer or travel trailer registered in this state,  
23 personalized registration plates marked with up to  
24 seven initials, letters, or combination of numerals and  
25 letters requested by the owner. However, personalized  
26 registration plates for autocycles, motorcycles, and  
27 motorized bicycles shall be marked with no more than  
28 six initials, letters, or combinations of numerals and  
29 letters. Upon receipt of the personalized registration  
30 plates, the applicant shall surrender the regular  
31 registration plates to the county treasurer. The fee  
32 for issuance of the personalized registration plates  
33 shall be in addition to the regular annual registration  
34 fee.

35 Sec. \_\_\_\_\_. Section 321.34, subsection 8, paragraph

PAGE 3

1 a, Code 2016, is amended to read as follows:

2 a. The owner of a motor vehicle subject to  
3 registration under section 321.109, subsection  
4 1, autocycle, motorcycle, trailer, or motor truck  
5 who has been awarded the medal of honor may, upon  
6 written application to the department, order special  
7 registration plates which shall be red, white, and blue  
8 in color and shall bear an emblem of the medal of honor  
9 and an identifying number. Each applicant applying for  
10 special registration plates under this subsection may  
11 order only one set of registration plates under this  
12 subsection. The application is subject to approval  
13 by the department and the special registration plates  
14 shall be issued at no charge to the applicant in  
15 exchange for the registration plates previously issued  
16 to the person. A person who is issued special plates  
17 under this subsection is exempt from payment of any  
18 annual registration fee for the motor vehicle bearing  
19 the special plates. The department shall validate  
20 the special plates in the same manner as regular  
21 registration plates are validated under this section.  
22 The department shall not issue special registration  
23 plates until service organizations in the state have  
24 furnished the department either the special dies or the  
25 cost of the special dies necessary for the manufacture  
26 of the special registration plate.

27 Sec. \_\_\_\_\_. Section 321.34, subsection 8A, paragraph  
28 a, Code 2016, is amended to read as follows:

29 a. The owner of a motor vehicle subject to

30 registration under section 321.109, subsection 1,  
 31 autocycle, motorcycle, trailer, or motor truck who was  
 32 a prisoner of war during a time of military conflict  
 33 may, upon written application to the department, order  
 34 only one set of special registration plates with an  
 35 ex-prisoner of war processed emblem. The emblem shall

PAGE 4

1 be designed by the department in cooperation with the  
 2 adjutant general and shall signify that the owner was  
 3 a prisoner of war as described in this subsection. The  
 4 application is subject to approval by the department,  
 5 in consultation with the adjutant general. The special  
 6 plates shall be issued at no charge and are subject to  
 7 an annual registration fee of fifteen dollars. The  
 8 county treasurer shall validate the special plates in  
 9 the same manner as regular registration plates are  
 10 validated under this section.

11 Sec. \_\_\_\_ Section 321.34, subsection 11, paragraph  
 12 a, Code 2016, is amended to read as follows:

13 a. Upon application and payment of the proper fees,  
 14 the director may issue natural resources plates to the  
 15 owner of a motor vehicle subject to registration under  
 16 section 321.109, subsection 1, autocycle, motor truck,  
 17 motor home, multipurpose vehicle, motorcycle, trailer,  
 18 or travel trailer.

19 Sec. \_\_\_\_ Section 321.34, subsection 11A, paragraph  
 20 a, Code 2016, is amended to read as follows:

21 a. Upon application and payment of the proper fees,  
 22 the director may issue "love our kids" plates to the  
 23 owner of a motor vehicle subject to registration under  
 24 section 321.109, subsection 1, autocycle, motor truck,  
 25 motor home, multipurpose vehicle, motorcycle, trailer,  
 26 or travel trailer.

27 Sec. \_\_\_\_ Section 321.34, subsection 11B, paragraph  
 28 a, Code 2016, is amended to read as follows:

29 a. Upon application and payment of the proper fees,  
 30 the director may issue "motorcycle rider education"  
 31 plates to the owner of a motor vehicle subject to  
 32 registration under section 321.109, subsection 1,  
 33 autocycle, motor truck, motor home, multipurpose  
 34 vehicle, motorcycle, trailer, or travel trailer.

35 Sec. \_\_\_\_ Section 321.34, subsection 12, paragraphs

PAGE 5

1 a and d, Code 2016, are amended to read as follows:

2 a. The owner of a motor vehicle subject to  
 3 registration pursuant to section 321.109, subsection  
 4 1, autocycle, motor truck, motor home, multipurpose  
 5 vehicle, motorcycle, trailer, or travel trailer may,

6 upon written application to the department, order  
7 special registration plates with a distinguishing  
8 processed emblem as authorized by this section or as  
9 approved by the department. The fee for the issuance  
10 of special registration plates is twenty-five dollars  
11 for each vehicle, unless otherwise provided by this  
12 section, which fee is in addition to the regular annual  
13 registration fee. The county treasurer shall validate  
14 special registration plates with a distinguishing  
15 processed emblem in the same manner as regular  
16 registration plates, upon payment of five dollars in  
17 addition to the regular annual registration fee.

18 *d.* A special registration plate issued for a  
19 motorcycle, autocycle, or motorized bicycle under this  
20 section shall be designated in the manner provided for  
21 personalized registration plates under subsection 5,  
22 paragraph "a".

23 Sec. \_\_\_\_ Section 321.34, subsection 15, paragraph  
24 a, Code 2016, is amended to read as follows:

25 *a.* The owner of a motor vehicle subject to  
26 registration under section 321.109, subsection 1,  
27 autocycle, motorcycle, trailer, or motor truck who has  
28 been awarded the legion of merit shall be issued one  
29 set of special registration plates with a legion of  
30 merit processed emblem, upon written application to  
31 the department and presentation of satisfactory proof  
32 of the award of the legion of merit as established by  
33 the Congress of the United States. The emblem shall  
34 be designed by the department in cooperation with the  
35 adjutant general and shall signify that the owner

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1 was awarded the legion of merit. The application is  
2 subject to approval by the department, in consultation  
3 with the adjutant general. The special plates shall  
4 be issued at no charge and are subject to an annual  
5 registration fee of fifteen dollars. The county  
6 treasurer shall validate the special plates in the same  
7 manner as regular registration plates are validated  
8 under this section.

9 Sec. \_\_\_\_ Section 321.37, subsections 1 and 2, Code  
10 2016, are amended to read as follows:

11 1. Registration plates issued for a motor vehicle  
12 other than a ~~an~~ an autocycle, motorcycle, motorized  
13 bicycle, or a truck tractor shall be attached to  
14 the motor vehicle, one in the front and the other in  
15 the rear. The registration plate issued for a ~~an~~  
16 autocycle, motorcycle, or other vehicle required to be  
17 registered hereunder shall be attached to the rear of  
18 the vehicle. The registration plate issued for a truck  
19 tractor shall be attached to the front of the truck

20 tractor. The special plate issued to a dealer shall be  
 21 attached on the rear of the vehicle when operated on  
 22 the highways of this state.

23 2. Registration plates issued for a motor vehicle  
 24 which is model year 1948 or older, and reconstructed  
 25 or specially constructed vehicles built to resemble  
 26 a model year 1948 vehicle or older, other than a  
 27 truck registered for more than five tons, autocycle,  
 28 motorcycle, or truck tractor, may display one  
 29 registration plate on the rear of the vehicle if the  
 30 other registration plate issued to the vehicle is  
 31 carried in the vehicle at all times when the vehicle is  
 32 operated on a public highway.

33 Sec. \_\_\_\_ Section 321.69, subsection 9, Code 2016,  
 34 is amended to read as follows:

35 9. Except for subsections 10 and 11, this section

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1 does not apply to motor trucks and truck tractors with  
 2 a gross vehicle weight rating of sixteen thousand  
 3 pounds or more, vehicles more than seven model years  
 4 old, autocycles, motorcycles, motorized bicycles, and  
 5 special mobile equipment. This section does apply to  
 6 motor homes. The requirement in subsection 1 that  
 7 the new certificate of title and registration receipt  
 8 shall state on the face whether a prior owner had  
 9 disclosed that the vehicle was damaged to the extent  
 10 that it was a wrecked or salvage vehicle as defined  
 11 in section 321.52, subsection 4, paragraph "d", does  
 12 not apply to a vehicle with a certificate of title  
 13 bearing a designation that the vehicle was previously  
 14 titled on a salvage certificate of title pursuant to  
 15 section 321.52, subsection 4, paragraph "b", or to a  
 16 vehicle with a certificate of title bearing a "REBUILT"  
 17 or "SALVAGE" designation pursuant to section 321.24,  
 18 subsection 4 or 5. Except for subsections 10 and 11,  
 19 this section does not apply to new motor vehicles  
 20 with a true mileage, as defined in section 321.71, of  
 21 one thousand miles or less, unless such vehicle has  
 22 incurred damage as described in subsection 2.

23 Sec. \_\_\_\_ Section 321.105A, subsection 2, paragraph  
 24 c, subparagraph (6), Code 2016, is amended to read as  
 25 follows:

26 (6) Vehicles, excluding autocycles, motorcycles,  
 27 and motorized bicycles, subject to registration in  
 28 any state when purchased for rental or registered and  
 29 titled by a motor vehicle dealer licensed pursuant to  
 30 chapter 322 for rental use, and held for rental for a  
 31 period of one hundred twenty days or more and actually  
 32 rented for periods of sixty days or less by a person  
 33 regularly engaged in the business of renting vehicles,

34 including but not limited to motor vehicle dealers  
35 licensed pursuant to chapter 322 who rent automobiles

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1 to users, if the rental of the vehicles is subject to  
2 taxation under section 423.2 or chapter 423C.  
3 Sec. \_\_\_\_ Section 321.109, subsection 1, paragraph  
4 a, Code 2016, is amended to read as follows:  
5 a. The annual fee for all motor vehicles including  
6 vehicles designated by manufacturers as station  
7 wagons, 1993 and subsequent model year multipurpose  
8 vehicles, and 2010 and subsequent model year motor  
9 trucks with an unladen weight of ten thousand pounds  
10 or less, except motor trucks registered under section  
11 321.122, business-trade trucks, special trucks, motor  
12 homes, motorsports recreational vehicles, ambulances,  
13 hearses, autocycles, motorcycles, motorized bicycles,  
14 and 1992 and older model year multipurpose vehicles,  
15 shall be equal to one percent of the value as fixed by  
16 the department plus forty cents for each one hundred  
17 pounds or fraction thereof of weight of vehicle,  
18 as fixed by the department. The weight of a motor  
19 vehicle, fixed by the department for registration  
20 purposes, shall include the weight of a battery,  
21 heater, bumpers, spare tire, and wheel. Provided,  
22 however, that for any new vehicle purchased in this  
23 state by a nonresident for removal to the nonresident's  
24 state of residence the purchaser may make application  
25 to the county treasurer in the county of purchase for  
26 a transit plate for which a fee of ten dollars shall  
27 be paid. And provided, however, that for any used  
28 vehicle held by a registered dealer and not currently  
29 registered in this state, or for any vehicle held  
30 by an individual and currently registered in this  
31 state, when purchased in this state by a nonresident  
32 for removal to the nonresident's state of residence,  
33 the purchaser may make application to the county  
34 treasurer in the county of purchase for a transit  
35 plate for which a fee of three dollars shall be paid.

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1 The county treasurer shall issue a nontransferable  
2 certificate of registration for which no refund shall  
3 be allowed; and the transit plates shall be void thirty  
4 days after issuance. Such purchaser may apply for a  
5 certificate of title by surrendering the manufacturer's  
6 or importer's certificate or certificate of title,  
7 duly assigned as provided in this chapter. In this  
8 event, the treasurer in the county of purchase shall,  
9 when satisfied with the genuineness and regularity of



10 the application, and upon payment of a fee of twenty  
 11 dollars, issue a certificate of title in the name and  
 12 address of the nonresident purchaser delivering the  
 13 title to the owner. If there is a security interest  
 14 noted on the title, the county treasurer shall mail to  
 15 the secured party an acknowledgment of the notation  
 16 of the security interest. The county treasurer shall  
 17 not release a security interest that has been noted on  
 18 a title issued to a nonresident purchaser as provided  
 19 in this paragraph. The application requirements of  
 20 section 321.20 apply to a title issued as provided  
 21 in this subsection, except that a natural person  
 22 who applies for a certificate of title shall provide  
 23 either the person's social security number, passport  
 24 number, or driver's license number, whether the license  
 25 was issued by this state, another state, or another  
 26 country. The provisions of this subsection relating to  
 27 multipurpose vehicles are effective for all 1993 and  
 28 subsequent model years. The annual registration fee  
 29 for multipurpose vehicles that are 1992 model years and  
 30 older shall be in accordance with section 321.124.

31 Sec. \_\_\_\_ Section 321.117, Code 2016, is amended to  
 32 read as follows:

33 **321.117 Motorcycle, autocycle, ambulance, and hears**  
 34 **fees.**

35 For all motorcycles and autocycles the annual

PAGE 10

1 registration fee shall be twenty dollars. For all  
 2 motorized bicycles the annual registration fee shall  
 3 be seven dollars. When the motorcycle or autocycle is  
 4 more than five model years old, the annual registration  
 5 fee shall be ten dollars. The annual registration fee  
 6 for ambulances and hearses shall be fifty dollars.  
 7 Passenger car plates shall be issued for ambulances and  
 8 hearses.

9 Sec. \_\_\_\_ Section 321.166, subsections 1, 3, and 4,  
 10 Code 2016, are amended to read as follows:

11 1. a. Registration plates shall be of metal and  
 12 of a size not to exceed six inches by twelve inches,  
 13 except that the size of plates issued for use on  
 14 autocycles, motorized bicycles, motorcycles, motorcycle  
 15 trailers, and trailers with an empty weight of two  
 16 thousand pounds or less shall be established by the  
 17 department.

18 b. Trailers with empty weights of two thousand  
 19 pounds or less may, upon request, be licensed with  
 20 regular-sized license plates.

21 3. The registration plate number shall be displayed  
 22 in characters which shall not exceed a height of four  
 23 inches nor a stroke width exceeding five-eighths of an

24 inch. Special plates issued to dealers shall display  
25 the alphabetical character "D", which shall be of the  
26 same size as the characters in the registration plate.  
27 The registration plate number issued for autocycles,  
28 motorized bicycles, motorcycles, trailers with an empty  
29 weight of two thousand pounds or less, and motorcycle  
30 trailers shall be a size prescribed by the department.  
31 4. The registration plate number, except on  
32 autocycles, motorized bicycles, motorcycles, motorcycle  
33 trailers, and trailers with an empty weight of two  
34 thousand pounds or less, shall be of sufficient size to  
35 be readable from a distance of one hundred feet during

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1 daylight.  
2 Sec. \_\_\_\_ Section 322.2, Code 2016, is amended by  
3 adding the following new subsection:  
4 NEW SUBSECTION. 1A. "Autocycle" means as defined  
5 in section 321.1.  
6 Sec. \_\_\_\_ Section 322.5, subsection 6, paragraph a,  
7 unnumbered paragraph 1, Code 2016, is amended to read  
8 as follows:  
9 Upon application for and receipt of a temporary  
10 permit issued by the department under this subsection,  
11 a motor vehicle dealer authorized to sell used  
12 motorcycles or autocycles may display, offer for sale,  
13 and negotiate sales of used motorcycles or autocycles  
14 at a motorcycle rally located in this state that meets  
15 all of the following conditions:  
16 Sec. \_\_\_\_ Section 322.5, subsection 6, paragraph  
17 b, subparagraph (1), Code 2016, is amended to read as  
18 follows:  
19 (1) The person presents the department with a  
20 current motor vehicle dealer license valid for the sale  
21 of used motorcycles or autocycles at retail in the  
22 person's state of residence.  
23 Sec. \_\_\_\_ Section 322.5, subsection 6, paragraph d,  
24 Code 2016, is amended to read as follows:  
25 *d.* A sale of a motorcycle or autocycle at a  
26 motorcycle rally shall not be completed and an  
27 agreement for the sale of a motorcycle or autocycle  
28 shall not be signed at a motorcycle rally. All  
29 such sales shall be consummated at the motor vehicle  
30 dealer's principal place of business.  
31 Sec. \_\_\_\_ Section 322.36, Code 2016, is amended to  
32 read as follows:  
33 **322.36 Motorcycle and autocycle dealer business**  
34 **hours.**  
35 A person in the business of selling motorcycles

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1 or autocycles under chapter 322D is not required  
 2 to maintain regular business hours at the dealer's  
 3 principal place of business or other place of business.

4 Sec. \_\_\_\_ Section 322D.1, subsection 2, Code 2016,  
 5 is amended to read as follows:

6 2. "*Attachment*" means a machine or part of a  
 7 machine designed to be used on and in conjunction with  
 8 a farm implement, motorcycle, autocycle, all-terrain  
 9 vehicle, or snowmobile.

10 Sec. \_\_\_\_ Section 322D.1, Code 2016, is amended by  
 11 adding the following new subsection:

12 NEW SUBSECTION. 2A. "Autocycle" means as defined  
 13 in section 321.1.

14 Sec. \_\_\_\_ Section 322D.1, subsection 4, paragraphs  
 15 b and e, Code 2016, are amended to read as follows:

16 b. The franchisee is granted the right to offer  
 17 and sell farm implements, motorcycles, autocycles,  
 18 all-terrain vehicles, snowmobiles, or related parts  
 19 or attachments manufactured or distributed by the  
 20 franchiser.

21 e. The operation of the franchisee's business  
 22 is substantially reliant on the franchiser for the  
 23 continued supply of farm implements, motorcycles,  
 24 autocycles, all-terrain vehicles, snowmobiles, or  
 25 related parts or attachments.

26 Sec. \_\_\_\_ Section 322D.1, subsections 5, 6, and 7,  
 27 Code 2016, are amended to read as follows:

28 5. "*Franchisee*" means a person who receives farm  
 29 implements, motorcycles, autocycles, all-terrain  
 30 vehicles, snowmobiles, or related parts or attachments  
 31 from the franchiser under a franchise and who offers  
 32 and sells the farm implements, motorcycles, autocycles,  
 33 all-terrain vehicles, snowmobiles, or related parts or  
 34 attachments to the general public.

35 6. "*Franchiser*" means a person who manufactures,

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1 wholesales, or distributes farm implements,  
 2 motorcycles, autocycles, all-terrain vehicles,  
 3 snowmobiles, or related parts or attachments, and who  
 4 enters into a franchise.

5 7. "*Motorcycle*" means a motor vehicle as defined  
 6 in section 321.1 other than an all-terrain vehicle,  
 7 which has a saddle or seat for the use of a rider and  
 8 that is designed to travel on not more than two wheels  
 9 in contact with the ground, but excluding a motorized  
 10 bicycle or autocycle as defined in section 321.1.

11 Sec. \_\_\_\_ Section 322D.2, Code 2016, is amended to  
 12 read as follows:

13 **322D.2 Franchisee's rights to payment.**

14 1. A franchisee who enters into a written  
15 franchise with a franchiser to maintain a stock of  
16 farm implements, motorcycles, autocycles, all-terrain  
17 vehicles, snowmobiles, or related parts or attachments  
18 has the following rights to payment, at the option of  
19 the franchisee, if the franchise is terminated:

20 a. One hundred percent of the net cost of new,  
21 unused, complete farm implements, motorcycles,  
22 autocycles, all-terrain vehicles, snowmobiles, or  
23 related attachments, which were purchased from the  
24 franchiser. In addition, the franchisee shall have  
25 a right of payment for transportation charges on the  
26 farm implements, motorcycles, autocycles, all-terrain  
27 vehicles, or snowmobiles, which have been paid by the  
28 franchisee.

29 b. Eighty-five percent of the net prices of any  
30 repair parts, including superseded parts, which  
31 were purchased from the franchiser and held by the  
32 franchisee on the date that the franchise terminated.

33 c. Five percent of the net prices of parts resold  
34 under paragraph "b" for handling, packing, and loading  
35 of the parts. However, this payment shall not be due

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1 to the franchisee if the franchiser elects to perform  
2 the handling, packing, and loading.

3 2. Upon receipt of the payments due under  
4 subsection 1, the franchiser is entitled to possession  
5 of and title to the farm implements, motorcycles,  
6 autocycles, all-terrain vehicles, snowmobiles, or  
7 related parts or attachments.

8 3. The cost of farm implements, motorcycles,  
9 autocycles, all-terrain vehicles, snowmobiles, and  
10 related attachments and the price of repair parts shall  
11 be determined by reference to the franchiser's price  
12 list or catalog in effect at the time of the franchise  
13 termination.

14 Sec. \_\_\_\_ Section 322D.3, subsections 7 and 9, Code  
15 2016, are amended to read as follows:

16 7. A farm implement, motorcycle, autocycle,  
17 all-terrain vehicle, or snowmobile which is not in new,  
18 unused, undamaged, or complete condition.

19 9. A farm implement, motorcycle, autocycle,  
20 all-terrain vehicle, or snowmobile which was purchased  
21 twenty-four months or more prior to the termination of  
22 the franchise.

23 Sec. \_\_\_\_ Section 322D.8, Code 2016, is amended to  
24 read as follows:

25 **322D.8 Application — motorcycle or autocycle**  
26 **franchise agreements.**

27 The rights under section 322D.2, subsection 1,  
 28 apply to motorcycle or autocycle franchise agreements  
 29 in effect on July 1, 1985, which have no expiration  
 30 date and are continuing agreements, and to those  
 31 entered into or renewed after July 1, 1985, but only to  
 32 motorcycles, autocycles, and motorcycle or autocycle  
 33 attachments and parts purchased after July 1, 1985.  
 34 Sec. \_\_\_\_ Section 322G.2, subsection 13, Code 2016,  
 35 is amended to read as follows:

PAGE 15

1 13. “*Motor vehicle*” means a self-propelled vehicle  
 2 purchased or leased in this state, except as provided  
 3 in section 322G.15, and primarily designed for the  
 4 transportation of persons or property over public  
 5 streets and highways, but does not include mopeds,  
 6 motorcycles, autocycles, motor homes, or vehicles over  
 7 fifteen thousand pounds gross vehicle weight rating.>>  
 8 2. By renumbering as necessary.

B. MOORE of Jackson

H-8141

1 Amend the amendment, H-8086, to Senate File 453, as  
 2 passed by the Senate, as follows:  
 3 1. Page 2, after line 9 by inserting:  
 4 <c. The board shall not issue a special or  
 5 limited-use pharmacy license to a proposed telepharmacy  
 6 site if a licensed pharmacy that dispenses prescription  
 7 drugs to outpatients is located within ten miles of  
 8 the proposed telepharmacy site unless the proposed  
 9 telepharmacy site is located on property owned,  
 10 operated, or leased by the state or unless the proposed  
 11 telepharmacy site is located within a hospital campus  
 12 and is limited to inpatient dispensing. The mileage  
 13 requirement does not apply to a telepharmacy site that  
 14 has been approved by the board and is operating as a  
 15 telepharmacy prior to July 1, 2016.  
 16 d. An applicant seeking a special or limited-use  
 17 pharmacy licensed for a proposed telepharmacy site that  
 18 does not meet the mileage requirement established in  
 19 paragraph “c” and is not statutorily exempt from the  
 20 mileage requirement may apply to the board for a waiver  
 21 of the mileage requirement. A waiver request shall  
 22 only be granted if the applicant can demonstrate to the  
 23 board that the proposed telepharmacy site is located  
 24 in an area where there is limited access to pharmacy  
 25 services and can establish the existence of compelling  
 26 circumstances that justify waiving the mileage  
 27 requirement. The board’s decision to grant or deny a

28 waiver request shall be a proposed decision subject to  
 29 mandatory review by the director of the department of  
 30 public health. The director shall review a proposed  
 31 decision and shall have the power to approve, modify,  
 32 or veto a proposed decision. The director's decision  
 33 on a waiver request shall be considered final agency  
 34 action subject to judicial review under chapter 17A.>  
 35 2. Page 2, line 10, by striking <c.> and inserting <e.>

BEST of Carroll

H-8142

1 Amend Senate File 2185, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, before line 1 by inserting:  
 4 <Section 1. NEW SECTION. 702.25 Film.  
 5 *"Film"* means capturing moving images upon a  
 6 membrane or other thin flexible material coated with  
 7 light sensitive emulsion; capturing moving images  
 8 electronically or digitally in such a manner that the  
 9 images are stored by a computer or other electronic  
 10 device; or receiving moving images in a continuous  
 11 flow.  
 12 Sec. \_\_\_\_ Section 716.7, subsection 1, Code 2016,  
 13 is amended by adding the following new paragraph:  
 14 NEW PARAGRAPH. f. "Reasonable expectation of  
 15 privacy" means circumstances in which a reasonable  
 16 person would believe that the person could disrobe or  
 17 partially disrobe in privacy, without being concerned  
 18 that the person disrobing or partially disrobing was  
 19 being viewed, photographed, or filmed when doing so.>  
 20 2. By renumbering as necessary.

HEARTSILL of Marion  
OLSON of Polk

H-8143

1 Amend House File 2438 as follows:  
 2 1. Page 10, after line 24 by inserting:  
 3 <*k.* For each eligible business issued a renewable  
 4 chemical production tax credit during each calendar  
 5 year:  
 6 (1) The identity of the eligible business.  
 7 (2) The amount of the tax credit.  
 8 (3) The manner in which the eligible business first  
 9 qualified as an eligible business under section 15.317,  
 10 subsection 4, whether by organizing, expanding, or  
 11 locating in the state.  
 12 *l.* The total amount of all renewable chemical  
 13 production tax credits claimed during each calendar

14 year, and the portion of the claims issued as refunds.>  
 15 2. Page 10, line 29, by striking <business> and  
 16 inserting <business, except as provided in subsection  
 17 2, paragraph "k">  
 18 3. Page 10, line 35, by striking <Sections> and  
 19 inserting <Section>

HANUSA of Pottawattamie

H-8144

1 Amend Senate File 2109, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 2, after <SERVICES> by inserting  
 4 ——— <MEDICAID PROGRAM ENHANCEMENT>  
 5 2. Page 1, after line 2 by inserting:  
 6 <Section 1. LEGISLATIVE FINDINGS — GOALS AND  
 7 INTENT.  
 8 1. The general assembly finds all of the following:  
 9 a. In the majority of states, Medicaid managed care  
 10 has been introduced on an incremental basis, beginning  
 11 with the enrollment of low-income children and parents  
 12 and proceeding in stages to include nonelderly persons  
 13 with disabilities and older individuals. Iowa, unlike  
 14 the majority of states, is implementing Medicaid  
 15 managed care simultaneously across a broad and diverse  
 16 population that includes individuals with complex  
 17 health care and long-term services and supports needs,  
 18 making these individuals especially vulnerable to  
 19 receiving inappropriate, inadequate, or substandard  
 20 services and supports.  
 21 b. The success or failure of Medicaid managed  
 22 care in Iowa depends on proper strategic planning and  
 23 strong oversight, and the incorporation of the core  
 24 values, principles, and goals of the strategic plan  
 25 into Medicaid managed care contractual obligations.  
 26 While Medicaid managed care techniques may create  
 27 pathways and offer opportunities toward quality  
 28 improvement and predictability in costs, if cost  
 29 savings and administrative efficiencies are the  
 30 primary goals, Medicaid managed care may instead erect  
 31 new barriers and limit the care and support options  
 32 available, especially to high-need, vulnerable Medicaid  
 33 recipients. A well-designed strategic plan and  
 34 effective oversight ensure that cost savings, improved  
 35 health outcomes, and efficiencies are not achieved

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1 at the expense of diminished program integrity, a  
 2 reduction in the quality or availability of services,  
 3 or adverse consequences to the health and well-being of

4 Medicaid recipients.

5 c. Strategic planning should include all of the  
6 following:

7 (1) Guidance in establishing and maintaining a  
8 robust and appropriate workforce and a provider network  
9 capable of addressing all of the diverse, distinct, and  
10 wide-ranging treatment and support needs of Medicaid  
11 recipients.

12 (2) Developing a sound methodology for establishing  
13 and adjusting capitation rates to account for all  
14 essential costs involved in treating and supporting the  
15 entire spectrum of needs across recipient populations.

16 (3) Addressing the sufficiency of information and  
17 data resources to enable review of factors such as  
18 utilization, service trends, system performance, and  
19 outcomes.

20 (4) Building effective working relationships and  
21 developing strategies to support community-level  
22 integration that provides cross-system coordination  
23 and synchronization among the various service sectors,  
24 providers, agencies, and organizations to further  
25 holistic well-being and population health goals.

26 d. While the contracts entered into between the  
27 state and managed care organizations function as a  
28 mechanism for enforcing requirements established by the  
29 federal and state governments and allow states to shift  
30 the financial risk associated with caring for Medicaid  
31 recipients to these contractors, the state ultimately  
32 retains responsibility for the Medicaid program and  
33 the oversight of the performance of the program's  
34 contractors. Administration of the Medicaid program  
35 benefits by managed care organizations should not be

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1 viewed by state policymakers and state agencies as a  
2 means of divesting themselves of their constitutional  
3 and statutory responsibilities to ensure that  
4 recipients of publicly funded services and supports, as  
5 well as taxpayers in general, are effectively served.

6 e. Overseeing the performance of Medicaid managed  
7 care contractors requires a different set of skills  
8 than those required for administering a fee-for-service  
9 program. In the absence of the in-house capacity of  
10 the department of human services to perform tasks  
11 specific to Medicaid managed care oversight, the state  
12 essentially cedes its responsibilities to private  
13 contractors and relinquishes its accountability to the  
14 public. In order to meet these responsibilities, state  
15 policymakers must ensure that the state, including the  
16 department of human services as the state Medicaid  
17 agency, has the authority and resources, including



18 the adequate number of qualified personnel and the  
 19 necessary tools, to carry out these responsibilities,  
 20 provide effective administration, and ensure  
 21 accountability and compliance.  
 22 f. State policymakers must also ensure that  
 23 Medicaid managed care contracts contain, at a minimum,  
 24 clear, unambiguous performance standards, operating  
 25 guidelines, data collection, maintenance, retention,  
 26 and reporting requirements, and outcomes expectations  
 27 so that contractors and subcontractors are held  
 28 accountable to clear contract specifications.  
 29 g. As with all system and program redesign efforts  
 30 undertaken in the state to date, the assumption  
 31 of the administration of Medicaid program benefits  
 32 by managed care organizations must involve ongoing  
 33 stakeholder input and earn the trust and support of  
 34 these stakeholders. Medicaid recipients, providers,  
 35 advocates, and other stakeholders have intimate

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1 knowledge of the people and processes involved in  
 2 ensuring the health and safety of Medicaid recipients,  
 3 and are able to offer valuable insight into the  
 4 barriers likely to be encountered as well as propose  
 5 solutions for overcoming these obstacles. Local  
 6 communities and providers of services and supports  
 7 have firsthand experience working with the Medicaid  
 8 recipients they serve and are able to identify factors  
 9 that must be considered to make a system successful.  
 10 Agencies and organizations that have specific expertise  
 11 and experience with the services and supports needs of  
 12 Medicaid recipients and their families are uniquely  
 13 placed to provide needed assistance in developing  
 14 the measures for and in evaluating the quality of the  
 15 program.  
 16 2. It is the intent of the general assembly that  
 17 the Medicaid program be implemented and administered,  
 18 including through Medicaid managed care policies  
 19 and contract provisions, in a manner that safeguards  
 20 the interests of Medicaid recipients, encourages the  
 21 participation of Medicaid providers, and protects  
 22 the interests of all taxpayers, while attaining the  
 23 goals of Medicaid modernization to improve quality and  
 24 access, promote accountability for outcomes, and create  
 25 a more predictable and sustainable Medicaid budget.  
 26 HEALTH POLICY OVERSIGHT COMMITTEE  
 27 Sec. \_\_\_\_ Section 2.45, subsection 6, Code 2016, is  
 28 amended to read as follows:  
 29 6. The legislative health policy oversight  
 30 committee, which shall be composed of ten members of  
 31 the general assembly, consisting of five members from

32 each house, to be appointed by the legislative council.  
 33 The legislative health policy oversight committee  
 34 shall ~~receive updates and review data, public input and~~  
 35 ~~concerns, and make recommendations for improvements to~~

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1 ~~and changes in law or rule regarding Medicaid managed~~  
 2 ~~care meet at least four times annually to evaluate~~  
 3 ~~state health policy and provide continuing oversight~~  
 4 ~~for publicly funded programs, including but not limited~~  
 5 ~~to all facets of the Medicaid and hawk-i programs~~  
 6 ~~to, at a minimum, ensure effective and efficient~~  
 7 ~~administration of these programs, address stakeholder~~  
 8 ~~concerns, monitor program costs and expenditures, and~~  
 9 ~~make recommendations relative to the programs.~~  
 10 Sec. \_\_\_\_ HEALTH POLICY OVERSIGHT COMMITTEE  
 11 — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE  
 12 INTERIM. During the 2016 legislative interim, the  
 13 health policy oversight committee created in section  
 14 2.45 shall, as part of the committee's evaluation  
 15 of state health policy and review of all facets of  
 16 the Medicaid and hawk-i programs, review and make  
 17 recommendations regarding, at a minimum, all of the  
 18 following:  
 19 1. The resources and duties of the office of  
 20 long-term care ombudsman relating to the provision of  
 21 assistance to and advocacy for Medicaid recipients  
 22 to determine the designation of duties and level of  
 23 resources necessary to appropriately address the needs  
 24 of such individuals. The committee shall consider the  
 25 health consumer ombudsman alliance report submitted to  
 26 the general assembly in December 2015, as well as input  
 27 from the office of long-term care ombudsman and other  
 28 entities in making recommendations.  
 29 2. The health benefits and health benefit  
 30 utilization management criteria for the Medicaid  
 31 and hawk-i programs to determine the sufficiency  
 32 and appropriateness of the benefits offered and the  
 33 utilization of these benefits.  
 34 3. Prior authorization requirements relative  
 35 to benefits provided under the Medicaid and hawk-i

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1 programs, including but not limited to pharmacy  
 2 benefits.  
 3 4. Consistency and uniformity in processes,  
 4 procedures, forms, and other activities across all  
 5 Medicaid and hawk-i program participating insurers and  
 6 managed care organizations, including but not limited  
 7 to cost and quality reporting, credentialing, billing,

8 prior authorization, and critical incident reporting.  
 9 5. Provider network adequacy including the use of  
 10 out-of-network and out-of-state providers.  
 11 6. The role and interplay of other advisory and  
 12 oversight entities, including but not limited to the  
 13 medical assistance advisory council and the hawk-i  
 14 board.

#### 15 REVIEW OF PROGRAM INTEGRITY DUTIES

16 Sec. \_\_\_\_ REVIEW OF PROGRAM INTEGRITY DUTIES —  
 17 WORKGROUP — REPORT.

18 1. The director of human services shall convene  
 19 a workgroup comprised of members including the  
 20 commissioner of insurance, the auditor of state, the  
 21 Medicaid director and bureau chiefs of the managed care  
 22 organization oversight and supports bureau, the Iowa  
 23 Medicaid enterprise support bureau, and the medical  
 24 and long-term services and supports bureau, and a  
 25 representative of the program integrity unit, or their  
 26 designees; and representatives of other appropriate  
 27 state agencies or other entities including but not  
 28 limited to the office of the attorney general, the  
 29 office of long-term care ombudsman, and the Medicaid  
 30 fraud control unit of the investigations division  
 31 of the department of inspections and appeals. The  
 32 workgroup shall do all of the following:  
 33 a. Review the duties of each entity with  
 34 responsibilities relative to Medicaid program integrity  
 35 and managed care organizations; review state and

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1 federal laws, regulations, requirements, guidance, and  
 2 policies relating to Medicaid program integrity and  
 3 managed care organizations; and review the laws of  
 4 other states relating to Medicaid program integrity  
 5 and managed care organizations. The workgroup shall  
 6 determine areas of duplication, fragmentation,  
 7 and gaps; shall identify possible integration,  
 8 collaboration and coordination of duties; and shall  
 9 determine whether existing general state Medicaid  
 10 program and fee-for-service policies, laws, and  
 11 rules are sufficient, or if changes or more specific  
 12 policies, laws, and rules are required to provide  
 13 for comprehensive and effective administration and  
 14 oversight of the Medicaid program including under the  
 15 fee-for-service and managed care methodologies.  
 16 b. Review historical uses of the Medicaid  
 17 fraud fund created in section 249A.50 and make  
 18 recommendations for future uses of the moneys in the  
 19 fund and any changes in law necessary to adequately  
 20 address program integrity.  
 21 c. Review medical loss ratio provisions relative

22 to Medicaid managed care contracts and make  
23 recommendations regarding, at a minimum, requirements  
24 for the necessary collection, maintenance, retention,  
25 reporting, and sharing of data and information by  
26 Medicaid managed care organizations for effective  
27 determination of compliance, and to identify the  
28 costs and activities that should be included in the  
29 calculation of administrative costs, medical costs or  
30 benefit expenses, health quality improvement costs,  
31 and other costs and activities incidental to the  
32 determination of a medical loss ratio.  
33 d. Review the capacity of state agencies, including  
34 the need for specialized training and expertise, to  
35 address Medicaid and managed care organization program

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1 integrity and provide recommendations for the provision  
2 of necessary resources and infrastructure, including  
3 annual budget projections.  
4 e. Review the incentives and penalties applicable  
5 to violations of program integrity requirements to  
6 determine their adequacy in combating waste, fraud,  
7 abuse, and other violations that divert limited  
8 resources that would otherwise be expended to safeguard  
9 the health and welfare of Medicaid recipients, and make  
10 recommendations for necessary adjustments to improve  
11 compliance.  
12 f. Make recommendations regarding the quarterly and  
13 annual auditing of financial reports required to be  
14 performed for each Medicaid managed care organization  
15 to ensure that the activities audited provide  
16 sufficient information to the division of insurance  
17 of the department of commerce and the department  
18 of human services to ensure program integrity. The  
19 recommendations shall also address the need for  
20 additional audits or other reviews of managed care  
21 organizations.  
22 g. Review and make recommendations to prohibit  
23 cost-shifting between state and local and public and  
24 private funding sources for services and supports  
25 provided to Medicaid recipients whether directly or  
26 indirectly through the Medicaid program.  
27 2. The department of human services shall submit  
28 a report of the workgroup to the governor, the health  
29 policy oversight committee created in section 2.45,  
30 and the general assembly initially, on or before  
31 November 15, 2016, and on or before November 15,  
32 on an annual basis thereafter, to provide findings  
33 and recommendations for a coordinated approach  
34 to comprehensive and effective administration and  
35 oversight of the Medicaid program including under the

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1 fee-for-service and managed care methodologies.  
 2 MEDICAID REINVESTMENT FUND  
 3 MEDICAID OMBUDSMAN  
 4 Sec. \_\_\_\_ Section 231.44, Code 2016, is amended to  
 5 read as follows:  
 6 **231.44 Utilization of resources — assistance and**  
 7 **advocacy related to long-term services and supports**  
 8 **under the Medicaid program.**  
 9 1. The office of long-term care ombudsman ~~may~~  
 10 shall utilize its available resources to provide  
 11 assistance and advocacy services to eligible recipients  
 12 of long-term services and supports, or individuals  
 13 seeking long-term services and supports, and the  
 14 families or legal representatives of such eligible  
 15 recipients, ~~of long-term services and supports provided~~  
 16 ~~through individuals under~~ the Medicaid program. Such  
 17 assistance and advocacy shall include but is not  
 18 limited to all of the following:  
 19 a. Assisting ~~recipients~~ such individuals in  
 20 understanding the services, coverage, and access  
 21 provisions and their rights under Medicaid managed  
 22 care.  
 23 b. Developing procedures for the tracking and  
 24 reporting of the outcomes of individual requests for  
 25 assistance, the obtaining of necessary services and  
 26 supports, and other aspects of the services provided to  
 27 eligible recipients such individuals.  
 28 c. Providing advice and assistance relating to the  
 29 preparation and filing of complaints, grievances, and  
 30 appeals of complaints or grievances, including through  
 31 processes available under managed care plans and the  
 32 state appeals process, relating to long-term services  
 33 and supports under the Medicaid program.  
 34 d. Accessing the results of a review of a level  
 35 of care assessment or reassessment by a managed care

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1 organization in which the managed care organization  
 2 recommends denial or limited authorization of a  
 3 service, including the type or level of service, the  
 4 reduction, suspension, or termination of a previously  
 5 authorized service, or a change in level of care, upon  
 6 the request of an affected individual.  
 7 e. Receiving notices of disenrollment or notices  
 8 that would result in a change in level of care for  
 9 affected individuals, including involuntary and  
 10 voluntary discharges or transfers, from the department  
 11 of human services or a managed care organization.  
 12 2. A representative of the office of long-term care

13 ombudsman providing assistance and advocacy services  
14 authorized under this section for an individual,  
15 shall be provided access to the individual, and shall  
16 be provided access to the individual's medical and  
17 social records as authorized by the individual or the  
18 individual's legal representative, as necessary to  
19 carry out the duties specified in this section.

20 3. A representative of the office of long-term care  
21 ombudsman providing assistance and advocacy services  
22 authorized under this section for an individual, shall  
23 be provided access to administrative records related to  
24 the provision of the long-term services and supports to  
25 the individual, as necessary to carry out the duties  
26 specified in this section.

27 4. The office of long-term care ombudsman and  
28 representatives of the office, when providing  
29 assistance and advocacy services under this section,  
30 shall be considered a health oversight agency as  
31 defined in 45 C.F.R. §164.501 for the purposes of  
32 health oversight activities as described in 45 C.F.R.  
33 §164.512(d) including access to the health records  
34 and other appropriate information of an individual,  
35 including from the department of human services or

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1 the applicable Medicaid managed care organization,  
2 as necessary to fulfill the duties specified under  
3 this section. The department of human services,  
4 in collaboration with the office of long-term care  
5 ombudsman, shall adopt rules to ensure compliance  
6 by affected entities with this subsection and to  
7 ensure recognition of the office of long-term care  
8 ombudsman as a duly authorized and identified agent or  
9 representative of the state.

10 5. The department of human services and Medicaid  
11 managed care organizations shall inform eligible  
12 and potentially eligible Medicaid recipients of the  
13 advocacy services and assistance available through the  
14 office of long-term care ombudsman and shall provide  
15 contact and other information regarding the advocacy  
16 services and assistance to eligible and potentially  
17 eligible Medicaid recipients as directed by the office  
18 of long-term care ombudsman.

19 6. When providing assistance and advocacy services  
20 under this section, the office of long-term care  
21 ombudsman shall act as an independent agency, and the  
22 office of long-term care ombudsman and representatives  
23 of the office shall be free of any undue influence that  
24 restrains the ability of the office or the office's  
25 representatives from providing such services and  
26 assistance.

27 7. The office of long-term care ombudsman shall, in  
 28 addition to other duties prescribed and at a minimum,  
 29 do all of the following in the furtherance of the  
 30 provision of advocacy services and assistance under  
 31 this section:  
 32 a. Represent the interests of eligible and  
 33 potentially eligible Medicaid recipients before  
 34 governmental agencies.  
 35 b. Analyze, comment on, and monitor the development

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1 and implementation of federal, state, and local laws,  
 2 regulations, and other governmental policies and  
 3 actions, and recommend any changes in such laws,  
 4 regulations, policies, and actions as determined  
 5 appropriate by the office of long-term care ombudsman.  
 6 c. To maintain transparency and accountability for  
 7 activities performed under this section, including  
 8 for the purposes of claiming federal financial  
 9 participation for activities that are performed to  
 10 assist with administration of the Medicaid program;  
 11 (1) Have complete and direct responsibility for the  
 12 administration, operation, funding, fiscal management,  
 13 and budget related to such activities, and directly  
 14 employ, oversee, and supervise all paid and volunteer  
 15 staff associated with these activities.  
 16 (2) Establish separation-of-duties requirements,  
 17 provide limited access to work space and work  
 18 product for only necessary staff, and limit access to  
 19 documents and information as necessary to maintain the  
 20 confidentiality of the protected health information of  
 21 individuals served under this section.  
 22 (3) Collect and submit, annually, to the governor,  
 23 the health policy oversight committee created in  
 24 section 2.45, and the general assembly, all of the  
 25 following with regard to those seeking advocacy  
 26 services or assistance under this section:  
 27 (a) The number of contacts by contact type and  
 28 geographic location.  
 29 (b) The type of assistance requested including the  
 30 name of the managed care organization involved, if  
 31 applicable.  
 32 (c) The time frame between the time of the initial  
 33 contact and when an initial response was provided.  
 34 (d) The amount of time from the initial contact to  
 35 resolution of the problem or concern.

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1 (e) The actions taken in response to the request  
 2 for advocacy or assistance.

3 (f) The outcomes of requests to address problems or  
 4 concerns.

5 4. 8. For the purposes of this section:

6 a. *“Institutional setting”* includes a long-term care  
 7 facility, an elder group home, or an assisted living  
 8 program.

9 b. *“Long-term services and supports”* means the broad  
 10 range of health, health-related, and personal care  
 11 assistance services and supports, provided in both  
 12 institutional settings and home and community-based  
 13 settings, necessary for older individuals and persons  
 14 with disabilities who experience limitations in their  
 15 capacity for self-care due to a physical, cognitive, or  
 16 mental disability or condition.

17 Sec. \_\_\_\_ NEW SECTION. 231.44A Willful  
 18 **interference with duties related to long-term services**  
 19 **and supports — penalty.**

20 Willful interference with a representative of the  
 21 office of long-term care ombudsman in the performance  
 22 of official duties in accordance with section 231.44  
 23 is a violation of section 231.44, subject to a penalty  
 24 prescribed by rule. The office of long-term care  
 25 ombudsman shall adopt rules specifying the amount of a  
 26 penalty imposed, consistent with the penalties imposed  
 27 under section 231.42, subsection 8, and specifying  
 28 procedures for notice and appeal of penalties imposed.  
 29 Any moneys collected pursuant to this section shall be  
 30 deposited in the Medicaid reinvestment fund created in  
 31 section 249A.4C.

32 **MEDICAL ASSISTANCE ADVISORY COUNCIL**

33 Sec. \_\_\_\_ Section 249A.4B, Code 2016, is amended to  
 34 read as follows:

35 **249A.4B Medical assistance advisory council.**

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1 1. A medical assistance advisory council is  
 2 created to comply with 42 C.F.R. §431.12 based on  
 3 section 1902(a)(4) of the federal Social Security Act  
 4 and to advise the director about health and medical  
 5 care services under the ~~medical assistance~~ Medicaid  
 6 program, participate in Medicaid policy development  
 7 and program administration, and provide guidance on  
 8 key issues related to the Medicaid program, whether  
 9 administered under a fee-for-service, managed care, or  
 10 other methodology, including but not limited to access  
 11 to care, quality of care, and service delivery.

12 a. The council shall have the opportunity for  
 13 participation in policy development and program  
 14 administration, including furthering the participation  
 15 of recipients of the program, and without limiting this  
 16 general authority shall specifically do all of the



17 following:

18 (1) Formulate, review, evaluate, and recommend  
 19 policies, rules, agency initiatives, and legislation  
 20 pertaining to the Medicaid program. The council shall  
 21 have the opportunity to comment on proposed rules  
 22 prior to commencement of the rulemaking process and on  
 23 waivers and state plan amendment applications.

24 (2) Prior to the annual budget development process,  
 25 engage in setting priorities, including consideration  
 26 of the scope and utilization management criteria  
 27 for benefits, beneficiary eligibility, provider and  
 28 services reimbursement rates, and other budgetary  
 29 issues.

30 (3) Provide oversight for and review of the  
 31 administration of the Medicaid program.

32 (4) Ensure that the membership of the council  
 33 effectively represents all relevant and concerned  
 34 viewpoints, particularly those of consumers, providers,  
 35 and the general public; create public understanding;

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1 and ensure that the services provided under the  
 2 Medicaid program meet the needs of the people served.  
 3 b. The council shall meet ~~no more than~~ at least  
 4 quarterly, and prior to the next subsequent meeting  
 5 of the executive committee. ~~The director of public~~  
 6 health ~~The public member acting as a co-chairperson~~  
 7 of the executive committee and the professional or  
 8 business entity member acting as a co-chairperson of  
 9 the executive committee, shall serve as ~~chairperson~~  
 10 co-chairpersons of the council.

11 2. The council shall include all of the following  
 12 voting members:

13 a. The president, or the president's  
 14 representative, of each of the following professional  
 15 or business entities, or a member of each of the  
 16 following professional or business entities, selected  
 17 by the entity:

- 18 (1) The Iowa medical society.
- 19 (2) The Iowa osteopathic medical association.
- 20 (3) The Iowa academy of family physicians.
- 21 (4) The Iowa chapter of the American academy of
- 22 pediatrics.
- 23 (5) The Iowa physical therapy association.
- 24 (6) The Iowa dental association.
- 25 (7) The Iowa nurses association.
- 26 (8) The Iowa pharmacy association.
- 27 (9) The Iowa podiatric medical society.
- 28 (10) The Iowa optometric association.
- 29 (11) The Iowa association of community providers.
- 30 (12) The Iowa psychological association.

- 31 (13) The Iowa psychiatric society.  
 32 (14) The Iowa chapter of the national association  
 33 of social workers.  
 34 (15) The coalition for family and children's  
 35 services in Iowa.

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- 1 (16) The Iowa hospital association.  
 2 (17) The Iowa association of rural health clinics.  
 3 (18) The Iowa primary care association.  
 4 (19) Free clinics of Iowa.  
 5 (20) The opticians' association of Iowa, inc.  
 6 (21) The Iowa association of hearing health  
 7 professionals.  
 8 (22) The Iowa speech and hearing association.  
 9 (23) The Iowa health care association.  
 10 (24) The Iowa association of area agencies on  
 11 aging.  
 12 (25) AARP.  
 13 (26) The Iowa caregivers association.  
 14 (27) The Iowa coalition of home and community-based  
 15 services for seniors.  
 16 (28) The Iowa adult day services association.  
 17 (29) Leading age Iowa.  
 18 (30) The Iowa association for home care.  
 19 (31) The Iowa council of health care centers.  
 20 (32) The Iowa physician assistant society.  
 21 (33) The Iowa association of nurse practitioners.  
 22 (34) The Iowa nurse practitioner society.  
 23 (35) The Iowa occupational therapy association.  
 24 (36) The ARC of Iowa, formerly known as the  
 25 association for retarded citizens of Iowa.  
 26 (37) The national alliance for the mentally ill on  
 27 mental illness of Iowa.  
 28 (38) The Iowa state association of counties.  
 29 (39) The Iowa developmental disabilities council.  
 30 (40) The Iowa chiropractic society.  
 31 (41) The Iowa academy of nutrition and dietetics.  
 32 (42) The Iowa behavioral health association.  
 33 (43) The midwest association for medical equipment  
 34 services or an affiliated Iowa organization.  
 35 (44) The Iowa public health association.

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- 1 (45) The epilepsy foundation.  
 2 b. Public representatives which may include members  
 3 of consumer groups, including recipients of medical  
 4 assistance or their families, consumer organizations,  
 5 and others, which shall be appointed by the governor  
 6 in equal number to the number of representatives of

7 the professional and business entities specifically  
 8 represented under paragraph “a”, ~~appointed by the~~  
 9 ~~governor~~ for staggered terms of two years each, none  
 10 of whom shall be members of, or practitioners of, or  
 11 have a pecuniary interest in any of the professional  
 12 or business entities specifically represented under  
 13 paragraph “a”, and a majority of whom shall be current  
 14 or former recipients of medical assistance or members  
 15 of the families of current or former recipients.

16 3. The council shall include all of the following  
 17 nonvoting members:

18 ~~e.~~ a. The director of public health, or the  
 19 director’s designee.

20 ~~d.~~ b. The director of the department on aging, or  
 21 the director’s designee.

22 c. The state long-term care ombudsman, or the  
 23 ombudsman’s designee.

24 d. The ombudsman appointed pursuant to section  
 25 2C.3, or the ombudsman’s designee.

26 e. The dean of Des Moines university — osteopathic  
 27 medical center, or the dean’s designee.

28 f. The dean of the university of Iowa college of  
 29 medicine, or the dean’s designee.

30 g. The following members of the general assembly,  
 31 each for a term of two years as provided in section  
 32 69.16B:

33 (1) Two members of the house of representatives,  
 34 one appointed by the speaker of the house of  
 35 representatives and one appointed by the minority

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1 leader of the house of representatives from their  
 2 respective parties.

3 (2) Two members of the senate, one appointed by the  
 4 president of the senate after consultation with the  
 5 majority leader of the senate and one appointed by the  
 6 minority leader of the senate.

7 ~~3.~~ 4. a. An executive committee of the council is  
 8 created and shall consist of the following members of  
 9 the council:

10 (1) As voting members:

11 (a) Five of the professional or business entity  
 12 members designated pursuant to subsection 2, paragraph  
 13 “a”, and selected by the members specified under that  
 14 paragraph.

15 ~~(2)~~ (b) Five of the public members appointed  
 16 pursuant to subsection 2, paragraph “b”, and selected  
 17 by the members specified under that paragraph. Of the  
 18 five public members, at least one member shall be a  
 19 recipient of medical assistance.

20 ~~(3)~~ (2) As nonvoting members:

21 (a) The director of public health, or the  
 22 director's designee.  
 23 (b) The director of the department on aging, or the  
 24 director's designee.  
 25 (c) The state long-term care ombudsman, or the  
 26 ombudsman's designee.  
 27 (d) The ombudsman appointed pursuant to section  
 28 2C.3, or the ombudsman's designee.  
 29 b. The executive committee shall meet on a monthly  
 30 basis. ~~The director of public health~~ A public member  
 31 of the executive committee selected by the public  
 32 members appointed pursuant to subsection 2, paragraph  
 33 "b", and a professional or business entity member of  
 34 the executive committee selected by the professional  
 35 or business entity members appointed pursuant to

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1 subsection 2, paragraph "a", shall serve as chairperson  
 2 co-chairpersons of the executive committee.  
 3 c. Based upon the deliberations of the council,  
 4 and the executive committee, and the subcommittees,  
 5 the executive committee, the council, and the  
 6 subcommittees, respectively, shall make recommendations  
 7 to the director, to the health policy oversight  
 8 committee created in section 2.45, to the general  
 9 assembly's joint appropriations subcommittee on health  
 10 and human services, and to the general assembly's  
 11 standing committees on human resources regarding the  
 12 budget, policy, and administration of the medical  
 13 assistance program.  
 14 5. a. The council shall create the following  
 15 subcommittees, and may create additional subcommittees  
 16 as necessary to address Medicaid program policies,  
 17 administration, budget, and other factors and issues:  
 18 (1) A stakeholder safeguards subcommittee, for  
 19 which the co-chairpersons shall be a public member  
 20 of the council appointed pursuant to subsection 2,  
 21 paragraph "b", and selected by the public members of  
 22 the council, and a representative of a professional  
 23 or business entity appointed pursuant to subsection  
 24 2, paragraph "a", and selected by the professional or  
 25 business entity representatives of the council. The  
 26 mission of the stakeholder safeguards subcommittee  
 27 is to provide for ongoing stakeholder engagement and  
 28 feedback on issues affecting Medicaid recipients,  
 29 providers, and other stakeholders, including but not  
 30 limited to benefits such as transportation, benefit  
 31 utilization management, the inclusion of out-of-state  
 32 and out-of-network providers and the use of single-case  
 33 agreements, and reimbursement of providers and  
 34 services.

35 (2) The long-term services and supports

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1 subcommittee which shall be chaired by the state  
 2 long-term care ombudsman, or the ombudsman's designee.  
 3 The mission of the long-term services and supports  
 4 subcommittee is to be a resource and to provide advice  
 5 on policy development and program administration  
 6 relating to Medicaid long-term services and supports  
 7 including but not limited to developing outcomes and  
 8 performance measures for Medicaid managed care for the  
 9 long-term services and supports population; addressing  
 10 issues related to home and community-based services  
 11 waivers and waiting lists; and reviewing the system of  
 12 long-term services and supports to ensure provision of  
 13 home and community-based services and the rebalancing  
 14 of the health care infrastructure in accordance with  
 15 state and federal law including but not limited to the  
 16 principles established in Olmstead v. L.C., 527 U.S.  
 17 581 (1999) and the federal Americans with Disabilities  
 18 Act and in a manner that reflects a sustainable,  
 19 person-centered approach to improve health and life  
 20 outcomes, supports maximum independence, addresses  
 21 medical and social needs in a coordinated, integrated  
 22 manner, and provides for sufficient resources including  
 23 a stable, well-qualified workforce. The subcommittee  
 24 shall also address and make recommendations regarding  
 25 the need for an ombudsman function for eligible and  
 26 potentially eligible Medicaid recipients beyond the  
 27 long-term services and supports population.

28 (3) The transparency, data, and program evaluation  
 29 subcommittee which shall be chaired by the director of  
 30 the university of Iowa public policy center, or the  
 31 director's designee. The mission of the transparency,  
 32 data, and program evaluation subcommittee is to  
 33 ensure Medicaid program transparency; ensure the  
 34 collection, maintenance, retention, reporting, and  
 35 analysis of sufficient and meaningful data to provide

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1 transparency and inform policy development and program  
 2 effectiveness; support development and administration  
 3 of a consumer-friendly dashboard; and promote the  
 4 ongoing evaluation of Medicaid stakeholder satisfaction  
 5 with the Medicaid program.

6 (4) The program integrity subcommittee which shall  
 7 be chaired by the Medicaid director, or the director's  
 8 designee. The mission of the program integrity  
 9 subcommittee is to ensure that a comprehensive system  
 10 including specific policies, laws, and rules and

11 adequate resources and measures are in place to  
12 effectively administer the program and to maintain  
13 compliance with federal and state program integrity  
14 requirements.  
15 (5) A health workforce subcommittee, co-chaired  
16 by the bureau chief of the bureau of oral and health  
17 delivery systems of the department of public health,  
18 or the bureau chief's designee, and the director of  
19 the national alliance on mental illness of Iowa, or  
20 the director's designee. The mission of the health  
21 workforce subcommittee is to assess the sufficiency  
22 and proficiency of the current and projected health  
23 workforce; identify barriers to and gaps in health  
24 workforce development initiatives and health  
25 workforce data to provide foundational, evidence-based  
26 information to inform policymaking and resource  
27 allocation; evaluate the most efficient application  
28 and utilization of roles, functions, responsibilities,  
29 activities, and decision-making capacity of health  
30 care professionals and other allied and support  
31 personnel; and make recommendations for improvement  
32 in, and alternative modes of, health care delivery in  
33 order to provide a competent, diverse, and sustainable  
34 health workforce in the state. The subcommittee shall  
35 work in collaboration with the office of statewide

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1 clinical education programs of the university of Iowa  
2 Carver college of medicine, Des Moines university,  
3 Iowa workforce development, and other entities with  
4 interest or expertise in the health workforce in  
5 carrying out the subcommittee's duties and developing  
6 recommendations.  
7 b. The co-chairpersons of the council shall  
8 appoint members to each subcommittee from the general  
9 membership of the council. Consideration in appointing  
10 subcommittee members shall include the individual's  
11 knowledge about, and interest or expertise in, matters  
12 that come before the subcommittee.  
13 c. Subcommittees shall meet at the call of the  
14 co-chairpersons or chairperson of the subcommittee,  
15 or at the request of a majority of the members of the  
16 subcommittee.  
17 4. 6. For each council meeting, executive  
18 committee meeting, or subcommittee meeting, a quorum  
19 shall consist of fifty percent of the membership  
20 qualified to vote. Where a quorum is present, a  
21 position is carried by a majority of the members  
22 qualified to vote.  
23 7. For each council meeting, other than those  
24 held during the time the general assembly is in

25 session, each legislative member of the council shall  
 26 be reimbursed for actual travel and other necessary  
 27 expenses and shall receive a per diem as specified in  
 28 section 7E.6 for each day in attendance, as shall the  
 29 members of the council, ~~or the executive committee,~~  
 30 or a subcommittee, for each day in attendance at a  
 31 council, executive committee, or subcommittee meeting,  
 32 who are recipients or the family members of recipients  
 33 of medical assistance, regardless of whether the  
 34 general assembly is in session.  
 35 ~~5. 8.~~ The department shall provide staff support

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1 and independent technical assistance to the council,  
 2 ~~and the executive committee, and the subcommittees.~~  
 3 ~~6. 9.~~ The director shall ~~consider~~ comply with  
 4 the requirements of this section regarding the  
 5 duties of the council, and the deliberations and  
 6 recommendations offered by of the council, and the  
 7 executive committee, and the subcommittees shall be  
 8 reflected in the director's preparation of medical  
 9 assistance budget recommendations to the council  
 10 on human services pursuant to section 217.3, and in  
 11 implementation of medical assistance program policies,  
 12 and in administration of the Medicaid program.  
 13 10. The council, executive committee, and  
 14 subcommittees shall jointly submit quarterly reports  
 15 to the health policy oversight committee created in  
 16 section 2.45 and shall jointly submit a report to the  
 17 governor and the general assembly initially by January  
 18 1, 2017, and annually, therefore, summarizing the  
 19 outcomes and findings of their respective deliberations  
 20 and any recommendations including but not limited to  
 21 those for changes in law or policy.  
 22 11. The council, executive committee, and  
 23 subcommittees may enlist the services of persons who  
 24 are qualified by education, expertise, or experience  
 25 to advise, consult with, or otherwise assist the  
 26 council, executive committee, or subcommittees in the  
 27 performance of their duties. The council, executive  
 28 committee, or subcommittees may specifically enlist  
 29 the assistance of entities such as the university of  
 30 Iowa public policy center to provide ongoing evaluation  
 31 of the Medicaid program and to make evidence-based  
 32 recommendations to improve the program. The council,  
 33 executive committee, and subcommittees shall enlist  
 34 input from the patient-centered health advisory council  
 35 created in section 135.159, the mental health and

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1 disabilities services commission created in section  
 2 225C.5, the commission on aging created in section  
 3 231.11, the bureau of substance abuse of the department  
 4 of public health, the Iowa developmental disabilities  
 5 council, and other appropriate state and local entities  
 6 to provide advice to the council, executive committee,  
 7 and subcommittees.  
 8 12. The department, in accordance with 42 C.F.R.  
 9 §431.12, shall seek federal financial participation for  
 10 the activities of the council, the executive committee,  
 11 and the subcommittees.

12 PATIENT-CENTERED HEALTH RESOURCES AND INFRASTRUCTURE

13 Sec. \_\_. Section 135.159, subsection 2, Code 2016,  
 14 is amended to read as follows:

15 2. a. The department shall establish a  
 16 patient-centered health advisory council which shall  
 17 include but is not limited to all of the following  
 18 members, selected by their respective organizations,  
 19 and any other members the department determines  
 20 necessary to assist in the ~~department's duties at~~  
 21 ~~various stages of~~ development of the medical home  
 22 system and in the transformation to a patient-centered  
 23 infrastructure that integrates and coordinates services  
 24 and supports to address social determinants of health  
 25 and meet population health goals:

26 (1) The director of human services, or the  
 27 director's designee.

28 (2) The commissioner of insurance, or the  
 29 commissioner's designee.

30 (3) A representative of the federation of Iowa  
 31 insurers.

32 (4) A representative of the Iowa dental  
 33 association.

34 (5) A representative of the Iowa nurses  
 35 association.

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1 (6) A physician and an osteopathic physician  
 2 licensed pursuant to chapter 148 who are family  
 3 physicians and members of the Iowa academy of family  
 4 physicians.

5 (7) A health care consumer.

6 (8) A representative of the Iowa collaborative  
 7 safety net provider network established pursuant to  
 8 section 135.153.

9 (9) A representative of the Iowa developmental  
 10 disabilities council.

11 (10) A representative of the Iowa chapter of the  
 12 American academy of pediatrics.



- 13 (11) A representative of the child and family  
 14 policy center.
- 15 (12) A representative of the Iowa pharmacy  
 16 association.
- 17 (13) A representative of the Iowa chiropractic  
 18 society.
- 19 (14) A representative of the university of Iowa  
 20 college of public health.
- 21 (15) A representative of the Iowa public health  
 22 association.
- 23 (16) A representative of the area agencies on  
 24 aging.
- 25 (17) A representative of the mental health and  
 26 disability services regions.
- 27 (18) A representative of early childhood Iowa.
- 28 b. Public members of the patient-centered health  
 29 advisory council shall receive reimbursement for  
 30 actual expenses incurred while serving in their  
 31 official capacity only if they are not eligible for  
 32 reimbursement by the organization that they represent.
- 33 c. (1) Beginning July 1, 2016, the  
 34 patient-centered health advisory council shall  
 35 do all of the following:

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- 1 (a) Review and make recommendations to the  
 2 department and to the general assembly regarding  
 3 the building of effective working relationships and  
 4 strategies to support state-level and community-level  
 5 integration, to provide cross-system coordination  
 6 and synchronization, and to more appropriately align  
 7 health delivery models and service sectors, including  
 8 but not limited to public health, aging and disability  
 9 services agencies, mental health and disability  
 10 services regions, social services, child welfare, and  
 11 other providers, agencies, organizations, and sectors  
 12 to address social determinants of health, holistic  
 13 well-being, and population health goals. Such review  
 14 and recommendations shall include a review of funding  
 15 streams and recommendations for blending and braiding  
 16 funding to support these efforts.
- 17 (b) Assist in efforts to evaluate the health  
 18 workforce to inform policymaking and resource  
 19 allocation.
- 20 (2) The patient-centered health advisory council  
 21 shall submit a report to the department, the health  
 22 policy oversight committee created in section 2.45, and  
 23 the general assembly, initially, on or before December  
 24 15, 2016, and on or before December 15, annually,  
 25 thereafter, including any findings or recommendations  
 26 resulting from the council's deliberations.

## 27 HAWK-I PROGRAM

28 Sec. \_\_\_\_ Section 514I.5, subsection 8, paragraph  
 29 d, Code 2016, is amended by adding the following new  
 30 subparagraph:  
 31 NEW SUBPARAGRAPH. (17) Occupational therapy.  
 32 Sec. \_\_\_\_ Section 514I.5, subsection 8, Code 2016,  
 33 is amended by adding the following new paragraph:  
 34 NEW PARAGRAPH. *m.* The definition of medically  
 35 necessary and the utilization management criteria under

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1 the hawk-i program in order to ensure that benefits  
 2 are uniformly and consistently provided across all  
 3 participating insurers in the type and manner that  
 4 reflects and appropriately meets the needs, including  
 5 but not limited to the habilitative and rehabilitative  
 6 needs, of the child population including those children  
 7 with special health care needs.

## 8 MEDICAID PROGRAM POLICY IMPROVEMENT

9 Sec. \_\_\_\_ DIRECTIVES FOR MEDICAID PROGRAM POLICY  
 10 IMPROVEMENTS. In order to safeguard the interests  
 11 of Medicaid recipients, encourage the participation  
 12 of Medicaid providers, and protect the interests  
 13 of all taxpayers, the department of human services  
 14 shall comply with or ensure that the specified entity  
 15 complies with all of the following and shall amend  
 16 Medicaid managed care contract provisions as necessary  
 17 to reflect all of the following:

## 18 1. CONSUMER PROTECTIONS.

19 a. In accordance with 42 C.F.R. §438.420, a  
 20 Medicaid managed care organization shall continue a  
 21 recipient's benefits during an appeal process. If, as  
 22 allowed when final resolution of an appeal is adverse  
 23 to the Medicaid recipient, the Medicaid managed care  
 24 organization chooses to recover the costs of the  
 25 services furnished to the recipient while an appeal is  
 26 pending, the Medicaid managed care organization shall  
 27 provide adequate prior notice of potential recovery  
 28 of costs to the recipient at the time the appeal is  
 29 filed, and any costs recovered shall be remitted to  
 30 the department of human services and deposited in the  
 31 Medicaid reinvestment fund created in section 249A.4C.

32 b. Ensure that each Medicaid managed care  
 33 organization provides, at a minimum, all the benefits  
 34 and services deemed medically necessary that were  
 35 covered, including to the extent and in the same manner

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1 and subject to the same prior authorization criteria,  
 2 by the state program directly under fee for service

3 prior to January 1, 2016. Benefits covered through  
4 Medicaid managed care shall comply with the specific  
5 requirements in state law applicable to the respective  
6 Medicaid recipient population under fee for service.  
7 c. Enhance monitoring of the reduction in or  
8 suspension or termination of services provided to  
9 Medicaid recipients, including reductions in the  
10 provision of home and community-based services waiver  
11 services or increases in home and community-based  
12 services waiver waiting lists. Medicaid managed care  
13 organizations shall provide data to the department  
14 as necessary for the department to compile periodic  
15 reports on the numbers of individuals transferred from  
16 state institutions and long-term care facilities to  
17 home and community-based services, and the associated  
18 savings. Any savings resulting from the transfers as  
19 certified by the department shall be deposited in the  
20 Medicaid reinvestment fund created in section 249A.4C.  
21 d. (1) Require each Medicaid managed care  
22 organization to adhere to reasonableness and service  
23 authorization standards that are appropriate for and  
24 do not disadvantage those individuals who have ongoing  
25 chronic conditions or who require long-term services  
26 and supports. Services and supports for individuals  
27 with ongoing chronic conditions or who require  
28 long-term services and supports shall be authorized in  
29 a manner that reflects the recipient's continuing need  
30 for such services and supports, and limits shall be  
31 consistent with a recipient's current needs assessment  
32 and person-centered service plan.  
33 (2) In addition to other provisions relating to  
34 community-based case management continuity of care  
35 requirements, Medicaid managed care contractors shall

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1 provide the option to the case manager of a Medicaid  
2 recipient who retained the case manager during the  
3 six months of transition to Medicaid managed care, if  
4 the recipient chooses to continue to retain that case  
5 manager beyond the six-month transition period and  
6 if the case manager is not otherwise a participating  
7 provider of the recipient's managed care organization  
8 provider network, to enter into a single case agreement  
9 to continue to provide case management services to the  
10 Medicaid recipient.  
11 e. Ensure that Medicaid recipients are provided  
12 care coordination and case management by appropriately  
13 trained professionals in a conflict-free manner. Care  
14 coordination and case management shall be provided  
15 in a patient-centered and family-centered manner  
16 that requires a knowledge of community supports, a

17 reasonable ratio of care coordinators and case managers  
18 to Medicaid recipients, standards for frequency of  
19 contact with the Medicaid recipient, and specific and  
20 adequate reimbursement.

21 f. A Medicaid managed care contract shall include  
22 a provision for continuity and coordination of care  
23 for a consumer transitioning to Medicaid managed care,  
24 including maintaining existing provider-recipient  
25 relationships and honoring the amount, duration, and  
26 scope of a recipient's authorized services based on  
27 the recipient's medical history and needs. In the  
28 initial transition to Medicaid managed care, to ensure  
29 the least amount of disruption, Medicaid managed  
30 care organizations shall provide, at a minimum, a  
31 one-year transition of care period for all provider  
32 types, regardless of network status with an individual  
33 Medicaid managed care organization.

34 g. Ensure that a Medicaid managed care organization  
35 does not arbitrarily deny coverage for medically

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1 necessary services based solely on financial reasons  
2 and does not shift the responsibility for provision of  
3 services or payment of costs of services to another  
4 entity to avoid costs or attain savings.

5 h. Ensure that dental coverage, if not integrated  
6 into an overall Medicaid managed care contract, is  
7 part of the overall holistic, integrated coverage  
8 for physical, behavioral, and long-term services and  
9 supports provided to a Medicaid recipient.

10 i. Require each Medicaid managed care organization  
11 to verify the offering and actual utilization of  
12 services and supports and value-added services,  
13 an individual recipient's encounters and the costs  
14 associated with each encounter, and requests and  
15 associated approvals or denials of services.  
16 Verification of actual receipt of services and supports  
17 and value-added services shall, at a minimum, consist  
18 of comparing receipt of service against both what  
19 was authorized in the recipient's benefit or service  
20 plan and what was actually reimbursed. Value-added  
21 services shall not be reportable as allowable medical  
22 or administrative costs or factored into rate setting,  
23 and the costs of value-added services shall not be  
24 passed on to recipients or providers.

25 j. Provide periodic reports to the governor and  
26 the general assembly regarding changes in quality of  
27 care and health outcomes for Medicaid recipients under  
28 managed care compared to quality of care and health  
29 outcomes of the same populations of Medicaid recipients  
30 prior to January 1, 2016.

31 k. Require each Medicaid managed care organization  
 32 to maintain records of complaints, grievances, and  
 33 appeals, and report the number and types of complaints,  
 34 grievances, and appeals filed, the resolution of each,  
 35 and a description of any patterns or trends identified

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1 to the department of human services and the health  
 2 policy oversight committee created in section 2.45,  
 3 on a monthly basis. The department shall review and  
 4 compile the data on a quarterly basis and make the  
 5 compilations available to the public. Following review  
 6 of reports submitted by the department, a Medicaid  
 7 managed care organization shall take any corrective  
 8 action required by the department and shall be subject  
 9 to any applicable penalties.

10 l. Require Medicaid managed care organizations to  
 11 survey Medicaid recipients, to collect satisfaction  
 12 data using a uniform instrument, and to provide a  
 13 detailed analysis of recipient satisfaction as well as  
 14 various metrics regarding the volume of and timelines  
 15 in responding to recipient complaints and grievances as  
 16 directed by the department of human services.

17 m. Require managed care organizations to allow a  
 18 recipient to request that the managed care organization  
 19 enter into a single case agreement with a recipient's  
 20 out-of-network provider, including a provider outside  
 21 of the state, to provide for continuity of care when  
 22 the recipient has an existing relationship with the  
 23 provider to provide a covered benefit, or to ensure  
 24 adequate or timely access to a provider of a covered  
 25 benefit when the managed care organization provider  
 26 network cannot ensure such adequate or timely access.

27 2. CHILDREN.

28 a. (1) The hawk-i board shall retain all authority  
 29 specified under chapter 514I relative to the children  
 30 eligible under section 514I.8 to participate in the  
 31 hawk-i program, including but not limited to approving  
 32 any contract entered into pursuant to chapter 514I;  
 33 approving the benefit package design, reviewing the  
 34 benefit package design, and making necessary changes  
 35 to reflect the results of the reviews; and adopting

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1 rules for the hawk-i program including those related  
 2 to qualifying standards for selecting participating  
 3 insurers for the program and the benefits to be  
 4 included in a health plan.

5 (2) The hawk-i board shall review benefit plans  
 6 and utilization review provisions and ensure that

7 benefits provided to children under the hawk-i program,  
8 at a minimum, reflect those required by state law as  
9 specified in section 514I.5, include both habilitative  
10 and rehabilitative services, and are provided as  
11 medically necessary relative to the child population  
12 served and based on the needs of the program recipient  
13 and the program recipient's medical history.

14 (3) The hawk-i board shall work with the department  
15 of human services to coordinate coverage and care for  
16 the population of children in the state eligible for  
17 either Medicaid or hawk-i coverage so that, to the  
18 greatest extent possible, the two programs provide for  
19 continuity of care as children transition between the  
20 two programs or to private health care coverage. To  
21 this end, all contracts with participating insurers  
22 providing coverage under the hawk-i program and with  
23 all managed care organizations providing coverage for  
24 children eligible for Medicaid shall do all of the  
25 following:

26 (a) Specifically and appropriately address  
27 the unique needs of children and children's health  
28 delivery.

29 (b) Provide for the maintaining of child health  
30 panels that include representatives of child health,  
31 welfare, policy, and advocacy organizations in the  
32 state that address child health and child well-being.

33 (c) Address early intervention and prevention  
34 strategies, the provision of a child health care  
35 delivery infrastructure for children with special

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1 health care needs, utilization of current standards  
2 and guidelines for children's health care and  
3 pediatric-specific screening and assessment tools,  
4 the inclusion of pediatric specialty providers in  
5 the provider network, and the utilization of health  
6 homes for children and youth with special health  
7 care needs including intensive care coordination  
8 and family support and access to a professional  
9 family-to-family support system. Such contracts  
10 shall utilize pediatric-specific quality measures  
11 and assessment tools which shall align with existing  
12 pediatric-specific measures as determined in  
13 consultation with the child health panel and approved  
14 by the hawk-i board.

15 (d) Provide special incentives for innovative  
16 and evidence-based preventive, behavioral, and  
17 developmental health care and mental health care  
18 for children's programs that improve the life course  
19 trajectory of these children.

20 (e) Provide that information collected from the

21 pediatric-specific assessments be used to identify  
 22 health risks and social determinants of health that  
 23 impact health outcomes. Such data shall be used in  
 24 care coordination and interventions to improve patient  
 25 outcomes and to drive program designs that improve the  
 26 health of the population. Aggregate assessment data  
 27 shall be shared with affected providers on a routine  
 28 basis.

29 b. In order to monitor the quality of and access  
 30 to health care for children receiving coverage under  
 31 the Medicaid program, each Medicaid managed care  
 32 organization shall uniformly report, in a template  
 33 format designated by the department of human services,  
 34 the number of claims submitted by providers and the  
 35 percentage of claims approved by the Medicaid managed

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1 care organization for the early and periodic screening,  
 2 diagnostic, and treatment (EPSDT) benefit based  
 3 on the Iowa EPSDT care for kids health maintenance  
 4 recommendations, including but not limited to  
 5 physical exams, immunizations, the seven categories of  
 6 developmental and behavioral screenings, vision and  
 7 hearing screenings, and lead testing.

8 **3. PROVIDER PARTICIPATION ENHANCEMENT.**

9 a. Ensure that savings achieved through Medicaid  
 10 managed care does not come at the expense of further  
 11 reductions in provider rates. The department shall  
 12 ensure that Medicaid managed care organizations use  
 13 reasonable reimbursement standards for all provider  
 14 types and compensate providers for covered services at  
 15 not less than the minimum reimbursement established  
 16 by state law applicable to fee for service for a  
 17 respective provider, service, or product for a fiscal  
 18 year and as determined in conjunction with actuarially  
 19 sound rate setting procedures. Such reimbursement  
 20 shall extend for the entire duration of a managed care  
 21 contract.

22 b. To enhance continuity of care in the provision  
 23 of pharmacy services, Medicaid managed care  
 24 organizations shall utilize the same preferred drug  
 25 list, recommended drug list, prior authorization  
 26 criteria, and other utilization management strategies  
 27 that apply to the state program directly under fee for  
 28 service and shall apply other provisions of applicable  
 29 state law including those relating to chemically unique  
 30 mental health prescription drugs. Reimbursement rates  
 31 established under Medicaid managed care contracts for  
 32 ingredient cost reimbursement and dispensing fees shall  
 33 be subject to and shall reflect provisions of state  
 34 and federal law, including the minimum reimbursements

35 established in state law for fee for service for a

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1 fiscal year.

2 c. Address rate setting and reimbursement of the  
3 entire scope of services provided under the Medicaid  
4 program to ensure the adequacy of the provider network  
5 and to ensure that providers that contribute to the  
6 holistic health of the Medicaid recipient, whether  
7 inside or outside of the provider network, are  
8 compensated for their services.

9 d. Managed care contractors shall submit financial  
10 documentation to the department of human services  
11 demonstrating payment of claims and expenses by  
12 provider type.

13 e. Participating Medicaid providers under a managed  
14 care contract shall be allowed to submit claims for up  
15 to 365 days following discharge of a Medicaid recipient  
16 from a hospital or following the date of service.

17 f. (1) A managed care contract entered into on  
18 or after July 1, 2015, shall, at a minimum, reflect  
19 all of the following provisions and requirements, and  
20 shall extend the following payment rates based on the  
21 specified payment floor, as applicable to the provider  
22 type:

23 (a) In calculating the rates for prospective  
24 payment system hospitals, the following base rates  
25 shall be used:

26 (i) The inpatient diagnostic related group base  
27 rates and certified unit per diem in effect on October  
28 1, 2015.

29 (ii) The outpatient ambulatory payment  
30 classification base rates in effect on July 1, 2015.

31 (iii) The inpatient psychiatric certified unit per  
32 diem in effect on October 1, 2015.

33 (iv) The inpatient physical rehabilitation  
34 certified unit per diem in effect on October 1, 2015.

35 (b) In calculating the critical access hospital

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1 payment rates, the following base rates shall be used:

2 (i) The inpatient diagnostic related group base  
3 rates in effect on July 1, 2015.

4 (ii) The outpatient cost-to-charge ratio in effect  
5 on July 1, 2015.

6 (iii) The swing bed per diem in effect on July 1,  
7 2015.

8 (c) Critical access hospitals shall receive  
9 cost-based reimbursement for one hundred percent of  
10 the reasonable costs for the provision of services to



11 Medicaid recipients.

12 (d) Critical access hospitals shall submit annual  
13 cost reports and managed care contractors shall submit  
14 annual payment reports to the department of human  
15 services. The department shall reconcile the critical  
16 access hospital's reported costs with the managed care  
17 contractor's reported payments. The department shall  
18 require the managed care contractor to retroactively  
19 reimburse a critical access hospital for underpayments.

20 (e) Community mental health centers shall receive  
21 one hundred percent of the reasonable costs for the  
22 provision of services to Medicaid recipients.

23 (f) Federally qualified health centers shall  
24 receive cost-based reimbursement for one hundred  
25 percent of the reasonable costs for the provision of  
26 services to Medicaid recipients.

27 (g) The reimbursement rates for substance-related  
28 disorder treatment programs licensed under section  
29 125.13, shall be no lower than the rates in effect for  
30 the fiscal year beginning July 1, 2015.

31 (2) For managed care contract periods subsequent to  
32 the initial contract period, base rates for prospective  
33 payment system hospitals and critical access hospitals  
34 shall be calculated using the base rate for the prior  
35 contract period plus 3 percent. Prospective payment

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1 system hospital and critical access hospital base rates  
2 shall at no time be less than the previous contract  
3 period's base rates.

4 (3) A managed care contract shall require  
5 out-of-network prospective payment system hospital  
6 and critical access hospital payment rates to meet or  
7 exceed ninety-nine percent of the rates specified for  
8 the respective in-network hospitals in accordance with  
9 this paragraph "f".

10 g. If the department of human services collects  
11 ownership and control information from Medicaid  
12 providers pursuant to 42 C.F.R. §455.104, a managed  
13 care organization under contract with the state shall  
14 not also require submission of this information from  
15 approved enrolled Medicaid providers.

16 h. (1) Ensure that a Medicaid managed care  
17 organization develops and maintains a provider network  
18 of qualified providers who meet state licensing,  
19 credentialing, and certification requirements, as  
20 applicable, which network shall be sufficient to  
21 provide adequate access to all services covered and for  
22 all populations served under the managed care contract.  
23 Medicaid managed care organizations shall incorporate  
24 existing and traditional providers, including but

25 not limited to those providers that comprise the Iowa  
26 collaborative safety net provider network created in  
27 section 135.153, into their provider networks.  
28 (2) Ensure that respective Medicaid populations  
29 are managed at all times within funding limitations  
30 and contract terms. The department shall also  
31 monitor service delivery and utilization to ensure  
32 the responsibility for provision of services to  
33 Medicaid recipients is not shifted to non-Medicaid  
34 covered services to attain savings, and that such  
35 responsibility is not shifted to mental health and

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1 disability services regions, local public health  
2 agencies, aging and disability resource centers,  
3 or other entities unless agreement to provide, and  
4 provision for adequate compensation for, such services  
5 is agreed to between the affected entities in advance.  
6 i. Medicaid managed care organizations shall  
7 provide an enrolled Medicaid provider approved by the  
8 department of human services the opportunity to be a  
9 participating network provider.  
10 j. Medicaid managed care organizations shall  
11 include provider appeals and grievance procedures  
12 that in part allow a provider to file a grievance  
13 independently but on behalf of a Medicaid recipient  
14 and to appeal claims denials which, if determined to  
15 be based on claims for medically necessary services  
16 whether or not denied on an administrative basis, shall  
17 receive appropriate payment.  
18 k. (1) Medicaid managed care organizations  
19 shall include as primary care providers any provider  
20 designated by the state as a primary care provider,  
21 subject to a provider's respective state certification  
22 standards, including but not limited to all of the  
23 following:  
24 (a) A physician who is a family or general  
25 practitioner, a pediatrician, an internist, an  
26 obstetrician, or a gynecologist.  
27 (b) An advanced registered nurse practitioner.  
28 (c) A physician assistant.  
29 (d) A chiropractor licensed pursuant to chapter  
30 151.  
31 (2) A Medicaid managed care organization shall not  
32 impose more restrictive, additional, or different scope  
33 of practice requirements or standards of practice on a  
34 primary care provider than those prescribed by state  
35 law as a prerequisite for participation in the managed

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- 1 care organization's provider network.
- 2 4. CAPITATION RATES AND MEDICAL LOSS RATIO.
- 3 a. Capitation rates shall be developed based on all  
4 reasonable, appropriate, and attainable costs. Costs  
5 that are not reasonable, appropriate, or attainable,  
6 including but not limited to improper payment  
7 recoveries, shall not be included in the development  
8 of capitated rates.
- 9 b. Capitation rates for Medicaid recipients falling  
10 within different rate cells shall not be expected to  
11 cross-subsidize one another and the data used to set  
12 capitation rates shall be relevant and timely and tied  
13 to the appropriate Medicaid population.
- 14 c. Any increase in capitation rates for managed  
15 care contractors is subject to prior statutory approval  
16 and shall not exceed three percent over the existing  
17 capitation rate in any one-year period or five percent  
18 over the existing capitation rate in any two-year  
19 period.
- 20 d. In addition to withholding two percent of a  
21 managed care organization's annual capitation payment  
22 as a pay-for-performance enforcement mechanism, the  
23 department of human services shall also withhold an  
24 additional two percent of a managed care organization's  
25 annual capitation payment until the department is able  
26 to ensure that the respective managed care organization  
27 has complied with all requirements relating to data,  
28 information, transparency, evaluation, and oversight  
29 specified by law, rule, contract, or other basis.
- 30 e. The department of human services shall collect  
31 an initial contribution of five million dollars from  
32 each of the managed care organizations contracting  
33 with the state during the fiscal year beginning July  
34 1, 2015, for an aggregate amount of fifteen million  
35 dollars, and shall deposit such amount in the Medicaid

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- 1 reinvestment fund, as provided in section 249A.4C, as  
2 enacted in this Act, to be used for Medicaid ombudsman  
3 activities through the office of long-term care  
4 ombudsman.
- 5 f. A managed care contract shall impose a minimum  
6 Medicaid loss ratio of at least eighty-eight percent.  
7 In calculating the medical loss ratio, medical costs  
8 or benefit expenses shall include only those costs  
9 directly related to patient medical care and not  
10 ancillary expenses, including but not limited to any  
11 of the following:
- 12 (1) Program integrity activities.

- 13 (2) Utilization review activities.  
14 (3) Fraud prevention activities beyond the scope of  
15 those activities necessary to recover incurred claims.  
16 (4) Provider network development, education, or  
17 management activities.  
18 (5) Provider credentialing activities.  
19 (6) Marketing expenses.  
20 (7) Administrative costs associated with recipient  
21 incentives.  
22 (8) Clinical data collection activities.  
23 (9) Claims adjudication expenses.  
24 (10) Customer service or health care professional  
25 hotline services addressing nonclinical recipient  
26 questions.  
27 (11) Value-added or cost-containment services,  
28 wellness programs, disease management, and case  
29 management or care coordination programs.  
30 (12) Health quality improvement activities unless  
31 specifically approved as a medical cost by state law.  
32 Costs of health quality improvement activities included  
33 in determining the medical loss ratio shall be only  
34 those activities that are independent improvements  
35 measurable in individual patients.

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- 1 (13) Insurer claims review activities.  
2 (14) Information technology costs unless they  
3 directly and credibly improve the quality of health  
4 care and do not duplicate, conflict with, or fail to be  
5 compatible with similar health information technology  
6 efforts of providers.  
7 (15) Legal department costs including information  
8 technology costs, expenses incurred for review and  
9 denial of claims, legal costs related to defending  
10 claims, settlements for wrongly denied claims, and  
11 costs related to administrative claims handling  
12 including salaries of administrative personnel and  
13 legal costs.  
14 (16) Taxes unrelated to premiums or the provision  
15 of medical care. Only state and federal taxes and  
16 licensing or regulatory fees relevant to actual  
17 premiums collected, not including such taxes and fees  
18 as property taxes, taxes on investment income, taxes on  
19 investment property, and capital gains taxes, may be  
20 included in determining the medical loss ratio.  
21 g. (1) Provide enhanced guidance and criteria for  
22 defining medical and administrative costs, recoveries,  
23 and rebates including pharmacy rebates, and the  
24 recording, reporting, and recoupment of such costs,  
25 recoveries, and rebates realized.  
26 (2) Medicaid managed care organizations shall

27 offset recoveries, rebates, and refunds against  
 28 medical costs, include only allowable administrative  
 29 expenses in the determination of administrative costs,  
 30 report costs related to subcontractors properly, and  
 31 have complete systems checks and review processes to  
 32 identify overpayment possibilities.  
 33 (3) Medicaid managed care contractors shall submit  
 34 publicly available, comprehensive financial statements  
 35 to the department of human services to verify that the

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1 minimum medical loss ratio is being met and shall be  
 2 subject to periodic audits.  
 3 5. DATA AND INFORMATION, EVALUATION, AND OVERSIGHT.  
 4 a. Develop and administer a clear, detailed policy  
 5 regarding the collection, storage, integration,  
 6 analysis, maintenance, retention, reporting, sharing,  
 7 and submission of data and information from the  
 8 Medicaid managed care organizations and shall require  
 9 each Medicaid managed care organization to have in  
 10 place a data and information system to ensure that  
 11 accurate and meaningful data is available. At a  
 12 minimum, the data shall allow the department to  
 13 effectively measure and monitor Medicaid managed care  
 14 organization performance, quality, outcomes including  
 15 recipient health outcomes, service utilization,  
 16 finances, program integrity, the appropriateness  
 17 of payments, and overall compliance with contract  
 18 requirements; perform risk adjustments and determine  
 19 actuarially sound capitation rates and appropriate  
 20 provider reimbursements; verify that the minimum  
 21 medical loss ratio is being met; ensure recipient  
 22 access to and use of services; create quality measures;  
 23 and provide for program transparency.  
 24 b. Medicaid managed care organizations shall  
 25 directly capture and retain and shall report actual and  
 26 detailed medical claims costs and administrative cost  
 27 data to the department as specified by the department.  
 28 Medicaid managed care organizations shall allow the  
 29 department to thoroughly and accurately monitor the  
 30 medical claims costs and administrative costs data  
 31 Medicaid managed care organizations report to the  
 32 department.  
 33 c. Any audit of Medicaid managed care contracts  
 34 shall ensure compliance including with respect to  
 35 appropriate medical costs, allowable administrative

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1 costs, the medical loss ratio, cost recoveries,  
 2 rebates, overpayments, and with specific contract

3 performance requirements.

4 d. The external quality review organization  
5 contracting with the department shall review the  
6 Medicaid managed care program to determine if the  
7 state has sufficient infrastructure and controls in  
8 place to effectively oversee the Medicaid managed care  
9 organizations and the Medicaid program in order to  
10 ensure, at a minimum, compliance with Medicaid managed  
11 care organization contracts and to prevent fraud,  
12 abuse, and overpayments. The results of any external  
13 quality review organization review shall be submitted  
14 to the governor, the general assembly, and the health  
15 policy oversight committee created in section 2.45.

16 e. Publish benchmark indicators based on Medicaid  
17 program outcomes from the fiscal year beginning July 1,  
18 2015, to be used to compare outcomes of the Medicaid  
19 program as administered by the state program prior  
20 to July 1, 2015, to those outcomes of the program  
21 under Medicaid managed care. The outcomes shall  
22 include a comparison of actual costs of the program  
23 as administered prior to and after implementation of  
24 Medicaid managed care. The data shall also include  
25 specific detail regarding the actual expenses incurred  
26 by each managed care organization by specific provider  
27 line of service.

28 f. Review and approve or deny approval of contract  
29 amendments on an ongoing basis to provide for  
30 continuous improvement in Medicaid managed care and  
31 to incorporate any changes based on changes in law or  
32 policy.

33 g. (1) Require managed care contractors to track  
34 and report on a monthly basis to the department of  
35 human services, at a minimum, all of the following:

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1 (a) The number and details relating to prior  
2 authorization requests and denials.

3 (b) The ten most common reasons for claims denials.  
4 Information reported by a managed care contractor  
5 relative to claims shall also include the number  
6 of claims denied, appealed, and overturned based on  
7 provider type and service type.

8 (c) Utilization of health care services by  
9 diagnostic related group and ambulatory payment  
10 classification as well as total claims volume.

11 (2) The department shall ensure the validity  
12 of all information submitted by a Medicaid managed  
13 care organization and shall make the monthly reports  
14 available to the public.

15 h. Medicaid managed care organizations shall  
16 maintain stakeholder panels comprised of an equal

17 number of Medicaid recipients and providers. Medicaid  
 18 managed care organizations shall provide for separate  
 19 provider-specific panels to address detailed payment,  
 20 claims, process, and other issues as well as grievance  
 21 and appeals processes.  
 22 i. Medicaid managed care contracts shall align  
 23 economic incentives, delivery system reforms, and  
 24 performance and outcome metrics with those of the state  
 25 innovation models initiatives and Medicaid accountable  
 26 care organizations. The department of human services  
 27 shall develop and utilize a common, uniform set of  
 28 process, quality, and consumer satisfaction measures  
 29 across all Medicaid payors and providers that align  
 30 with those developed through the state innovation  
 31 models initiative and shall ensure that such measures  
 32 are expanded and adjusted to address additional  
 33 populations and to meet population health objectives.  
 34 Medicaid managed care contracts shall include long-term  
 35 performance and outcomes goals that reward success in

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1 achieving population health goals such as improved  
 2 community health metrics.  
 3 j. (1) Require consistency and uniformity of  
 4 processes, procedures, and forms across all Medicaid  
 5 managed care organizations to reduce the administrative  
 6 burden to providers and consumers and to increase  
 7 efficiencies in the program. Such requirements shall  
 8 apply to but are not limited to areas of uniform cost  
 9 and quality reporting, uniform prior authorization  
 10 requirements and procedures, uniform utilization  
 11 management criteria, centralized, uniform, and seamless  
 12 credentialing requirements and procedures, and uniform  
 13 critical incident reporting.  
 14 (2) The department of human services shall  
 15 establish a comprehensive provider credentialing  
 16 process to be recognized and utilized by all Medicaid  
 17 managed care organization contractors. The process  
 18 shall meet the national committee for quality assurance  
 19 and other appropriate standards. The process shall  
 20 ensure that credentialing is completed in a timely  
 21 manner without disruption to provider billing  
 22 processes.  
 23 k. Medicaid managed care organizations and any  
 24 entity with which a managed care organization contracts  
 25 for the performance of services shall disclose at no  
 26 cost to the department all discounts, incentives,  
 27 rebates, fees, free goods, bundling arrangements, and  
 28 other agreements affecting the net cost of goods or  
 29 services provided under a managed care contract.  
 30 Sec. \_\_\_. RETROACTIVE APPLICABILITY. The section

31 of this division of this Act relating to directives  
 32 for Medicaid program policy improvements applies  
 33 retroactively to July 1, 2015.  
 34 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This division  
 35 of this Act, being deemed of immediate importance,

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1 takes effect upon enactment.>  
 2 3. Page 1, by striking line 3 and inserting:  
 3 <DIVISION \_\_\_\_  
 4 MEDICAID APPROPRIATION  
 5 Sec. \_\_\_\_ MEDICAID APPROPRIATION. There is  
 6 appropriated from the general>  
 7 4. Title page, line 3, before <and> by inserting  
 8 <making related program modifications,>  
 9 5. Title page, line 4, after <date> by inserting  
 10 <and retroactive applicability>  
 11 6. By renumbering as necessary.

HEDDENS of Story

H-8145

1 Amend Senate File 2109, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 11, by striking <80,000,000> and  
 4 inserting <67,000,000>  
 5 2. Page 3, line 7, by striking <610,039> and  
 6 inserting <450,000>  
 7 3. By striking page 3, line 16, through page 4,  
 8 line 34.  
 9 4. Title page, line 3, by striking <making standing  
 10 appropriations,>

COMMITTEE ON APPROPRIATIONS

H-8146

1 Amend Senate File 2228, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, after line 25 by inserting:  
 4 <Sec. \_\_\_\_ Section 322.2, subsection 7, Code 2016,  
 5 is amended to read as follows:  
 6 7. "*Engaged in the business*" means doing any of the  
 7 following acts for the purpose of the sale of motor  
 8 vehicles at retail: acquiring, selling, exchanging,  
 9 holding, offering, displaying, brokering, accepting on  
 10 consignment, conducting a retail auction, advertising  
 11 as being engaged in any of those acts, or acting as an  
 12 agent for the purpose of doing any of those acts. A  
 13 person selling at retail more than six motor vehicles



14 during a twelve-month period may be presumed to be  
15 engaged in the business.

16 Sec. \_\_\_\_ Section 322.3, subsection 3, Code 2016,  
17 is amended to read as follows:

18 3. Subsections 1, ~~and 2,~~ and 16 shall not be  
19 construed to require the separate licensing of persons  
20 employed as salespersons of motor vehicles by a retail  
21 motor vehicle dealer. However, the department may  
22 promulgate reasonable rules as necessary for the proper  
23 identification of persons employed as salespersons.

24 Sec. \_\_\_\_ Section 322.3, subsection 12, Code 2016,  
25 is amended to read as follows:

26 12. A person who has been convicted of a fraudulent  
27 practice, has been convicted of three or more  
28 violations of section 321.92, subsection 2, or section  
29 321.99, has been convicted of three or more violations  
30 of subsection 16 of this section in the previous  
31 three-year period, or has been convicted of any other  
32 indictable offense in connection with selling or other  
33 activity relating to motor vehicles, in this state or  
34 any other state, shall not for a period of five years  
35 from the date of conviction be an owner, salesperson,

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1 employee, officer of a corporation, or representative  
2 of a licensed motor vehicle dealer or represent  
3 themselves as an owner, salesperson, employee, officer  
4 of a corporation, or representative of a licensed motor  
5 vehicle dealer.

6 Sec. \_\_\_\_ Section 322.3, Code 2016, is amended by  
7 adding the following new subsection:

8 NEW SUBSECTION. 16. A motor vehicle dealer or  
9 wholesaler licensed under this chapter shall not sell,  
10 loan, rent, lease, or charge a fee for the use of the  
11 license to another person for the purpose of allowing  
12 the person to engage in the business of selling motor  
13 vehicles.>

14 2. Title page, line 1, after <dealers> by inserting  
15 <and wholesalers>

16 3. Title page, line 4, after <title,> by inserting  
17 <the use of licenses and advertisements,>

18 4. Title page, line 5, by striking <a penalty> and  
19 inserting <penalties>

20 5. By renumbering as necessary.

LONDON of Polk

H-8147

1 Amend Senate File 2109, as passed by the Senate, as  
2 follows:

3 1. Page 1, after line 2 by inserting:

4 <Sec. \_\_\_\_\_. TERMINATION OF MEDICAID MANAGED CARE  
5 CONTRACTS — ALTERNATIVES FOR HEALTH CARE DELIVERY AND  
6 PAYMENT REFORM.

7 1. The department of human services shall, upon  
8 the effective date of this Act, provide thirty days'  
9 written notice in accordance with the termination  
10 provisions of the contract, to each managed care  
11 organization with whom the department executed a  
12 contract to administer the Iowa high quality health  
13 care initiative, to terminate all such contracts.

14 2. The department shall continue to pursue other  
15 initiatives to realign the health care delivery system  
16 and provide holistic, integrated, patient-centered care  
17 while moving toward a value-based model of payment  
18 reform, including but not limited to the healthiest  
19 state initiative, the Iowa health and wellness  
20 plan created pursuant to chapter 249N, the state  
21 innovation models initiative utilizing accountable care  
22 organizations, and integrated health homes.>

23 2. Title page, line 3, before <and> by inserting  
24 <making related program modifications,>

25 3. By renumbering as necessary.

HUNTER of Polk

H-8148

1 Amend the amendment, H-8102, to Senate File 166,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 7, line 6, after <commission.> by inserting  
5 <Of the taxes imposed by this section, an amount  
6 equal to one-half of one percent of internet fantasy  
7 sports contest adjusted revenues is appropriated to  
8 the department of public health for purposes of the  
9 gambling treatment program established pursuant to  
10 section 135.150.>

11 2. Page 7, line 6, by striking <tax> and inserting  
12 <remaining amount of the taxes imposed by this section>

LENSING of Johnson  
HUNTER of Polk

H-8149

1 Amend the amendment, H-8102, to Senate File 166,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, after line 32 by inserting:  
5 <g. Any member of the board of directors of the  
6 applicant is not twenty-one years of age or older.>  
7 2. By renumbering as necessary.

MASCHER of Johnson

H-8150

- 1 Amend the amendment, H-8142, to Senate File 2185, as  
 2 passed by the Senate, as follows:  
 3 1. Page 1, after line 11 by inserting:  
 4 <Sec. \_\_\_\_ Section 709.21, subsection 1, paragraph  
 5 a, Code 2016, is amended to read as follows:  
 6 *a.* The other person ~~does not have knowledge about~~  
 7 ~~and does not consent or is unable to consent to being~~  
 8 ~~viewed, photographed, or filmed.>~~  
 9 2. By renumbering as necessary.

JONES of Clay

H-8151

- 1 Amend House File 2443 as follows:  
 2 1. Page 9, line 24, after <credit> by inserting  
 3 <As used in this subsection, "taxpayer" includes an  
 4 eligible taxpayer or a person transferred a tax credit  
 5 certificate pursuant to subsection 2A.>  
 6 2. Page 11, line 16, by striking <award> and  
 7 inserting <award, the fiscal year in which the  
 8 authority expects to allocate the award.>  
 9 3. Page 11, line 25, by striking <subparagraph> and  
 10 inserting <subparagraphs (1) and>  
 11 4. Page 11, line 25, by striking <is> and inserting  
 12 <are>  
 13 5. Page 11, after line 25 by inserting:  
 14 <(1) The amount of the tax credit award. An  
 15 eligible taxpayer has no right to receive a tax  
 16 credit certificate or claim a tax credit until all  
 17 requirements of the agreement and subsections 4 and  
 18 5 have been satisfied. The amount of tax credit  
 19 included on a tax credit certificate issued under this  
 20 section shall be contingent upon verification by the  
 21 ~~department~~ authority of the amount of final qualified  
 22 rehabilitation expenditures.>

NUNN of Polk

H-8152

- 1 Amend the amendment, H-8144, to Senate File 2109, as  
 2 passed by the Senate, as follows:  
 3 1. Page 31, by striking lines 17 through 26 and  
 4 inserting:  
 5 <m. Require managed care organizations to enter  
 6 into single case agreements with a Medicaid recipient's  
 7 out-of-network providers, including any such provider  
 8 outside of the state, to ensure continuity of care and  
 9 adequate and timely access when the recipient has an  
 10 existing relationship with the provider prior to April

- 11 1, 2016, to provide a covered benefit.>  
 12 2. By renumbering as necessary.

RUFF of Clayton

H-8153

- 1 Amend House File 2443 as follows:  
 2 1. Page 9, line 24, after <credit.> by inserting  
 3 <As used in this subsection, "taxpayer" includes an  
 4 eligible taxpayer or a person transferred a tax credit  
 5 certificate pursuant to subsection 2A.>  
 6 2. Page 11, line 25, by striking <subparagraph> and  
 7 inserting <subparagraphs (1) and>  
 8 3. Page 11, line 25, by striking <is> and inserting  
 9 <are>  
 10 4. Page 11, after line 25 by inserting:  
 11 <(1) The amount of the tax credit award. An  
 12 eligible taxpayer has no right to receive a tax  
 13 credit certificate or claim a tax credit until all  
 14 requirements of the agreement and subsections 4 and  
 15 5 have been satisfied. The amount of tax credit  
 16 included on a tax credit certificate issued under this  
 17 section shall be contingent upon verification by the  
 18 department authority of the amount of final qualified  
 19 rehabilitation expenditures.>

NUNN of Polk

H-8154

- 1 Amend Senate File 2304, as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. **NEW SECTION. 237C.1 Definitions.**  
 6 As used in this chapter, unless the context  
 7 otherwise requires:  
 8 1. "Administrator" means the administrator of that  
 9 division of the department designated by the director  
 10 of human services to administer this chapter or the  
 11 administrator's designee.  
 12 2. "Child" or "children" means an individual or  
 13 individuals under eighteen years of age.  
 14 3. "Children's residential facility" means a  
 15 private facility designed to serve children who have  
 16 been voluntarily placed for reasons other than an  
 17 exclusively recreational activity outside of their  
 18 home by a parent or legal guardian and who are not  
 19 under the custody or authority of the department of  
 20 human services, juvenile court, or another governmental  
 21 agency, that provides twenty-four hour care, including

22 food, lodging, supervision, education, or other care on  
 23 a full-time basis by a person other than a relative or  
 24 guardian of the child, but does not include an entity  
 25 providing any of the following:

26 a. Care furnished by an individual who receives  
 27 the child of a personal friend as an occasional and  
 28 personal guest in the individual's home, free of charge  
 29 and not as a business.

30 b. Care furnished by an individual with whom a  
 31 child has been placed for lawful adoption, unless  
 32 that adoption is not completed within two years after  
 33 placement.

34 c. Child care furnished by a child care facility as  
 35 defined in section 237A.1.

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1 d. Care furnished in a hospital licensed under  
 2 chapter 135B or care furnished in a health care  
 3 facility as defined in section 135C.1.

4 e. Care furnished by a juvenile detention home  
 5 or juvenile shelter care home approved under section  
 6 232.142.

7 f. Care furnished by a child foster care facility  
 8 licensed under chapter 237.

9 g. Care furnished by an institution listed in  
 10 section 218.1.

11 h. Care furnished by a facility licensed under  
 12 chapter 125.

13 i. Care furnished by a psychiatric medical  
 14 institution for children licensed under chapter 135H.

15 j. Care furnished by a bona fide religious  
 16 institution.

17 4. "Department" means the department of human  
 18 services.

19 Sec. 2. **NEW SECTION. 237C.2 Purpose.**  
 20 It is the policy of this state to provide  
 21 appropriate protection for children who are separated  
 22 from the direct personal care of their parents,  
 23 relatives, or guardians and, therefore, the purpose  
 24 of this chapter is to provide for the development,  
 25 establishment, and enforcement of standards relating to  
 26 the certification of children's residential facilities.

27 Sec. 3. **NEW SECTION. 237C.3 Certification**  
 28 **standards — consultation with other agencies.**

29 1. The department of human services shall consult  
 30 with the department of education, the department of  
 31 inspections and appeals, the department of public  
 32 health, the state fire marshal, and other agencies  
 33 as determined by the department of human services  
 34 to establish certification standards for children's  
 35 residential facilities in accordance with this chapter.

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1 2. Standards established by the department under  
2 this chapter shall at a minimum address the basic  
3 health and educational needs of children; protection  
4 of children from mistreatment, abuse, and neglect;  
5 background and records checks of persons providing  
6 care to children in facilities certified under this  
7 chapter; the use of seclusion, restraint, or other  
8 restrictive interventions; health; safety; emergency;  
9 and the physical premises on which care is provided  
10 by a children's residential facility. The background  
11 check requirements shall be substantially equivalent to  
12 those applied under chapter 237 for a child foster care  
13 facility provider.

14 Sec. 4. NEW SECTION. 237C.4 Rules.

15 1. Except as otherwise provided in this section,  
16 the department shall adopt rules pursuant to chapter  
17 17A to administer this chapter.

18 2. A children's residential facility shall be  
19 inspected by the state fire marshal or the state fire  
20 marshal's designee for compliance with rules relating  
21 to fire safety before the department grants or renews  
22 a certificate of approval under this chapter. Rules  
23 governing fire safety in children's residential  
24 facilities shall be promulgated by the state fire  
25 marshal pursuant to section 100.1, subsection 5, after  
26 consultation with the administrator.

27 3. Rules governing sanitation, water, and waste  
28 disposal standards for children's residential  
29 facilities shall be adopted by the department of public  
30 health pursuant to section 135.11, subsection 12, after  
31 consultation with the administrator.

32 4. Rules governing educational programs and  
33 education services provided by children's residential  
34 facilities shall be adopted by the state board of  
35 education pursuant to section 282.34.

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1 5. In the case of a conflict between rules adopted  
2 pursuant to subsections 2 and 3 and local rules, the  
3 more stringent requirement applies.

4 Sec. 5. NEW SECTION. 237C.5 Certificate of  
5 **approval — certification required.**

6 A person shall not operate a children's residential  
7 facility without a certificate of approval to operate  
8 issued by the administrator under this chapter.

9 Sec. 6. NEW SECTION. 237C.6 Bona fide religious  
10 **institution — notification required.**

11 If care is furnished by a facility that is a bona  
12 fide religious institution exempt from the definition

13 of children's residential facility under section  
 14 237C.1, subsection 3, paragraph "j", but that would  
 15 otherwise qualify as a children's residential facility  
 16 under section 237C.1, subsection 3, the facility shall  
 17 do all of the following:

- 18 1. Notify the department of human services in  
 19 writing of the existence of the facility within thirty  
 20 days of commencing operation.
- 21 2. Allow annually one scheduled inspection and  
 22 one unannounced inspection of the facility by a  
 23 representative of the department of inspections and  
 24 appeals.
- 25 3. Authorize reasonable and timely access to  
 26 clients and staff of the facility by a representative  
 27 of the department of human services who is responsible  
 28 for investigating an allegation of abuse.

29 **Sec. 7. NEW SECTION. 237C.7 Certificate**  
 30 **application and issuance — denial, suspension, or**  
 31 **revocation.**

- 32 1. A person shall apply for a certificate to  
 33 operate a children's residential facility by completing  
 34 and submitting to the administrator an application in  
 35 a form and format approved by the administrator. The

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1 administrator shall issue or reissue a certificate  
 2 of approval if the administrator determines that the  
 3 applicant is or upon commencing operation will provide  
 4 children's residential facility services in compliance  
 5 with this chapter. A certificate of approval is valid  
 6 for up to one year from the date of issuance for the  
 7 period determined by the administrator in accordance  
 8 with administrative rules providing criteria for making  
 9 the determination.

10 2. The certificate of approval shall state on  
 11 its face the name of the holder of the certificate,  
 12 the particular premises for which the certificate is  
 13 issued, and the number of children who may be cared for  
 14 by the children's residential facility on the premises  
 15 at one time under the certificate of occupancy issued  
 16 by the state fire marshal or the state fire marshal's  
 17 designee. The certificate of approval shall be posted  
 18 in a conspicuous place in the children's residential  
 19 facility.

20 3. The administrator may deny an application for  
 21 issuance or reissuance of a certificate of approval  
 22 or suspend or revoke a certificate of approval if  
 23 the applicant or certificate holder, as applicable,  
 24 fails to comply with this chapter or the rules adopted  
 25 pursuant to this chapter or knowingly makes a false  
 26 statement concerning a material fact or conceals a

27 material fact on the application for the issuance or  
 28 reissuance of a certificate of approval or in a report  
 29 regarding operation of the children's residential  
 30 facility submitted to the administrator. All  
 31 operations of a children's residential facility shall  
 32 cease during a period of suspension or revocation. The  
 33 administrator shall suspend or revoke a certificate  
 34 of approval of a children's residential facility that  
 35 fails to comply with section 282.34.

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1 Sec. 8. NEW SECTION. **237C.8 Restricted use of**  
 2 **facility.**

3 A children's residential facility shall operate  
 4 only in a building or on premises designated in the  
 5 certificate of approval.

6 Sec. 9. NEW SECTION. **237C.9 Reports and**  
 7 **inspections.**

8 The administrator may require submission of reports  
 9 by a certificate of approval holder and shall cause at  
 10 least one annual unannounced inspection of a children's  
 11 residential facility to assess compliance with  
 12 applicable requirements and standards. The inspections  
 13 shall be conducted by the department of inspections  
 14 and appeals in addition to initial, renewal, and  
 15 other inspections that result from complaints or  
 16 self-reported incidents. The department of inspections  
 17 and appeals and the department of human services may  
 18 examine records of a children's residential facility  
 19 and may inquire into matters concerning the children's  
 20 residential facility and its employees, volunteers, and  
 21 subcontractors relating to requirements and standards  
 22 for children's residential facilities under this  
 23 chapter.

24 Sec. 10. NEW SECTION. **237C.10 Injunctive relief**  
 25 **— civil action.**

26 1. A person who establishes, conducts, manages,  
 27 or operates a children's residential facility without  
 28 a certificate of approval required pursuant to this  
 29 chapter, or a children's residential facility with  
 30 a certificate of approval that is not operating in  
 31 compliance with rules adopted pursuant to this chapter  
 32 or section 282.34, may be restrained by temporary  
 33 or permanent injunction from providing children's  
 34 residential facility services or from other involvement  
 35 with child care. The action may be instituted by the

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1 state or a county attorney.

2 2. The parent or legal guardian of a child who is



3 placed in a children's residential facility, the state,  
 4 the department of education, or the school district  
 5 in which the children's residential facility is  
 6 located, may bring a civil action seeking relief from  
 7 conduct constituting a violation of this chapter or  
 8 section 282.34 or to prevent, restrain, or remedy such  
 9 violation. A civil action brought by the department  
 10 of education shall be limited to seeking relief from  
 11 conduct constituting a violation of section 282.34.  
 12 Multiple petitioners may join in a single action under  
 13 this subsection.

14 3. If successful in obtaining injunctive relief  
 15 under this section, the petitioner shall be awarded  
 16 reasonable attorney fees and court costs.

17 **Sec. 11. NEW SECTION. 237C.11 Notice and hearings**  
 18 **— judicial review.**

19 The procedure governing notice and hearing to deny  
 20 an application or suspend or revoke a certificate of  
 21 approval shall be in accordance with rules adopted by  
 22 the department.

23 **Sec. 12. NEW SECTION. 282.34 Educational programs**  
 24 **for children's residential facilities.**

25 1. A children's residential facility operating  
 26 under a certificate of approval issued under chapter  
 27 237C shall do all of the following:

28 *a.* Provide an educational program and appropriate  
 29 education services to children residing in the  
 30 children's residential facility by contracting with the  
 31 school district in which the children's residential  
 32 facility is located, contracting with an accredited  
 33 nonpublic school, or becoming accredited as a nonpublic  
 34 school through the standards and accreditation process  
 35 described in section 256.11 and adopted by rule by the

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1 state board of education.

2 *b.* Display prominently in all of its major  
 3 publications and on its internet site a notice  
 4 accurately describing the educational program and  
 5 educational services provided by the children's  
 6 residential facility.

7 *c.* Include in any promotional, advertising,  
 8 or marketing materials regarding the children's  
 9 residential facility, available in print or via  
 10 the internet, all fees charged by the children's  
 11 residential facility for the services offered or  
 12 provided by the children's residential facility and its  
 13 refund policy for the return of refundable portions of  
 14 any fees.

15 2. The state board of education shall adopt by rule  
 16 pursuant to chapter 17A standards for the following:

17 a. Educational programs and appropriate educational  
18 services provided under this section.

19 b. Contracts between children's residential  
20 facilities and school districts or accredited nonpublic  
21 schools.

22 c. Notices displayed in accordance with subsection  
23 1, paragraph "b".

24 3. A contract that fails to comply with any of the  
25 requirements of subsection 1, or with standards adopted  
26 by the state board of education under subsection 2, is  
27 void.

28 Sec. 13. REPEAL. Chapter 237B, Code 2016, is  
29 repealed.

30 Sec. 14. REPORT REQUIREMENT. By January 1, 2017,  
31 the department of human services, the department of  
32 education, the department of public health, and the  
33 state fire marshal shall each submit a report to the  
34 general assembly concerning their progress in adopting  
35 rules as appropriate under sections 237C.4 and 282.34,

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1 as enacted by this Act.

2 Sec. 15. EXISTING FACILITY OPERATED BY BONA FIDE  
3 RELIGIOUS INSTITUTION. A facility in existence on the  
4 effective date of this Act, and which is exempt from  
5 the definition of children's residential facility under  
6 section 237C.1, subsection 3, paragraph "j", but which  
7 would otherwise qualify as a children's residential  
8 facility under section 237C.1, subsection 3, shall  
9 notify the department of human services in writing of  
10 its existence within thirty days of the effective date  
11 of this Act.>

#### COMMITTEE ON GOVERNMENT OVERSIGHT

H-8155

1 Amend House File 2448 as follows:

2 1. Page 1, line 29, by striking <two> and inserting  
3 <three>

KAUFMANN of Cedar

H-8156

1 Amend House File 2450 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:  
4 <Section 1. **NEW SECTION. 279.50A Human sexuality**  
5 **and interpersonal relationships — educational**  
6 **conference or seminar.**

7 The board of directors of a school district shall  
 8 not facilitate a pupil's attendance at an educational  
 9 conference or seminar in which information about human  
 10 sexuality and interpersonal relationships is provided  
 11 to pupils unless the pupil's parent or guardian  
 12 files with the appropriate principal prior written  
 13 consent. Each school board shall annually provide  
 14 to a parent or guardian of any pupil enrolled in the  
 15 school district information about human sexuality and  
 16 interpersonal relationships that may be provided to  
 17 pupils at such an educational conference or seminar if  
 18 the school district facilitates pupil attendance at the  
 19 educational conference or seminar.>  
 20 2. Title page, by striking lines 1 and 2 and  
 21 inserting <An Act relating to pupil attendance at>  
 22 3. Title page, lines 3 and 4, by striking <human  
 23 growth and development information> and inserting  
 24 <information on human sexuality and interpersonal  
 25 relationships>

KAUFMANN of Cedar

H-8157

1 Amend House File 2448 as follows:  
 2 1. Page 2, by striking lines 1 and 2 and inserting:  
 3 <d. The board shall not grant a petition that  
 4 involves the taking of property under eminent domain  
 5 unless a minimum of>

KAUFMANN of Cedar

H-8158

1 Amend the amendment, H-8101, to Senate File 2275, as  
 2 passed by the Senate, as follows:  
 3 1. By striking page 1, line 5, through page 2, line  
 4 5, and inserting:  
 5 <Sec. \_\_\_. Section 157.1, Code 2016, is amended by  
 6 adding the following new subsection:  
 7 NEW SUBSECTION. 24A. "Natural hair braiding" means  
 8 a method of natural hair care consisting of braiding,  
 9 locking, twisting, weaving, cornrowing, or otherwise  
 10 physically manipulating hair without the use of  
 11 chemicals to alter the hair's physical characteristics  
 12 that incorporates both traditional and modern styling  
 13 techniques.  
 14 Sec. \_\_\_. Section 157.1, subsection 5, paragraph a,  
 15 Code 2016, is amended to read as follows:  
 16 a. Arranging, braiding, dressing, curling, waving,  
 17 press and curl hair straightening, shampooing, cutting,  
 18 singeing, bleaching, coloring, or similar works, upon

19 the hair of any person, or upon a wig or hairpiece when  
 20 done in conjunction with haircutting or hairstyling by  
 21 any means. “Cosmetology” does not include natural hair  
 22 braiding.

23 Sec. \_\_\_\_\_. Section 157.2, Code 2016, is amended by  
 24 adding the following new subsection:

25 NEW SUBSECTION. 6. Persons performing natural  
 26 hair braiding shall register with the board. The  
 27 registration information shall include an address and  
 28 description of the location or locations where the  
 29 person performs natural hair braiding. The department  
 30 may inspect a location where a person performs natural  
 31 hair braiding upon receipt of a complaint to the board  
 32 about that location. The inspection, upon request of  
 33 the department by the board, shall monitor compliance  
 34 of the person performing natural hair braiding with  
 35 health and sanitation requirements established under

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1 this chapter or by rule as adopted by the board. A  
 2 person who performs natural hair braiding who is  
 3 deemed to have failed an inspection by the department  
 4 shall pay a fine as determined by the board. Persons  
 5 performing natural braiding shall complete a minimum  
 6 of two hours every two years of continuing education  
 7 relating to the cosmetology laws and rules and  
 8 sanitation requirements of this state and provide proof  
 9 of completion to the board.>

10 2. By renumbering as necessary.

WILLS of Dickinson

H-8159

1 Amend Senate File 2275, as passed by the Senate, as  
 2 follows:

3 1. Page 1, lines 20 and 21, by striking <pass a  
 4 health and sanitation examination as prescribed by the  
 5 board and shall>

6 2. Page 1, line 24, by striking <shall> and  
 7 inserting <may>

8 3. Page 1, line 27, by striking <inspection> and  
 9 inserting <inspection, upon request of the department  
 10 by the board,>

11 4. Page 1, line 27, after <compliance> by inserting  
 12 <of the person performing natural hair braiding>

13 5. Page 1, line 31, after <board.> by inserting  
 14 <Persons performing natural hair braiding shall  
 15 complete a minimum of two hours every two years of  
 16 continuing education relating to the cosmetology laws  
 17 and rules and sanitation requirements of this state and

18 provide proof of completion to the board.>

WILLS of Dickinson

H-8160

1 Amend House File 2443 as follows:  
 2 1. Page 16, after line 3 by inserting:  
 3 <Sec. \_\_\_. IMPLEMENTATION — COSTS. For the  
 4 fiscal year beginning July 1, 2016, the department of  
 5 revenue and the economic development authority shall  
 6 agree on the total cost of implementing this division  
 7 of this Act, and the economic development authority  
 8 shall pay those costs from funds appropriated to the  
 9 economic development authority for operational and  
 10 other purposes. If the department of revenue and  
 11 the economic development authority fail to come to an  
 12 agreement, the department of management shall determine  
 13 the costs to be paid by the economic development  
 14 authority under this subsection.>  
 15 2. By renumbering as necessary.

NUNN of Polk

H-8161

1 Amend House File 2451 as follows:  
 2 1. Page 1, before line 1 by inserting:  
 3 <Section 1. Section 8.57, subsection 5, Code 2016,  
 4 is amended by adding the following new paragraph:  
 5 NEW PARAGRAPH. *Oh.* (1) Notwithstanding paragraph  
 6 “c” of this subsection, there is appropriated from the  
 7 rebuild Iowa infrastructure fund to the water quality  
 8 infrastructure fund created in section 8.57B the  
 9 following amounts:  
 10 (a) For the fiscal year beginning July 1, 2016, and  
 11 ending June 30, 2017, five million dollars.  
 12 (b) For the fiscal year beginning July 1, 2017, and  
 13 ending June 30, 2018, six million five hundred thousand  
 14 dollars.  
 15 (c) For the fiscal year beginning July 1, 2018,  
 16 and ending June 30, 2019, eleven million five hundred  
 17 thousand dollars.  
 18 (d) For the fiscal year beginning July 1, 2019,  
 19 and ending June 30, 2020, sixteen million five hundred  
 20 thousand dollars.  
 21 (e) For the fiscal year beginning July 1, 2020,  
 22 and ending June 30, 2021, sixteen million five hundred  
 23 thousand dollars.  
 24 (f) For the fiscal year beginning July 1, 2021, and  
 25 ending June 30, 2022, twenty-two million dollars.  
 26 (g) For the fiscal year beginning July 1, 2022, and

27 ending June 30, 2023, twenty-two million dollars.  
 28 (h) For the fiscal year beginning July 1, 2023, and  
 29 ending June 30, 2024, twenty-two million dollars.  
 30 (i) For the fiscal year beginning July 1, 2024, and  
 31 ending June 30, 2025, twenty-two million dollars.  
 32 (j) For the fiscal year beginning July 1, 2025, and  
 33 ending June 30, 2026, twenty-two million dollars.  
 34 (k) For the fiscal year beginning July 1, 2026, and  
 35 ending June 30, 2027, twenty-two million dollars.

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1 (l) For the fiscal year beginning July 1, 2027, and  
 2 ending June 30, 2028, twenty-two million dollars.  
 3 (m) For the fiscal year beginning July 1, 2028, and  
 4 ending June 30, 2029, twenty-two million dollars.  
 5 (2) This paragraph “Oh” is repealed on January 1,  
 6 2030.  
 7 Sec. \_\_\_\_ **NEW SECTION. 8.57B Water quality**  
 8 **infrastructure fund — creation — appropriations.**  
 9 1. A water quality infrastructure fund is created  
 10 within the division of soil conservation and water  
 11 quality of the department of agriculture and land  
 12 stewardship. The fund shall consist of moneys  
 13 appropriated from the rebuild Iowa infrastructure fund  
 14 pursuant to section 8.57, subsection 5, paragraph “Oh”.  
 15 2. The fund shall be separate from the general fund  
 16 of the state and the balance in the fund shall not be  
 17 considered part of the balance of the general fund  
 18 of the state. However, the fund shall be considered  
 19 a special account for the purposes of section 8.53,  
 20 relating to generally accepted accounting principles.  
 21 3. Moneys in the fund are appropriated to the  
 22 division of soil conservation and water quality of  
 23 the department of agriculture and land stewardship  
 24 for the exclusive purpose of supporting water quality  
 25 agriculture infrastructure programs created in section  
 26 466B.43.  
 27 4. Notwithstanding section 8.33, moneys in the fund  
 28 that remain unencumbered or unobligated at the close  
 29 of a fiscal year shall not revert but shall remain  
 30 available for expenditure for the purposes designated.  
 31 Notwithstanding section 12C.7, subsection 2, interest  
 32 or earnings on moneys in the fund shall be credited to  
 33 the fund.  
 34 5. This section is repealed on January 1, 2030.>  
 35 2. Page 2, by striking lines 10 and 11 and

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1 inserting:  
 2 <e. b. Priority shall be given to projects in

3 ~~which the meeting criteria established in section~~  
4 ~~455B.199B in which the applicant seeks financial~~  
5 ~~assistance is to be used to obtain with financing under~~  
6 ~~the>~~

7 3. Page 4, after line 8 by inserting:  
8 <Sec. \_\_. **NEW SECTION. 16.134A Water quality**  
9 **financial assistance fund.**

10 1. A water quality financial assistance fund is  
11 created in the state treasury as a revolving fund.

12 2. The fund shall consist of all of the following:

13 a. (1) Moneys transferred to the fund pursuant to  
14 section 423G.6.

15 (2) This paragraph "a" is repealed on January 1,  
16 2038.

17 b. Appropriations made to the fund and transfers  
18 of interest, earnings, and moneys from other funds as  
19 provided by law.

20 3. For each fiscal year in the fiscal period  
21 beginning July 1, 2017, and ending June 30, 2037,  
22 there is appropriated the following percentages of the  
23 balance of the fund for the following purposes:

24 a. Forty percent to the Iowa finance authority to  
25 support the wastewater and drinking water treatment  
26 financial assistance program created in section 16.134.

27 b. Forty-five percent to the Iowa finance authority  
28 to be credited to the water quality financing program  
29 fund created pursuant to section 16.145.

30 c. Fifteen percent to the division of soil  
31 conservation and water quality of the department of  
32 agriculture and land stewardship to support the water  
33 quality urban infrastructure program created in section  
34 466B.44.

35 4. Moneys in the fund are not subject to section

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1 8.33. Notwithstanding section 12C.7, subsection 2,  
2 interest or earnings on moneys in the fund shall be  
3 credited to the fund.

4 Sec. \_\_. **NEW SECTION. 16.143 Definitions.**

5 As used in this part, unless the context otherwise  
6 requires:

7 1. "Cost" means all costs, charges, expenses, or  
8 other indebtedness incurred by a loan recipient and  
9 determined by the committee as reasonable and necessary  
10 for carrying out all works and undertakings necessary  
11 or incidental to the accomplishment of any project.

12 2. "Eligible entity" means a municipality meeting  
13 the requirements in section 16.146 or a landowner,  
14 as determined by the committee, a public utility as  
15 defined in section 476.1, or a rural water district or  
16 rural water association as defined in section 357A.1.

- 17 3. *“Loan recipient”* means an eligible entity that  
 18 has received a loan under the program.
- 19 4. *“Municipality”* means a governmental body such  
 20 as a state agency or a political subdivision of the  
 21 state. Municipality includes but is not limited to a  
 22 city, city utility, county, soil and water conservation  
 23 district, drainage district, sanitary district, a  
 24 subdistrict of any of the foregoing districts, state  
 25 agency, or other governmental body or corporation  
 26 empowered to provide sewage collection and treatment  
 27 services or drinking water, or any entity jointly  
 28 exercising governmental powers pursuant to chapter  
 29 28E or 28F, or any other combination of two or more  
 30 governmental bodies or corporations acting jointly  
 31 under the laws of this state in connection with a  
 32 project.
- 33 5. *“Program”* means the water quality financing  
 34 program created in this part.
- 35 6. *“Project”* means any combination of improvements,

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- 1 structures, developments, tasks, actions,  
 2 constructions, modifications, operations, or practices  
 3 designed to improve water quality that are proposed  
 4 by an eligible entity and approved by the committee.  
 5 *“Project”* includes but is not limited to any of the  
 6 following:
- 7 a. A project meeting the requirements of part 2 of  
 8 this subchapter.
- 9 b. A project, operation, or practice undertaken  
 10 or carried out to address watershed protection, flood  
 11 prevention, or water quality improvement.
- 12 c. A project meeting the requirements of a sponsor  
 13 project under section 455B.199.
- 14 Sec. \_\_\_\_ NEW SECTION. **16.144 Water quality**  
 15 **financing program.**
- 16 1. The authority, in cooperation with the  
 17 department of natural resources and the department of  
 18 agriculture and land stewardship, shall establish and  
 19 administer a water quality financing program. The  
 20 purpose of the program shall be to provide financial  
 21 assistance to enhance the quality of surface water  
 22 and groundwater, particularly by providing financial  
 23 assistance for projects designed to improve water  
 24 quality by addressing point and nonpoint sources, with  
 25 a higher prioritization provided to collaborative  
 26 efforts.
- 27 2. The authority shall determine the interest rate  
 28 and repayment terms for loans made under the program,  
 29 in cooperation with the department of natural resources  
 30 and the department of agriculture and land stewardship,



31 and the authority shall enter into loan agreements with  
 32 eligible entities in compliance with and subject to  
 33 the terms and conditions of the program as described  
 34 in this part.  
 35 3. The authority may charge loan recipients fees

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1 and assess costs against such recipients necessary for  
 2 the continued operation of the program. Such fees and  
 3 costs shall not exceed the costs directly associated  
 4 with the administration of the program. Fees and  
 5 costs collected pursuant to this subsection shall be  
 6 deposited in the appropriate fund or account created in  
 7 section 16.145.

8 4. The program shall be administered by the  
 9 authority in accordance with rules adopted by the  
 10 authority pursuant to chapter 17A.

11 Sec. \_\_\_\_ **NEW SECTION. 16.145 Water quality**  
 12 **financing program fund — appropriation — other funds.**

13 1. a. A water quality financing program fund  
 14 is created and shall consist of appropriations made  
 15 to the fund, moneys credited to the fund pursuant to  
 16 section 16.134A, and transfers of interest, earnings,  
 17 and moneys from other funds as provided by law. The  
 18 fund shall be administered by the authority as a  
 19 revolving fund. Moneys in the fund are appropriated  
 20 to the authority for purposes of the program.  
 21 Notwithstanding section 8.33, moneys in the fund  
 22 that remain unencumbered or unobligated at the close  
 23 of a fiscal year shall not revert but shall remain  
 24 available for expenditure for the purposes designated.  
 25 Notwithstanding section 12C.7, subsection 2, interest  
 26 or earnings on moneys in the fund shall be credited to  
 27 the fund.

28 b. The authority shall use the moneys in the fund  
 29 to provide financial assistance to eligible entities  
 30 under the program. The authority may provide financial  
 31 assistance in the form deemed most convenient for the  
 32 efficient financing of projects, including loans,  
 33 forgivable loans, or grants. The authority shall  
 34 administer the fund and the program in such a manner as  
 35 to provide a permanent source of water quality project

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1 financial assistance to eligible entities.  
 2 c. The authority may annually use an amount of not  
 3 more than one percent of the moneys in the fund for  
 4 administrative purposes.  
 5 2. a. The authority may establish and maintain  
 6 other funds and accounts determined to be necessary

7 to carry out the purposes of the program and shall  
 8 provide for the funding, administration, investment,  
 9 restrictions, and disposition of the funds and  
 10 accounts.

11 b. Moneys appropriated to and used by the authority  
 12 for purposes of paying the costs and expenses  
 13 associated with the administration of the program shall  
 14 be administered as determined by the authority.

15 c. All moneys transferred to the authority shall be  
 16 deposited and held in a fund or account established and  
 17 maintained pursuant to this section for purposes of the  
 18 program.

19 3. The funds or accounts held by the authority, or  
 20 a trustee acting on behalf of the authority pursuant  
 21 to a trust agreement related to the program, shall not  
 22 be considered part of the general fund of the state,  
 23 are not subject to appropriation for any other purpose  
 24 by the general assembly, and in determining a general  
 25 fund balance shall not be included in the general  
 26 fund of the state, but shall remain in the funds  
 27 and accounts maintained by the authority or trustee  
 28 pursuant to a trust agreement. Funds and accounts held  
 29 by the authority, or a trustee acting on behalf of the  
 30 authority pursuant to a trust agreement related to the  
 31 program, are separate dedicated funds and accounts  
 32 under the administration and control of the authority  
 33 and subject to section 16.31.

34 4. By October 1, 2018, and by October 1 of each  
 35 year thereafter, the authority shall submit a report

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1 to the governor and the general assembly itemizing  
 2 expenditures from the fund during the previous fiscal  
 3 year.

4 Sec. \_\_. NEW SECTION. 16.146 Eligible entities —  
 5 agreements required.

6 1. An eligible entity may apply to the authority  
 7 for financial assistance under the water quality  
 8 financing program established in section 16.144  
 9 by submitting a plan that meets the following  
 10 requirements:

11 a. The plan includes one or more projects that  
 12 improve water quality in the local area or watershed.  
 13 Projects using practices identified to practices in  
 14 the latest version of the document entitled “Iowa  
 15 Nutrient Reduction Strategy” initially presented in  
 16 November 2012 by the department of agriculture and land  
 17 stewardship, the department of natural resources, and  
 18 Iowa state university of science and technology. A  
 19 drainage or levee district established under chapter  
 20 468 shall utilize the installation of edge-of-field

21 infrastructure as described in section 466B.43.  
 22 b. The plan describes in detail the manner in  
 23 which the projects will be financed and undertaken,  
 24 including, as applicable, the sources of revenue  
 25 directed to financing the improvements as well as the  
 26 municipalities or landowners that will be receiving the  
 27 revenues and how such revenues will be spent on the  
 28 projects.  
 29 2. The authority shall review and approve or  
 30 deny applications for financial assistance. The  
 31 provision of financial assistance under the program  
 32 shall take into account, as applicable, the number of  
 33 municipalities or landowners comprising an eligible  
 34 entity and the eligible entity’s financing capacity.  
 35 The authority shall score applications for financial

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1 assistance according to rules adopted pursuant to  
 2 this part. The authority shall only provide financial  
 3 assistance to eligible entities that have sufficient  
 4 financing capacity and that submit an appropriate plan  
 5 designed to improve water quality.  
 6 3. An approved eligible entity shall enter into  
 7 an agreement with the authority for the provision of  
 8 financial assistance. The agreement shall include  
 9 standard terms for the receipt of program moneys  
 10 and any other terms the authority deems necessary or  
 11 convenient for the efficient administration of the  
 12 program.>  
 13 4. Page 6, by striking lines 1 and 2 and inserting  
 14 <to the water quality financial assistance fund created  
 15 in section 16.134A:>  
 16 5. Page 6, after line 16 by inserting:  
 17 <Sec. \_\_. **NEW SECTION. 466B.43 Water quality**  
 18 **agriculture infrastructure programs.**  
 19 1. As part of the water quality initiative  
 20 established pursuant to section 466B.42, the  
 21 division shall administer water quality agriculture  
 22 infrastructure programs created in this section.  
 23 2. The purpose of the programs is to support  
 24 projects for the installation of infrastructure,  
 25 including conservation structures, practices, or other  
 26 measures that reduce contributing nutrient loads,  
 27 associated sediment, or contaminants from sources to  
 28 surface waters. The programs shall be administered in  
 29 a manner that is consistent with the latest version  
 30 of the “Iowa Nutrient Reduction Strategy” initially  
 31 presented in November 2012 by the department of  
 32 agriculture and land stewardship, the department of  
 33 natural resources, and Iowa state university of science  
 34 and technology.

35 3. An edge-of-field infrastructure program is

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1 created. The program shall support projects located  
2 on agricultural land, which may include demonstration  
3 projects, that capture or filter nutrients entering  
4 into a surface water. The program's projects shall be  
5 limited to infrastructure designed and installed for  
6 use over multiple years, including but not limited to  
7 wetlands, bioreactor systems, saturated buffers, or  
8 land use changes. The program shall be financed on a  
9 cost-share basis.

10 4. An in-field infrastructure program is  
11 created. The program shall support projects  
12 located on agricultural land, which may include  
13 demonstration projects, that decrease erosion and  
14 precipitation-induced surface runoff, increase  
15 water infiltration rates, and increase soil  
16 sustainability. The program's projects shall be  
17 limited to infrastructure designed and installed for  
18 use over multiple years, including but not limited to  
19 structures, terraces, and waterways located on cropland  
20 or pastureland, and including but not limited to soil  
21 conservation or erosion control structures or managed  
22 drainage systems. The program shall be financed on a  
23 cost-share basis.

24 5. Any state moneys used to finance a project  
25 under a water quality agriculture infrastructure  
26 program shall be administered according to an agreement  
27 entered into by the division and the owner of the land  
28 where the infrastructure is to be installed. The  
29 agreement shall include standard terms and conditions  
30 for the receipt of program moneys and any other  
31 terms and conditions the division deems necessary or  
32 convenient for the efficient administration of the  
33 project or program. The division may support multiple  
34 installations of infrastructure on a single parcel of  
35 land. The division may also combine programs if cost

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1 effective. The division may annually use an amount  
2 of not more than four percent of the moneys used to  
3 support a program for administrative purposes.

4 6. By October 1, 2017, and each October 1,  
5 thereafter, the division shall submit a report to  
6 the governor and the general assembly itemizing  
7 expenditures under the program during the previous  
8 fiscal year.

9 7. Any information obtained by the division  
10 identifying a person holding a legal interest in

11 agricultural land or specific agricultural land shall  
 12 be a confidential record under section 22.7.  
 13 Sec. \_\_\_\_ **NEW SECTION. 466B.44 Water quality urban**  
 14 **infrastructure program.**  
 15 1. As part of the water quality initiative  
 16 established pursuant to section 466B.42, the division  
 17 shall administer a water quality urban infrastructure  
 18 program.  
 19 2. The purpose of the program is to support  
 20 watershed projects and advance implementation of  
 21 the latest version of the "Iowa Nutrient Reduction  
 22 Strategy" initially presented in November 2012 by  
 23 the department of agriculture and land stewardship,  
 24 the department of natural resources, and Iowa state  
 25 university of science and technology, which program  
 26 support may include demonstration projects that  
 27 decrease erosion, precipitation-induced surface  
 28 runoff, and storm water discharges and increase water  
 29 infiltration rates. The program's projects shall be  
 30 based on Iowa's storm water management manual published  
 31 by the department of natural resources.  
 32 3. The program shall be financed on a cost-share  
 33 basis or through cooperative agreements with watershed  
 34 projects funded through section 455B.199 whose project  
 35 activities fall outside the territorial boundaries of

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1 a city.  
 2 4. Any state moneys used to finance a project under  
 3 a water quality urban infrastructure program shall be  
 4 administered according to an agreement entered into  
 5 by the division and the owner of the land where the  
 6 infrastructure is to be installed. The agreement shall  
 7 include standard terms and conditions for the receipt  
 8 of program moneys and any other terms and conditions  
 9 the division deems necessary or convenient for the  
 10 efficient administration of the project or program.  
 11 The division may support multiple installations  
 12 of infrastructure on a single parcel of land. The  
 13 division may annually use an amount of not more than  
 14 four percent of the moneys used to support a program  
 15 for administrative purposes.  
 16 5. Notwithstanding any other provision in this  
 17 section to the contrary, beginning on July 1, 2018, the  
 18 division may use any amount available to support the  
 19 water quality urban infrastructure program to instead  
 20 support the three-year data collection of in-field  
 21 practices project as enacted in 2015 Iowa Acts, ch.  
 22 132, §18.  
 23 6. By October 1, 2018, and by October 1 of each  
 24 year thereafter, the division shall submit a report

25 to the governor and the general assembly itemizing  
 26 expenditures under the program during the previous  
 27 fiscal year.

28 7. Any information obtained by the division  
 29 identifying a person holding a legal interest in land  
 30 or specific land shall be a confidential record under  
 31 section 22.7.>

32 6. Page 6, by striking lines 17 and 18 and  
 33 inserting:

34 <Sec. \_\_. EFFECTIVE DATE. The following  
 35 provisions of this Act take effect July 1, 2017:

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1 1. The section of this Act amending section 16.134.

2 2. The section of this Act enacting section  
 3 16.134A.

4 3. The sections of this Act enacting sections  
 5 16.143, 16.144, 16.145, and 16.146.

6 4. The section of this Act amending section 423.3.

7 5. The sections of this Act enacting chapter 423G.

8 6. The section of this Act enacting section  
 9 466B.44.>

10 7. Title page, line 2, after <program,> by  
 11 inserting <providing for appropriations from the  
 12 rebuild Iowa infrastructure fund, creating a water  
 13 quality infrastructure fund, establishing a water  
 14 quality financing program, providing for cost-share  
 15 programs for infrastructure on agricultural and urban  
 16 land under the water quality initiative,>

17 8. By renumbering as necessary.

## COMMITTEE ON APPROPRIATIONS

H-8162

1 Amend the amendment, H-8154, to Senate File 2304, as  
 2 passed by the Senate, as follows:

3 1. Page 4, after line 28 by inserting:

4 <4. Submit to inspections by the state fire marshal  
 5 or the state fire marshal's designee for compliance  
 6 with rules relating to fire safety promulgated under  
 7 section 237C.4.

8 5. Meet the sanitation, water, and waste disposal  
 9 standards for children's residential facilities adopted  
 10 by rule by the department of public health under  
 11 section 237C.4.>

12 2. By renumbering as necessary.

H-8163

- 1 Amend the amendment, H-8154, to Senate File 2304, as  
 2 passed by the Senate, as follows:
- 3 1. Page 2, by striking lines 15 and 16.
- 4 2. Page 3, line 13, after <provider.> by inserting  
 5 <Certification standards established by the department  
 6 of human services under this section shall not address  
 7 educational religious programming at children's  
 8 residential facilities.>
- 9 3. Page 4, after line 3 by inserting:  
 10 < 6. Rules adopted or promulgated under this section  
 11 shall be restricted to protecting the health and  
 12 safety of children placed in children's residential  
 13 facilities, and shall not regulate educational  
 14 religious programming at children's residential  
 15 facilities.>
- 16 4. Page 4, by striking lines 9 through 28.
- 17 5. Page 9, by striking lines 2 through 11.
- 18 6. By renumbering, redesignating, and correcting  
 19 internal references as necessary.

GAINES of Polk  
 LENSING of Johnson

H-8164

- 1 Amend House File 2449 as follows:
- 2 1. Page 1, line 3, by striking <a.>
- 3 2. By striking page 1, line 6, through page 2, line  
 4 11, and inserting <general assembly, the agency shall  
 5 make one of the following submissions regarding such  
 6 rulemaking within one hundred eighty days of the date  
 7 on which the provision becomes effective:
- 8 a. Submit a notice of intended action to the  
 9 administrative rules coordinator and the administrative  
 10 code editor pursuant to subsection 1.
- 11 b. Submit written notification to the  
 12 administrative rules review committee that the agency  
 13 has not submitted a notice of intended action to the  
 14 administrative rules coordinator and the administrative  
 15 code editor pursuant to subsection 1. The notification  
 16 shall include the provision of the Act of the general  
 17 assembly for which rulemaking is required or necessary,  
 18 the subject matter of the provision, an explanation of  
 19 the delay in the submission of a notice of intended  
 20 action, and an estimated timeline for submission of a  
 21 notice of intended action.>
- 22 3. Page 2, by striking lines 14 through 16 and  
 23 inserting:  
 24 <Sec. \_\_. APPLICABILITY. This Act applies to any  
 25 provisions of Acts enacted on or after the effective>

- 26 4. Title page, by striking lines 1 through 2 and  
 27 inserting <An Act concerning the implementation and  
 28 administration of Acts of the general assembly through  
 29 administrative rulemakings and including>  
 30 5. By renumbering as necessary.

JONES of Clay  
 PETTENGILL of Benton

H-8165

- 1 Amend House File 2446 as follows:  
 2 1. Page 1, after line 32 by inserting:  
 3 <Sec. \_\_. Section 331.802, subsection 2, paragraph  
 4 c, Code 2016, is amended to read as follows:  
 5 c. (1) The fee and expenses of the county medical  
 6 examiner who performs an autopsy or conducts an  
 7 investigation of a any of the following persons shall  
 8 be paid by the state:  
 9 (a) A person who dies after being brought into this  
 10 state for emergency medical treatment by or at the  
 11 direction of an out-of-state law enforcement officer or  
 12 public authority shall be paid by the state.  
 13 (b) A person to whom subparagraph division (a) does  
 14 not apply, who dies after entering the state and who is  
 15 an out-of-state resident.  
 16 (2) A claim for payment under this paragraph "c"  
 17 shall be filed with the state appeal board and, if, If  
 18 the claim filed meets the criterion of involvement of  
 19 a person specified in subparagraph (1), subparagraph  
 20 division (a) or (b), the claim shall be authorized  
 21 by the board, shall be and paid out of moneys in the  
 22 general fund of the state not otherwise appropriated.  
 23 (3) A claim for payment under this paragraph "c"  
 24 shall not affect or delay payment of the state medical  
 25 examiner or other personnel of the office of the state  
 26 medical examiner or of the county medical examiner or  
 27 other personnel of the office of the county medical  
 28 examiner, as otherwise prescribed by rule.  
 29 (4) For the purposes of this paragraph "c":  
 30 (a) "County medical examiner" includes the state  
 31 medical examiner, deputy state medical examiner,  
 32 associate state medical examiner, or deputy county  
 33 medical examiner when acting as the county medical  
 34 examiner, or a county medical examiner investigator.  
 35 (b) "Out-of-state resident" means an individual who

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- 1 is not a resident of the state of Iowa and includes an  
 2 individual who is not a citizen of the United States  
 3 nor lawfully admitted into the United States for



4 permanent residence by the United States immigration  
 5 and naturalization service.  
 6 Sec. \_\_\_\_ ADOPTION OF RULES. The state medical  
 7 examiner, subject to the approval of the director  
 8 of public health pursuant to section 691.6, shall  
 9 adopt administrative rules pursuant to chapter 17A to  
 10 implement this Act.>

HEDDENS of Story

H-8166

1 Amend House File 2435 as follows:  
 2 1. By striking page 2, line 24, through page 3,  
 3 line 25, and inserting:  
 4 <(1) (a) Prior to its approval of an urban renewal  
 5 plan which provides for a division of revenue pursuant  
 6 to section 403.19, the municipality shall mail the  
 7 proposed plan by regular mail to the affected taxing  
 8 entities. The municipality shall include with the  
 9 proposed plan notification of a consultation to be held  
 10 between the municipality and affected taxing entities  
 11 prior to the public hearing on the urban renewal plan.  
 12 (b) ~~If Except as prohibited under subparagraph~~  
 13 ~~division (c), if~~ the proposed urban renewal plan  
 14 or proposed urban renewal project within the urban  
 15 renewal area includes the use of taxes resulting  
 16 from a division of revenue under section 403.19 for  
 17 a public building, including but not limited to a  
 18 police station, fire station, administration building,  
 19 swimming pool, hospital, library, recreational  
 20 building, city hall, or other public building that is  
 21 exempt from taxation, including the grounds of, and the  
 22 erection, equipment, remodeling, maintenance, repair,  
 23 or reconstruction of, and additions or extensions  
 24 to, such a building, the municipality shall include  
 25 with the proposed plan notification an analysis of  
 26 alternative development options and funding for the  
 27 urban renewal area or urban renewal project and the  
 28 reasons such options would be less feasible than the  
 29 proposed urban renewal plan or proposed urban renewal  
 30 project. A copy of the analysis required in this  
 31 subparagraph shall be included with the urban renewal  
 32 report required under section 331.403 or 384.22, as  
 33 applicable, and filed by December 1 following adoption  
 34 of the urban renewal plan or project.  
 35 (c) Urban renewal plans and urban renewal projects

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1 approved on or after the effective date of this Act  
 2 shall not include the use of taxes resulting from

3 a division of revenue under section 403.19 for a  
 4 public building, including but not limited to an  
 5 administration building, swimming pool, hospital,  
 6 library, recreational building, city hall, or  
 7 other public building that is exempt from taxation,  
 8 including the grounds of, and the erection, equipment,  
 9 remodeling, maintenance, repair, or reconstruction  
 10 of, and additions or extensions to, such a building.  
 11 The prohibition under this subparagraph division (c)  
 12 against the use of taxes resulting from a division of  
 13 revenue for a public building shall not apply to a  
 14 public building that is a police station, fire station,  
 15 or a public building used for public safety services,  
 16 including but not limited to emergency medical service  
 17 or hazardous materials response.>

R. TAYLOR of Dallas

H-8167

1 Amend the House amendment, S-5093, to Senate File  
 2 2061, as passed by the Senate, as follows:  
 3 1. Page 1, before line 3 by inserting:  
 4 <\_\_. Page 1, after line 18 by inserting:  
 5 <Sec. \_\_. Section 331.322, subsection 16, Code  
 6 2016, is amended by striking the subsection.  
 7 Sec. \_\_. Section 331.502, subsection 34, Code  
 8 2016, is amended by striking the subsection.  
 9 Sec. \_\_. Section 331.653, subsection 43, Code  
 10 2016, is amended by striking the subsection.  
 11 Sec. \_\_. Section 602.1209, Code 2016, is amended  
 12 by adding the following new subsection:  
 13 NEW SUBSECTION. 16A. Carry out duties relating to  
 14 the selection of jurors as provided in chapter 607A.  
 15 Sec. \_\_. Section 602.1303, subsection 3, Code  
 16 2016, is amended by striking the subsection.  
 17 Sec. \_\_. Section 602.8102, subsection 91, Code  
 18 2016, is amended by striking the subsection.  
 19 Sec. \_\_. Section 607A.3, Code 2016, is amended by  
 20 adding the following new subsections:  
 21 NEW SUBSECTION. 2A. "Electronic data processing  
 22 system" means an electronic jury management system as  
 23 designated by the state court administrator.  
 24 NEW SUBSECTION. 3A. "Jury pool" means the sum  
 25 total of prospective jurors reporting for service and  
 26 not drawn or assigned to a courtroom, judge, or trial.  
 27 Sec. \_\_. Section 607A.3, subsections 5, 6, 10, 11,  
 28 and 13, Code 2016, are amended to read as follows:  
 29 5. "Master jury list" means the list of names taken  
 30 from the source lists for possible jury service.  
 31 6. "Motor vehicle operators list and nonoperators  
 32 identification list" means the official records

33 maintained by the state of the names and addresses of  
 34 those individuals in the respective counties retaining  
 35 valid motor vehicle ~~operator's~~ driver's licenses

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1 ~~on or before March 15 of each odd-numbered year or~~  
 2 ~~nonoperator's identification cards.~~  
 3 10. "~~Random selection~~ identification" means the  
 4 selection of names in a manner immune to any subjective  
 5 bias so that no recognizable class of the population  
 6 from which names are being selected can be purposefully  
 7 included or excluded.  
 8 11. "~~Source lists~~" means the voter registration  
 9 list, the motor vehicle operators list, the  
 10 nonoperators identification list, and other  
 11 comprehensive lists of persons residing in a county as  
 12 identified pursuant to section 607A.22.  
 13 13. "~~Voter registration list~~" means the official  
 14 records maintained by the state of names and addresses  
 15 of persons registered to vote ~~on or before March 15 of~~  
 16 ~~each odd-numbered year.~~  
 17 Sec. \_\_\_\_ Section 607A.3, subsection 9, Code 2016,  
 18 is amended by striking the subsection.  
 19 Sec. \_\_\_\_ Section 607A.20, Code 2016, is amended to  
 20 read as follows:  
 21 **607A.20 Jury manager.**  
 22 ~~If the chief judge of the judicial district uses~~  
 23 ~~electronic data processing techniques and equipment for~~  
 24 ~~the drawing of jurors in lieu of a jury commission,~~  
 25 ~~the~~ The chief judge of the judicial district shall,  
 26 ~~after consultation with the clerk, district court~~  
 27 ~~administrator and county auditor, appoint an individual~~  
 28 ~~to serve as the jury manager for the each county in~~  
 29 ~~that district. The~~ A jury manager shall be responsible  
 30 for the implementation of this chapter for the jury  
 31 manager's county and shall assist the state court  
 32 administrator in implementing this chapter. The A  
 33 jury manager shall update the master list from the  
 34 source lists at least once every two years beginning  
 35 January 1 after the general election is held retain

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1 proper records to document, as directed by the chief  
 2 judge or state court administrator, that the procedures  
 3 used to randomly identify prospective jurors meet the  
 4 requirements of this chapter.  
 5 Sec. \_\_\_\_ Section 607A.21, Code 2016, is amended by  
 6 striking the section and inserting in lieu thereof the  
 7 following:  
 8 **607A.21 Master jury list.**

9 The electronic data processing system shall create a  
 10 master jury list by merging all of the names from the  
 11 source lists and removing duplicative entries. The  
 12 state court administrator shall ensure the electronic  
 13 data processing system updates the master jury lists  
 14 from the source list at least once every year. The  
 15 names entered in the master jury lists constitute the  
 16 grand and petit master jury lists, from which grand and  
 17 petit jurors shall be drawn.

18 Sec. \_\_\_\_ Section 607A.22, Code 2016, is amended to  
 19 read as follows:

20 **607A.22 Use of source lists — information provided.**

21 1. ~~The appointive jury commission or the jury~~  
 22 ~~manager state court administrator shall use both of~~  
 23 ensure the following source lists in are merged in the  
 24 electronic data processing system when preparing grand  
 25 and petit master jury lists:

26 a. The current voter registration list.  
 27 b. The current motor vehicle operators list and  
 28 nonoperators identification list.

29 2. ~~The appointive jury commission or the~~ Δ jury  
 30 manager may use any other current comprehensive list  
 31 of persons residing in the county, ~~including but not~~  
 32 ~~limited to the lists of public utility customers,~~  
 33 which the ~~appointive jury commission or jury manager~~  
 34 determines are useable for the purpose of a juror  
 35 source list.

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1 3. The applicable state and local government  
 2 officials shall furnish, upon request, the ~~appointive~~  
 3 ~~jury commission or state court administrator or~~  
 4 the jury manager with copies of lists necessary for  
 5 the formulation of source lists at no cost ~~to the~~  
 6 ~~commission, manager, or county.~~

7 4. ~~The jury manager or jury commission may~~  
 8 ~~request a consolidated source list. A consolidated~~  
 9 ~~source list contains all the names and addresses~~  
 10 ~~found in either the voter registration list or the~~  
 11 ~~motor vehicle operators list, but does not duplicate~~  
 12 ~~an individual's name within the consolidated list.~~  
 13 ~~State officials shall cooperate with one another to~~  
 14 ~~prepare consolidated lists. The jury manager or jury~~  
 15 ~~commission may further request that only a randomly~~  
 16 ~~chosen portion of the consolidated list be prepared~~  
 17 ~~which may consist of either a certain number of~~  
 18 ~~names or a certain percentage of all the names in the~~  
 19 ~~consolidated list, as specified by the jury manager or~~  
 20 ~~jury commission.~~

21 Sec. \_\_\_\_ Section 607A.25, Code 2016, is amended by  
 22 striking the section and inserting in lieu thereof the

23 following:

24 **607A.25 Storing and security of master jury lists.**

25 The master jury lists shall be stored in the  
26 electronic data processing system, and shall be  
27 accessible to only the state court administrator or  
28 state court administrator's designee, or the jury  
29 manager or jury manager's designee.

30 Sec. \_\_\_\_ Section 607A.26, Code 2016, is amended to  
31 read as follows:

32 **607A.26 Preservation of records.**

33 The clerk or jury manager shall preserve all records  
34 and lists compiled and maintained in connection with  
35 the ~~selection~~ identification and service of jurors

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1 for four years, or for any longer period ordered by  
2 the state court administrator or chief judge of the  
3 judicial district.

4 Sec. \_\_\_\_ Section 607A.30, Code 2016, is amended to  
5 read as follows:

6 **607A.30 ~~Time of drawing~~ Drawing of jury pools.**

7 ~~In counties using an ex officio jury commission,8 the required number of jurors shall be drawn by the  
9 commission, or a majority of its members, at the office  
10 of the clerk at a time agreed to by the commissioners.~~

11 1. In counties using a jury manager, the At times  
12 necessary for drawing grand and petit jurors, the jury  
13 manager shall arrange for the selection of the required  
14 electronic data processing system to draw the necessary  
15 number of grand and petit jurors at a time and place  
16 chosen by the manager from the master jury list.

17 2. The chief judge of the judicial district may  
18 by order prescribe the time for the drawing by the ~~ex~~  
19 ~~officio commission~~ or the jury manager.

20 3. The jurors ~~thus selected~~ identified constitute  
21 the jury pool and shall be notified by the clerk or  
22 jury manager by regular mail when called.

23 Sec. \_\_\_\_ Section 607A.33, Code 2016, is amended by  
24 striking the section and inserting in lieu thereof the  
25 following:

26 **607A.33 Electronic data processing — identifying**  
27 **jurors.**

28 The designated electronic data processing system  
29 shall be used for the random drawing of the number of  
30 jurors needed.

31 Sec. \_\_\_\_ Section 607A.35, Code 2016, is amended to  
32 read as follows:

33 **607A.35 ~~Filing list~~ — ~~notice~~ Notice to report.**

34 After the list or lists have been drawn in the  
35 manner provided in section 607A.33, ~~the list or lists~~

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1 ~~shall be filed in the office of the clerk or jury~~  
 2 ~~manager~~ and immediately upon the request of the court,  
 3 the clerk ~~or manager~~ shall issue a notice to report,  
 4 by regular mail, to the persons so drawn to appear at  
 5 the courthouse at times as the court prescribes, for  
 6 service as petit or grand jurors.

7 Sec. \_\_\_\_ Section 607A.37, Code 2016, is amended to  
 8 read as follows:

9 **607A.37 Cancellation for illegality.**

10 If the court determines that the petit or grand  
 11 jurors have been illegally selected, drawn, or notified  
 12 to report, the court may set aside the order under  
 13 which the jurors were notified and direct that a new  
 14 drawing, selection and notification of a sufficient  
 15 number of replacement jurors take place. ~~In that~~  
 16 ~~case, the ex officio jury commission shall meet at the~~  
 17 ~~office of the clerk, at the time the court directs,~~  
 18 ~~and proceed in the manner provided for the drawing of~~  
 19 ~~the original panel, to draw the required number of~~  
 20 ~~replacement jurors.~~

21 Sec. \_\_\_\_ Section 607A.39, Code 2016, is amended to  
 22 read as follows:

23 **607A.39 Additional jurors.**

24 The court may order as many additional jurors drawn  
 25 for a jury pool or panel as the court deems necessary.

26 Sec. \_\_\_\_ Section 607A.41, Code 2016, is amended to  
 27 read as follows:

28 **607A.41 Method of subsequent drawing.**

29 The names of the jurors drawn under sections 607A.39  
 30 and 607A.40 shall be drawn by the ~~ex officio commission~~  
 31 ~~or the jury manager in the manner provided for the~~  
 32 ~~drawing of an original pool or panel~~ electronic data  
 33 processing system that was used to draw the original  
 34 jury pool or panel.

35 Sec. \_\_\_\_ Section 607A.43, Code 2016, is amended to

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1 read as follows:

2 **607A.43 Correcting illegality in original lists.**

3 If the court for any reason determines that there  
 4 has been such substantial failure to comply with  
 5 the law relative to ~~selection~~ jury identification,  
 6 preparation, or return of grand or petit lists that  
 7 lawful grand or petit jurors cannot be drawn, or that  
 8 the lists are exhausted or insufficient for the needs  
 9 of the court, the court shall order ~~the ex officio~~  
 10 ~~jury commission or the jury manager or state court~~  
 11 administrator to convene at a fixed time and place  
 12 use electronic data processing techniques to prepare

13 lists in lieu of the lists which have been found to be  
 14 illegal, or an additional list or lists as the court  
 15 deems necessary.>> 16 2. Page 1, after line 19 by inserting:  
 17 <Sec. \_\_\_. REPEAL. Sections 607A.9, 607A.10,  
 18 607A.11, 607A.12, 607A.13, 607A.14, 607A.15, 607A.16,  
 19 607A.17, 607A.18, 607A.19, 607A.24, 607A.27, 607A.28,  
 20 607A.31, 607A.32, 607A.34, 607A.42, and 607A.44, Code  
 21 2016, are repealed.  
 22 \_\_\_. Title page, line 2, after <proceedings> by  
 23 inserting <, the updating of the master list for juror  
 24 service, and the elimination of jury commissions>>  
 25 3. By renumbering as necessary.

## SENATE AMENDMENT

H-8168

1 Amend House File 2443 as follows:  
 2 1. Page 16, after line 3 by inserting:  
 3 <Sec. \_\_\_. IMPLEMENTATION — COSTS. For the fiscal  
 4 year beginning July 1, 2016, the department of revenue  
 5 and the economic development authority shall agree on  
 6 the total cost of implementing this division of this  
 7 Act, and the economic development authority shall pay  
 8 those costs from fees charged by and deposited with  
 9 the authority pursuant to section 404A.3, subsection  
 10 1, paragraph “e”. If the department of revenue and  
 11 the economic development authority fail to come to an  
 12 agreement, the department of management shall determine  
 13 the costs to be paid by the economic development  
 14 authority under this subsection.>  
 15 2. By renumbering as necessary.

NUNN of Polk

H-8169

1 Amend the amendment, H-8153, to House File 2443 as  
 2 follows:  
 3 1. Page 1, after line 19 by inserting:  
 4 <\_\_\_. Page 15, after line 10 by inserting:  
 5 <Sec. \_\_\_. Section 404A.4, subsection 2, paragraphs  
 6 b and c, Code 2016, are amended to read as follows:  
 7 b. The amount of a tax credit that was reserved  
 8 prior to July 1, 2014, under section 404A.4, Code 2014,  
 9 for use in a fiscal year beginning before July 1, 2016,  
 10 that is irrevocably declined or revoked on or after  
 11 July 1, 2014, but before July 1, ~~2016~~ 2019, may be  
 12 awarded under section 404A.3 during the fiscal year in  
 13 which such declination or revocation occurs. Such tax  
 14 credits awarded shall not be claimed by a taxpayer in a  
 15 fiscal year that is earlier than the fiscal year for  
 16 which the tax credits were originally reserved.

17 c. The amount of a tax credit that was available  
 18 for approval by the state historical preservation  
 19 office of the department under section 404A.4, Code  
 20 2014, in a fiscal year beginning on or after July 1,  
 21 2010, but before July 1, 2014, that was required to  
 22 be allocated to new projects with final qualified  
 23 rehabilitation costs of five hundred thousand dollars  
 24 or less, or seven hundred fifty thousand dollars or  
 25 less, as the case may be, and that was not finally  
 26 approved by the state historical preservation office,  
 27 may be awarded under section 404A.3 during the fiscal  
 28 years beginning on or after July 1, 2014, but before  
 29 July 1, ~~2016~~ 2019.>  
 30 \_\_\_\_\_. By renumbering as necessary.>

NUNN of Polk

H-8170

1 Amend House File 493, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 331.304, Code 2016, is amended  
 6 by adding the following new subsection:  
 7 NEW SUBSECTION. 11. A county shall not adopt or  
 8 enforce any ordinance or regulation in violation of  
 9 section 562A.27B or 562B.25B.  
 10 Sec. 2. Section 364.3, Code 2016, is amended by  
 11 adding the following new subsection:  
 12 NEW SUBSECTION. 11. A city shall not adopt or  
 13 enforce any ordinance or regulation in violation of  
 14 section 562A.27B or 562B.25B.  
 15 Sec. 3. NEW SECTION. 562A.27B Right to summon  
 16 emergency assistance — waiver of rights.  
 17 1. a. A landlord shall not prohibit or limit a  
 18 resident's or tenant's rights to summon law enforcement  
 19 assistance or other emergency assistance by or on  
 20 behalf of a victim of abuse, a victim of a crime, or an  
 21 individual in an emergency.  
 22 b. A landlord shall not impose monetary or other  
 23 penalties on a resident or tenant who exercises the  
 24 resident's or tenant's right to summon law enforcement  
 25 assistance or other emergency assistance.  
 26 c. Penalties prohibited by this subsection include  
 27 all of the following:  
 28 (1) The actual or threatened assessment of  
 29 penalties, fines, or fees.  
 30 (2) The actual or threatened eviction, or causing  
 31 the actual or threatened eviction, from the premises.  
 32 d. Any waiver of the provisions of this  
 33 subsection is contrary to public policy and is void,



- 34 unenforceable, and of no force or effect.  
 35 e. This subsection shall not be construed to

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- 1 prohibit a landlord from recovering from a resident  
 2 or tenant an amount equal to the costs incurred to  
 3 repair property damage if the damage is caused by law  
 4 enforcement or other emergency personnel summoned by  
 5 the resident or tenant.  
 6 f. This section does not prohibit a landlord from  
 7 terminating, evicting, or refusing to renew a tenancy  
 8 or rental agreement when such action is premised upon  
 9 grounds other than the resident's or tenant's exercise  
 10 of the right to summon law enforcement assistance or  
 11 other emergency assistance by or on behalf of a victim  
 12 of abuse, a victim of a crime, or an individual in an  
 13 emergency.  
 14 2. a. An ordinance, rule, or regulation of a  
 15 city, county, or other governmental entity shall not  
 16 authorize imposition of a penalty against a resident,  
 17 owner, tenant, or landlord because the resident, owner,  
 18 tenant, or landlord was a victim of abuse or crime.  
 19 b. An ordinance, rule, or regulation of a city,  
 20 county, or other governmental entity shall not  
 21 authorize imposition of a penalty against a resident,  
 22 owner, tenant, or landlord because the resident, owner,  
 23 tenant, or landlord sought law enforcement assistance  
 24 or other emergency assistance for a victim of abuse, a  
 25 victim of a crime, or an individual in an emergency, if  
 26 either of the following is established:  
 27 (1) The resident, owner, tenant, or landlord  
 28 seeking assistance had a reasonable belief that the  
 29 emergency assistance was necessary to prevent the  
 30 perpetration or escalation of the abuse, crime, or  
 31 emergency.  
 32 (2) In the event of abuse, crime, or other  
 33 emergency, the emergency assistance was actually  
 34 needed.  
 35 c. Penalties prohibited by this subsection include

PAGE 3

- 1 all of the following:  
 2 (1) The actual or threatened assessment of  
 3 penalties, fines, or fees.  
 4 (2) The actual or threatened eviction, or causing  
 5 the actual or threatened eviction, from the premises.  
 6 (3) The actual or threatened revocation,  
 7 suspension, or nonrenewal of a rental certificate,  
 8 license, or permit.  
 9 d. This subsection does not prohibit a city,

10 county, or other governmental entity from enforcing any  
11 ordinance, rule, or regulation premised upon grounds  
12 other than a request for law enforcement assistance  
13 or other emergency assistance by a resident, owner,  
14 tenant, or landlord, or the fact that the resident,  
15 owner, tenant, or landlord was a victim of crime or  
16 abuse.

17 *e.* This subsection does not prohibit a city,  
18 county, or other governmental entity from collecting  
19 penalties, fines, or fees for services provided  
20 which are necessitated by the cleanup of hazardous  
21 materials, the cleanup of vandalism, or a response  
22 to a false alarm call, which are incurred by the  
23 provision of emergency medical services, or which  
24 reflect other costs incurred by the city, county, or  
25 other governmental entity unrelated to responding to a  
26 call for law enforcement assistance or other emergency  
27 assistance.

28 3. In addition to other remedies provided by law,  
29 if an owner or landlord violates the provisions of this  
30 section, a resident or tenant is entitled to recover  
31 from the owner or landlord any of the following:

32 *a.* A civil penalty in an amount equal to one  
33 month's rent.

34 *b.* Actual damages.

35 *c.* Reasonable attorney fees the tenant or resident

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1 incurs in seeking enforcement of this section.

2 *d.* Court costs.

3 *e.* Injunctive relief.

4 4. In addition to other remedies provided by  
5 law, if a city, county, or other governmental entity  
6 violates the provisions of this section, a resident,  
7 owner, tenant, or landlord is entitled to recover from  
8 the city, county, or other governmental entity any of  
9 the following:

10 *a.* An order requiring the city, county, or other  
11 governmental entity to cease and desist the unlawful  
12 practice.

13 *b.* Other equitable relief, including reinstatement  
14 of a rental certificate, license, or permit, as the  
15 court may deem appropriate.

16 *c.* Actual damages.

17 *d.* In a case brought by a resident or tenant, the  
18 reasonable attorney fees the resident or tenant incurs  
19 in seeking enforcement of this section.

20 *e.* Court costs.

21 5. For purposes of this section, "*resident*" means  
22 a member of a tenant's family and any other person  
23 occupying the dwelling unit with the consent of the

24 tenant.

25 Sec. 4. **NEW SECTION. 562B.25B Right to summon**  
 26 **emergency assistance — waiver of rights.**

27 1. *a.* A landlord shall not prohibit or limit a  
 28 resident's or tenant's rights to summon law enforcement  
 29 assistance or other emergency assistance by or on  
 30 behalf of a victim of abuse, a victim of a crime, or an  
 31 individual in an emergency.

32 *b.* A landlord shall not impose monetary or other  
 33 penalties on a resident or tenant who exercises the  
 34 resident's or tenant's right to summon law enforcement  
 35 assistance or other emergency assistance.

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1 *c.* Penalties prohibited by this subsection include  
 2 all of the following:

3 (1) The actual or threatened assessment of  
 4 penalties, fines, or fees.

5 (2) The actual or threatened eviction, or causing  
 6 the actual or threatened eviction, from the premises.

7 *d.* Any waiver of the provisions of this  
 8 subsection is contrary to public policy and is void,  
 9 unenforceable, and of no force or effect.

10 *e.* This subsection shall not be construed to  
 11 prohibit a landlord from recovering from a resident  
 12 or tenant an amount equal to the costs incurred to  
 13 repair property damage if the damage is caused by law  
 14 enforcement or other emergency personnel summoned by  
 15 the resident or tenant.

16 *f.* This section does not prohibit a landlord from  
 17 terminating, evicting, or refusing to renew a tenancy  
 18 or rental agreement when such action is premised upon  
 19 grounds other than the resident's or tenant's exercise  
 20 of the right to summon law enforcement assistance or  
 21 other emergency assistance by or on behalf of a victim  
 22 of abuse, a victim of a crime, or an individual in an  
 23 emergency.

24 2. *a.* An ordinance, rule, or regulation of a  
 25 city, county, or other governmental entity shall not  
 26 authorize imposition of a penalty against a resident,  
 27 owner, tenant, or landlord because the resident, owner,  
 28 tenant, or landlord was a victim of abuse or crime.

29 *b.* An ordinance, rule, or regulation of a city,  
 30 county, or other governmental entity shall not  
 31 authorize imposition of a penalty against a resident,  
 32 owner, tenant, or landlord because the resident, owner,  
 33 tenant, or landlord sought law enforcement assistance  
 34 or other emergency assistance for a victim of abuse, a  
 35 victim of a crime, or an individual in an emergency, if

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- 1 either of the following is established:
- 2 (1) The resident, owner, tenant, or landlord  
3 seeking assistance had a reasonable belief that the  
4 emergency assistance was necessary to prevent the  
5 perpetration or escalation of the abuse, crime, or  
6 emergency.
- 7 (2) In the event of abuse, crime, or other  
8 emergency, the emergency assistance was actually  
9 needed.
- 10 c. Penalties prohibited by this subsection include  
11 all of the following:
- 12 (1) The actual or threatened assessment of  
13 penalties, fines, or fees.
- 14 (2) The actual or threatened eviction, or causing  
15 the actual or threatened eviction, from the premises.
- 16 (3) The actual or threatened revocation,  
17 suspension, or nonrenewal of a rental certificate,  
18 license, or permit.
- 19 d. This subsection does not prohibit a city,  
20 county, or other governmental entity from enforcing any  
21 ordinance, rule, or regulation premised upon grounds  
22 other than a request for law enforcement assistance  
23 or other emergency assistance by a resident, owner,  
24 tenant, or landlord, or the fact that the resident,  
25 owner, tenant, or landlord was a victim of crime or  
26 abuse.
- 27 e. This subsection does not prohibit a city,  
28 county, or other governmental entity from collecting  
29 penalties, fines, or fees for services provided  
30 which are necessitated by the cleanup of hazardous  
31 materials, the cleanup of vandalism, or a response  
32 to a false alarm call, which are incurred by the  
33 provision of emergency medical services, or which  
34 reflect other costs incurred by the city, county, or  
35 other governmental entity unrelated to responding to a

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- 1 call for law enforcement assistance or other emergency  
2 assistance.
- 3 3. In addition to other remedies provided by law,  
4 if an owner or landlord violates the provisions of this  
5 section, a resident or tenant is entitled to recover  
6 from the owner or landlord any of the following:
- 7 a. A civil penalty in an amount equal to one  
8 month's rent.
- 9 b. Actual damages.
- 10 c. Reasonable attorney fees the tenant or resident  
11 incurs in seeking enforcement of this section.
- 12 d. Court costs.

- 13 e. Injunctive relief.
- 14 4. In addition to other remedies provided by  
 15 law, if a city, county, or other governmental entity  
 16 violates the provisions of this section, a resident,  
 17 owner, tenant, or landlord is entitled to recover from  
 18 the city, county, or other governmental entity any of  
 19 the following:
- 20 a. An order requiring the city, county, or other  
 21 governmental entity to cease and desist the unlawful  
 22 practice.
- 23 b. Other equitable relief, including reinstatement  
 24 of a rental certificate, license, or permit, as the  
 25 court may deem appropriate.
- 26 c. Actual damages.
- 27 d. In a case brought by a resident or tenant, the  
 28 reasonable attorney fees the resident or tenant incurs  
 29 in seeking enforcement of this section.
- 30 e. Court costs.
- 31 5. For purposes of this section, “resident” means  
 32 a member of a tenant’s family and any other person  
 33 occupying the dwelling unit with the consent of the  
 34 tenant.>

SENATE AMENDMENT

H-8171

- 1 Amend House File 2373, as passed by the House, as  
 2 follows:
- 3 1. Page 8, by striking lines 20 through 27 and  
 4 inserting:
- 5 <f. If the foreign limited liability company is  
 6 member-managed, the name and street and mailing address  
 7 of at least one member; or if the foreign limited  
 8 liability company is manager-managed, the name and  
 9 street and mailing address of at least one manager.>

SENATE AMENDMENT

H-8172

- 1 Amend House File 2451 as follows:
- 2 1. Page 4, after line 8 by inserting:
- 3 <Sec. \_\_. **NEW SECTION. 161A.55 Qualifying**  
 4 **practices — eligibility for cost-share moneys.**
- 5 1. A landowner may submit a design to the district  
 6 for a voluntary qualifying permanent soil and water  
 7 conservation practice to be established on the  
 8 landowner’s land for approval by the district.
- 9 2. The division shall adopt rules as necessary to  
 10 administer this section, which shall include at least  
 11 all of the following:

12 a. Design standards and specifications. The  
 13 division shall adopt in whole or in part the standards  
 14 and specifications of the United States department of  
 15 agriculture, natural resources conservation service.  
 16 b. A process to approve designs for qualifying  
 17 practices, which may be established by a person having  
 18 a practical knowledge of land use and row crop farming,  
 19 that are relatively inexpensive to establish and  
 20 maintain, and that remain highly effective for a long  
 21 period of time.  
 22 c. A schedule of amounts of cost-share moneys or  
 23 other financing available under this chapter that may  
 24 be used to finance specific qualifying practices.  
 25 3. The commissioners are not required to provide  
 26 for the submission of bids to establish a qualifying  
 27 practice, unless otherwise provided in rules adopted  
 28 by the division.  
 29 4. A landowner shall not receive cost-share moneys  
 30 for preparing or submitting a design to a district.  
 31 Sec. \_\_\_\_\_. Section 542B.2, subsection 9, Code 2016,  
 32 is amended by adding the following new paragraph:  
 33 NEW PARAGRAPH. c. Notwithstanding paragraphs “a”  
 34 and “b”, a person shall not be construed to be engaged  
 35 in the practice of engineering if the person constructs

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1 or establishes a qualifying permanent soil and water  
 2 conservation practice pursuant to section 161A.55.>  
 3 2. Title page, line 2, after <program,> by  
 4 inserting <providing for the design of certain soil and  
 5 water conservation practices,>  
 6 3. By renumbering as necessary.

WILLS of Dickinson

H-8173

1 Amend House File 2451 as follows:  
 2 1. Page 6, after line 16 by inserting:  
 3 <Sec. \_\_\_\_\_. Section 456A.33A, Code 2016, is amended  
 4 to read as follows:  
 5 **456A.33A Watershed priority.**  
 6 1. a. The commission shall ~~each year~~ establish  
 7 and maintain a priority list of watersheds which are  
 8 of highest importance based on soil loss to be used  
 9 for the allocation of moneys set aside in annual  
 10 appropriations from the general fund to the department  
 11 of agriculture and land stewardship for permanent soil  
 12 conservation practices under chapter 161A on watersheds  
 13 above publicly owned lakes.  
 14 b. The commission may consider factors that  
 15 contribute to the watershed’s comparative value to the

16 state and local communities located in the watershed,  
 17 including the populations served by the watershed, the  
 18 use of the watershed as a source of drinking water,  
 19 the existence of a rare or valuable ecological system,  
 20 and recreational opportunities associated with the  
 21 watershed.

22 2. Chapter 17A does not apply to this section.

23 Sec. \_\_\_\_ Section 466B.3, subsection 6, paragraph  
 24 b, subparagraph (8), Code 2016, is amended to read as  
 25 follows:

26 (8) Develop a protocol which identifies  
 27 high-priority watersheds, including local and  
 28 community-based subwatersheds, and which appropriately  
 29 directs resources to those watersheds. The council may  
 30 consider factors that contribute to the watershed's  
 31 comparative value to the state and local communities  
 32 located in the watershed, including the population  
 33 served by the watershed, the use of the watershed  
 34 as a source of drinking water, the existence of a  
 35 rare or valuable ecological system, and recreational

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1 opportunities associated with the watershed.>

2 2. Title page, line 3, after <exemption,> by  
 3 inserting <prioritizing watersheds receiving state  
 4 assistance,>

5 3. By renumbering as necessary.

WILLS of Dickinson

H-8174

1 Amend House File 2399, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
 4 and inserting:

5 <Section 1. Section 664A.7, subsection 5, Code  
 6 2016, is amended to read as follows:

7 5. a. Violation of a no-contact order entered  
 8 for the offense or alleged offense of domestic abuse  
 9 assault in violation of section 708.2A or a violation  
 10 of a protective order issued pursuant to chapter 232,  
 11 235F, 236, 598, or 915 constitutes a public offense and  
 12 is punishable as a simple misdemeanor. Alternatively,  
 13 the court may hold a person in contempt of court for  
 14 such a violation, as provided in subsection 3.

15 b. If a person is convicted of a violation of a  
 16 no-contact order or a protective order under this  
 17 subsection, or alternatively if the person is held in  
 18 contempt of court for such a violation, as provided  
 19 in subsection 3, the court shall order the person to

20 submit to a risk assessment pursuant to section 901.5C.

21 Sec. 2. Section 708.2A, subsection 1, Code 2016, is  
22 amended to read as follows:

23 1. For the purposes of this chapter, “*domestic*  
24 *abuse assault*” means an assault, as defined in section  
25 708.1, which is domestic abuse as defined in section  
26 236.2, subsection 2, paragraph “*a*”, “*b*”, “*c*”, ~~“*d*”~~, or  
27 “*e*”.

28 Sec. 3. Section 708.2A, subsection 7, paragraph b,  
29 Code 2016, is amended by striking the paragraph and  
30 inserting in lieu thereof the following:

31 *b.* A person convicted of a violation referred to  
32 in subsection 4 shall be sentenced as provided under  
33 section 902.13.

34 Sec. 4. Section 708.2B, Code 2016, is amended to  
35 read as follows:

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1 **708.2B Treatment of domestic abuse offenders.**

2 1. As used in this section, “*district department*”  
3 means a judicial district department of correctional  
4 services, established pursuant to section 905.2. A  
5 person convicted of, or receiving a deferred judgment  
6 for, domestic abuse assault as defined in section  
7 708.2A, shall report to the district department  
8 in order to participate in a batterers’ treatment  
9 program for domestic abuse offenders. In addition, a  
10 person convicted of, or receiving a deferred judgment  
11 for, an assault, as defined in section 708.1, which  
12 is domestic abuse, as defined in section 236.2,  
13 subsection 2, paragraph “*e*”, may be ordered by the  
14 court to participate in a batterers’ treatment program.  
15 Participation in the batterers’ treatment program shall  
16 not require a person to be placed on probation, but  
17 a person on probation may participate in the program.  
18 The district departments may contract for services  
19 in completing the duties relating to the batterers’  
20 treatment programs. The district departments shall  
21 assess the fees for participation in the program, and  
22 shall either collect or contract for the collection  
23 of the fees to recoup the costs of treatment, but  
24 may waive the fee or collect a lesser amount upon a  
25 showing of cause. The fees shall be used by each of  
26 the district departments or contract service providers  
27 for the establishment, administration, coordination,  
28 and provision of direct services of the batterers’  
29 treatment programs.

30 2. In addition to the requirements of subsection 1,  
31 the court shall order a person convicted of domestic  
32 abuse assault in violation of section 708.2A to submit  
33 to a risk assessment pursuant to section 901.5C.



34 3. District departments or contract service  
 35 providers shall receive upon request peace officers'

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1 investigative reports regarding persons participating  
 2 in programs under this section. The receipt of reports  
 3 under this section shall not waive the confidentiality  
 4 of the reports under section 22.7.

5 Sec. 5. Section 708.7, subsection 2, Code 2016, is  
 6 amended by adding the following new paragraph:  
 7 NEW PARAGRAPH. c. A person convicted of harassment  
 8 in the first degree shall be sentenced under section  
 9 902.13 if the offense involved a domestic relationship  
 10 and the sentence exceeds one year.

11 Sec. 6. Section 708.11, subsection 1, paragraph b,  
 12 Code 2016, is amended to read as follows:

13 b. "*Course of conduct*" means repeatedly  
 14 maintaining a visual or physical proximity to a person  
 15 without legitimate purpose, repeatedly utilizing a  
 16 technological device to locate, listen to, or watch  
 17 a person without legitimate purpose, or repeatedly  
 18 conveying oral or written threats, threats implied  
 19 by conduct, or a combination thereof, directed at or  
 20 toward a person.

21 Sec. 7. Section 708.11, subsection 2, Code 2016, is  
 22 amended to read as follows:

23 2. A person commits stalking when all of the  
 24 following occur:

25 a. The person purposefully engages in a course of  
 26 conduct directed at a specific person that would cause  
 27 a reasonable person to feel terrorized, frightened,  
 28 intimidated, or threatened or to fear that the person  
 29 intends to cause bodily injury to, or the death of,  
 30 that specific person or a member of the specific  
 31 person's immediate family.

32 b. The person has knowledge or should have  
 33 knowledge that ~~the specific person will be placed in~~  
 34 reasonable fear of a reasonable person would feel  
 35 terrorized, frightened, intimidated, or threatened or

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1 fear that the person intends to cause bodily injury to,  
 2 or the death of, that specific person or a member of  
 3 the specific person's immediate family by the course  
 4 of conduct.

5 ~~The person's course of conduct induces fear in~~  
 6 ~~the specific person of bodily injury to, or the death~~  
 7 ~~of, the specific person or a member of the specific~~  
 8 ~~person's immediate family.~~

9 Sec. 8. Section 708.11, Code 2016, is amended by

10 adding the following new subsection:

11 NEW SUBSECTION. 3A. A person convicted under  
12 subsection 3, paragraph “a”, or subsection 3, paragraph  
13 “b”, subparagraph (1), shall be sentenced under section  
14 902.13 if the offense involved a domestic relationship.

15 Sec. 9. NEW SECTION. 708.11A Unauthorized  
16 **placement of global positioning device.**

17 1. A person commits unauthorized placement of  
18 a global positioning device, when, with intent to  
19 intimidate, annoy, or alarm another person, the person,  
20 without the consent of the other person, places a  
21 global positioning device on the other person or an  
22 object in order to track the movements of the other  
23 person without a legitimate purpose.

24 2. A person who commits a violation of this section  
25 commits a serious misdemeanor.

26 Sec. 10. NEW SECTION. 901.5C Domestic abuse  
27 **assault — no-contact order or protective order**  
28 **violations — risk assessment.**

29 1. If a person is convicted of domestic abuse  
30 assault in violation of section 708.2A, a violation of  
31 a no-contact order or a protective order under section  
32 664A.7, subsection 5, or alternatively the person  
33 is held in contempt of court for such a violation,  
34 as provided in section 664A.7, subsection 3, while  
35 under supervision by a judicial district department of

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1 correctional services, the court shall order the person  
2 to submit to a risk assessment.

3 2. The risk assessment shall be performed by  
4 the judicial district department of correctional  
5 services or a contract service provider of a batterers’  
6 treatment program for domestic abuse offenders, using  
7 a validated risk assessment developed by the board of  
8 parole and approved by the department of corrections.  
9 The court shall consider the risk assessment in  
10 determining the appropriate conditions for release.  
11 In determining whether to release a defendant, the  
12 court shall determine whether sufficient conditions  
13 for release are available that are designed to reduce  
14 the risk to another individual, detect threatening  
15 or criminal behavior, and increase the safety of  
16 individuals and the general public, and balance those  
17 determinations with the potential risk of harm if the  
18 defendant is released.

19 3. The court may order the defendant to participate  
20 in a program that includes the use of an electronic  
21 tracking and monitoring system as a condition of  
22 release. When ordering the use of an electronic  
23 tracking and monitoring system the court shall consider

24 the safety of the victim and other legitimate factors  
25 that may impact all of the parties. If an electronic  
26 tracking and monitoring system is ordered, the court  
27 shall order the defendant to pay the costs associated  
28 with the imposition of the system. If the defendant  
29 fails to pay the fees of the electronic tracking and  
30 monitoring system in a timely manner, the court may  
31 impose garnishment of the defendant's wages in order to  
32 meet the payment obligation.

33 Sec. 11. NEW SECTION. 902.13 **Minimum sentence for**  
34 **certain domestic abuse assault, harassment, and stalking**  
35 **offenses.**

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1 1. As used in this section, unless the context  
2 otherwise requires:  
3 a. (1) "*Family or household members*" means spouses,  
4 persons cohabiting, parents, or other persons related  
5 by consanguinity or affinity.  
6 (2) "*Family or household members*" does not include  
7 children under age eighteen of persons listed in  
8 subparagraph (1).  
9 b. "*Intimate relationship*" means a significant  
10 romantic involvement that need not include sexual  
11 involvement. An intimate relationship does not include  
12 casual social relationships or associations in a  
13 business or professional capacity.  
14 c. "*Offense involving a domestic relationship*"  
15 means an offense involving any of the following  
16 circumstances:  
17 (1) The offense is between family or household  
18 members who resided together at the time of the  
19 offense.  
20 (2) The offense is between separated spouses or  
21 persons divorced from each other and not residing  
22 together at the time of the offense.  
23 (3) The offense is between persons who are parents  
24 of the same minor child, regardless of whether they  
25 have been married or have lived together at any time.  
26 (4) The offense is between persons who have been  
27 family or household members residing together within  
28 the past year and are not residing together at the time  
29 of the offense.  
30 (5) (a) The offense is between persons who are in  
31 an intimate relationship or have been in an intimate  
32 relationship and have had contact with one another  
33 within the past year immediately preceding the time of  
34 the offense. In determining whether persons are or  
35 have been in an intimate relationship, the court may

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1 consider the following nonexclusive list of factors:

2 (i) The duration of the relationship.

3 (ii) The frequency of interaction.

4 (iii) Whether the relationship has been terminated.

5 (iv) The nature of the relationship, characterized

6 by either party's expectation of sexual or romantic

7 involvement.

8 (b) A person may be involved in an intimate

9 relationship with more than one person at a time.

10 2. a. A person who has been convicted of a third

11 or subsequent offense of domestic abuse assault under

12 section 708.2A, subsection 4, shall be denied parole

13 or work release until the person has served between

14 one-fifth of the maximum term and the maximum term of

15 the person's sentence as provided in subsection 3.

16 b. A person who has been convicted of the offense

17 of harassment in the first degree under section 708.7,

18 subsection 2, and the offense involved a domestic

19 relationship, shall be denied parole or work release

20 until the person has served between one-half of the

21 maximum term and the maximum term of the person's

22 sentence as provided in subsection 3, if the person

23 is committed to the custody of the director of the

24 department of corrections.

25 c. A person who has been convicted of a third or

26 subsequent offense of stalking under section 708.11,

27 subsection 3, paragraph "a", and the offense involved a

28 domestic relationship, shall be denied parole or work

29 release until the person has served between one-fifth

30 of the maximum term and the maximum term of the

31 person's sentence as provided in subsection 3.

32 d. A person who has been convicted of the offense

33 of stalking under section 708.11, subsection 3,

34 paragraph "b", subparagraph (1), and the offense

35 involved a domestic relationship, shall be denied

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1 parole or work release until the person has served

2 between one-fifth of the maximum term and the maximum

3 term of the person's sentence as provided in subsection

4 3.

5 3. The sentencing court shall determine, after

6 receiving and examining all pertinent information

7 referred to in section 901.5, the minimum term of

8 confinement, within the parameters set forth in

9 subsection 2, required to be served before a person may

10 be paroled or placed on work release.

11 Sec. 12. Section 903A.2, subsection 1, paragraph a,

12 unnumbered paragraph 1, Code 2016, is amended to read

13 as follows:

14 Category "A" sentences are those sentences which  
 15 are not subject to a maximum accumulation of earned  
 16 time of fifteen percent of the total sentence of  
 17 confinement under section 902.12 or 902.13. To the  
 18 extent provided in subsection 5, category "A" sentences  
 19 also include life sentences imposed under section  
 20 902.1. An inmate of an institution under the control  
 21 of the department of corrections who is serving a  
 22 category "A" sentence is eligible for a reduction of  
 23 sentence equal to one and two-tenths days for each day  
 24 the inmate demonstrates good conduct and satisfactorily  
 25 participates in any program or placement status  
 26 identified by the director to earn the reduction. The  
 27 programs include but are not limited to the following:

28 Sec. 13. Section 903A.2, subsection 1, paragraph b,  
 29 Code 2016, is amended to read as follows:

30 *b.* (1) Category "B" sentences are those sentences  
 31 which are subject to a maximum accumulation of earned  
 32 time of fifteen percent of the total sentence of  
 33 confinement under section 902.12 or 902.13. An inmate  
 34 of an institution under the control of the department  
 35 of corrections who is serving a category "B" sentence

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1 is eligible for a reduction of sentence equal to  
 2 fifteen eighty-fifths of a day for each day of good  
 3 conduct by the inmate.

4 (2) An inmate required to participate in a domestic  
 5 abuse treatment program shall not be eligible for a  
 6 reduction of sentence unless the inmate participates  
 7 in and completes a domestic abuse treatment program  
 8 established by the director.

9 Sec. 14. Section 904A.4, subsection 8, Code 2016,  
 10 is amended to read as follows:

11 8. a. The board of parole shall implement a risk  
 12 assessment program which shall provide risk assessment  
 13 analysis for the board.

14 *b.* The board of parole shall also develop a risk  
 15 assessment validated for domestic abuse-related  
 16 offenses in consultation with the department of  
 17 corrections. The board may adopt rules pursuant to  
 18 chapter 17A relating to the use of the domestic abuse  
 19 risk assessment.

20 Sec. 15. **NEW SECTION. 905.16 Electronic tracking**  
 21 **and monitoring system.**

22 1. A person placed on probation, parole, work  
 23 release, special sentence, or any other type of  
 24 conditional release for any of the following offenses  
 25 may be supervised by an electronic tracking and  
 26 monitoring system in addition to any other conditions

27 of supervision:

28 *a.* Domestic abuse assault in violation of section  
29 708.2A, subsection 4.

30 *b.* Harassment in the first degree in violation of  
31 section 708.7, subsection 2, if the offense involved a  
32 domestic relationship as defined in section 902.13.

33 *c.* Stalking under section 708.11, subsection 3,  
34 paragraph “*a*”, if the offense involved a domestic  
35 relationship as defined in section 902.13.

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1 *d.* Stalking under section 708.11, subsection  
2 3, paragraph “*b*”, subparagraph (1), if the offense  
3 involved a domestic relationship as defined in section  
4 902.13.

5 2. When considering whether to order the use of an  
6 electronic tracking and monitoring system the court  
7 shall consider the safety of the victim and other  
8 legitimate factors that may impact all of the parties.

9 Sec. 16. Section 907.3, subsection 1, paragraph  
10 a, Code 2016, is amended by adding the following new  
11 subparagraphs:

12 NEW SUBPARAGRAPH. (013) The offense is a violation  
13 referred to in section 708.2A, subsection 4.

14 NEW SUBPARAGRAPH. (0013) The offense is a  
15 violation of section 708.7, subsection 2, and the  
16 offense involved a domestic relationship as defined in  
17 section 902.13.

18 NEW SUBPARAGRAPH. (00013) The offense is a  
19 violation referred to in section 708.11, subsection  
20 3, paragraph “*a*”, and the offense involved a domestic  
21 relationship as defined in section 902.13.

22 NEW SUBPARAGRAPH. (000013) The offense is a  
23 violation of section 708.11, subsection 3, paragraph  
24 “*b*”, subparagraph (1), and the offense involved a  
25 domestic relationship as defined in section 902.13.

26 Sec. 17. Section 907.3, subsection 2, paragraph  
27 a, Code 2016, is amended by adding the following new  
28 subparagraphs:

29 NEW SUBPARAGRAPH. (8) The offense is a violation  
30 referred to in section 708.2A, subsection 4.

31 NEW SUBPARAGRAPH. (9) The offense is a violation  
32 of section 708.7, subsection 2, and the offense  
33 involved a domestic relationship as defined in section  
34 902.13.

35 NEW SUBPARAGRAPH. (10) The offense is a violation

PAGE 11

1 of section 708.11, subsection 3, paragraph “*a*”, and the  
2 offense involved a domestic relationship as defined in

3 section 902.13.  
 4 NEW SUBPARAGRAPH. (11) The offense is a violation  
 5 of section 708.11, subsection 3, paragraph “b”,  
 6 subparagraph (1), and the offense involved a domestic  
 7 relationship as defined in section 902.13.  
 8 Sec. 18. Section 907.3, subsection 3, Code 2016, is  
 9 amended by adding the following new paragraph:  
 10 NEW PARAGRAPH. *0a.* The sentence imposed under  
 11 section 902.13 for a violation referred to in section  
 12 708.2A, subsection 4.>  
 13 2. Title page, by striking lines 1 and 2 and  
 14 inserting <An Act relating to the criminal offenses  
 15 of stalking, harassment, unauthorized placement of a  
 16 global positioning device, and domestic abuse, and  
 17 providing penalties.>

## SENATE AMENDMENT

H-8175

1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 9, after line 12 by inserting:  
 4 <\_\_. Page 4, after line 8 by inserting:  
 5 <Sec. \_\_. **NEW SECTION. 161A.55 Qualifying**  
 6 **practices — eligibility for cost-share moneys.**  
 7 1. A landowner may submit a design to the district  
 8 for a voluntary qualifying permanent soil and water  
 9 conservation practice to be established on the  
 10 landowner’s land for approval by the district.  
 11 2. The division shall adopt rules as necessary to  
 12 administer this section, which shall include at least  
 13 all of the following:  
 14 a. Design standards and specifications. The  
 15 division shall adopt in whole or in part the standards  
 16 and specifications of the United States department of  
 17 agriculture, natural resources conservation service.  
 18 b. A process to approve designs for qualifying  
 19 practices, which may be established by a person having  
 20 a practical knowledge of land use and row crop farming,  
 21 that are relatively inexpensive to establish and  
 22 maintain, and that remain highly effective for a long  
 23 period of time.  
 24 c. A schedule of amounts of cost-share moneys or  
 25 other financing available under this chapter that may  
 26 be used to finance specific qualifying practices.  
 27 3. The commissioners are not required to provide  
 28 for the submission of bids to establish a qualifying  
 29 practice, unless otherwise provided in rules adopted  
 30 by the division.  
 31 4. A landowner shall not receive cost-share moneys  
 32 for preparing or submitting a design to a district.>

- 33 2. Page 12, after line 31 by inserting:  
 34 <\_\_. Page 6, after line 16 by inserting:  
 35 Sec. \_\_. Section 542B.2, subsection 9, Code 2016,

## PAGE 2

- 1 is amended by adding the following new paragraph:  
 2 NEW PARAGRAPH. c. Notwithstanding paragraphs “a”  
 3 and “b”, a person shall not be construed to be engaged  
 4 in the practice of engineering if the person constructs  
 5 or establishes a qualifying permanent soil and water  
 6 conservation practice pursuant to section 161A.55.>>  
 7 3. Page 13, line 16, after <initiative,> by  
 8 inserting <providing for the design of certain soil and  
 9 water conservation practices,>  
 10 4. By renumbering as necessary.

WILLS of Dickinson

## H-8176

- 1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 9, after line 15 by inserting:  
 4 <\_\_. Page 6, after line 16 by inserting:  
 5 <Sec. \_\_. Section 456A.33A, Code 2016, is amended  
 6 to read as follows:  
 7 **456A.33A Watershed priority.**  
 8 1. a. The commission shall ~~each year~~ establish  
 9 and maintain a priority list of watersheds which are  
 10 of highest importance based on soil loss to be used  
 11 for the allocation of moneys set aside in annual  
 12 appropriations from the general fund to the department  
 13 of agriculture and land stewardship for permanent soil  
 14 conservation practices under chapter 161A on watersheds  
 15 above publicly owned lakes.  
 16 b. The commission may consider factors that  
 17 contribute to the watershed’s comparative value to the  
 18 state and local communities located in the watershed,  
 19 including the populations served by the watershed, the  
 20 use of the watershed as a source of drinking water,  
 21 the existence of a rare or valuable ecological system,  
 22 and recreational opportunities associated with the  
 23 watershed.  
 24 2. Chapter 17A does not apply to this section.  
 25 Sec. \_\_. Section 466B.3, subsection 6, paragraph  
 26 b, subparagraph (8), Code 2016, is amended to read as  
 27 follows:  
 28 (8) Develop a protocol which identifies  
 29 high-priority watersheds, including local and  
 30 community-based subwatersheds, and which appropriately  
 31 directs resources to those watersheds. The council may



32 consider factors that contribute to the watershed's  
 33 comparative value to the state and local communities  
 34 located in the watershed, including the population  
 35 served by the watershed, the use of the watershed

PAGE 2

1 as a source of drinking water, the existence of a  
 2 rare or valuable ecological system, and recreational  
 3 opportunities associated with the watershed.>  
 4 2. Page 13, after line 16 by inserting:  
 5 <\_. Title page, line 3, after <exemption,> by  
 6 inserting <prioritizing watersheds receiving state  
 7 assistance,>>  
 8 3. By renumbering as necessary.

WILLS of Dickinson

H-8177

1 Amend House File 2451 as follows:  
 2 1. Page 1, line 26, after <systems> by inserting <\_  
 3 including source water protection projects>  
 4 2. Page 2, lines 13 and 14, by striking <federal or  
 5 state> and inserting <federal, ~~or~~ state, or private>

SANDS of Louisa

H-8178

1 Amend House File 2451 as follows:  
 2 1. Page 2, after line 27 by inserting:  
 3 <h. Priority shall also be given to communities  
 4 that employ technology to address the latest version  
 5 of the "Iowa Nutrient Reduction Strategy" initially  
 6 presented in November 2012 by the department of  
 7 agriculture and land stewardship, the department of  
 8 natural resources, and Iowa state university of science  
 9 and technology.>  
 10 2. By renumbering as necessary.

GRASSLEY of Butler

H-8179

1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 3, line 16, by striking <2038> and  
 4 inserting <2030>  
 5 2. Page 3, line 21, by striking <2037> and  
 6 inserting <2029>  
 7 3. Page 9, after line 15 by inserting:

- 8 <\_\_. Page 6, line 16, by striking <July 1, 2037.>  
9 and inserting <upon the occurrence of one of the  
10 following, whichever is earlier:  
11 1. The enactment date that the tax rate for the  
12 sales tax imposed upon the retail sales price of  
13 tangible personal property and the furnishing of  
14 enumerated services sold in this state in effect on  
15 July 1, 2015, is increased.  
16 2. July 1, 2029.>>  
17 4. By renumbering as necessary.

NUNN of Polk

H-8180

- 1 Amend the House amendment, S-5102, to Senate File  
2 453, as passed by the Senate, as follows:  
3 1. Page 2, line 13, after <miles> by inserting <by  
4 the shortest driving distance>  
5 2. By renumbering as necessary.

SENATE AMENDMENT

H-8181

- 1 Amend the amendment, H-8161, to House File 2451 as  
2 follows:  
3 1. Page 11, line 7, after <expenditures> by  
4 inserting <, by hydrologic unit code 8 watershed,>  
5 2. Page 12, after line 22 by inserting:  
6 <\_\_. Notwithstanding any other provision of this  
7 section to the contrary, the division may use any  
8 amount available to support the water quality urban  
9 infrastructure program to develop and maintain an  
10 online resource displaying measurable indicators of  
11 desirable change in water quality within the state's  
12 watersheds. These measurable indicators may include  
13 but are not limited to public and private funding  
14 inputs, involvement in water quality projects, and  
15 improvements, land use, practice adoption, calculated  
16 load reduction, and measured loads at existing  
17 monitoring stations.>  
18 3. By renumbering, redesignating, and correcting  
19 internal references as necessary.

GRASSLEY of Butler

H-8182

- 1 Amend the amendment, H-8161, to House File 2451 as  
2 follows:  
3 1. Page 2, after line 34 by inserting:

- 4 <\_\_. Page 1, line 19, by striking <423G.6> and  
 5 inserting <16.134A>>  
 6 2. Page 3, line 21, by striking <2017> and  
 7 inserting <2016>  
 8 3. Page 4, line 9, by striking <committee> and  
 9 inserting <authority>  
 10 4. Page 4, line 14, by striking <committee> and  
 11 inserting <authority>  
 12 5. Page 4, line 23, by striking <drainage  
 13 district,>  
 14 6. Page 5, line 4, by striking <committee> and  
 15 inserting <authority>  
 16 7. Page 7, line 34, by striking <2018> and  
 17 inserting <2017>  
 18 8. Page 8, by striking line 13 and inserting  
 19 <Projects shall use practices identified in>  
 20 9. Page 12, line 23, by striking <2018> and  
 21 inserting <2017>  
 22 10. Page 13, by striking lines 1 through 9 and  
 23 inserting:  
 24 <1. The section of this Act amending section 423.3.  
 25 2. The sections of this Act enacting chapter 423G.  
 26 Sec. \_\_. EFFECTIVE DATE. The following provisions  
 27 of this Act take effect January 1, 2017:  
 28 1. The section of this Act amending section 16.134.  
 29 2. The section of this Act enacting sections  
 30 16.143, 16.144, 16.145, and 16.146.  
 31 3. The section of this Act enacting section  
 32 466B.44.>  
 33 11. By renumbering as necessary.

GRASSLEY of Butler

H-8183

- 1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 9, after line 12 by inserting:  
 4 <\_\_. Page 4, after line 8 by inserting:  
 5 <Sec. \_\_. NEW SECTION. 266.60 Watershed reporting  
 6 **internet site.**  
 7 Iowa state university of science and technology, in  
 8 cooperation with the state university of Iowa and the  
 9 university of northern Iowa, shall develop and maintain  
 10 an interactive internet site to compile the following  
 11 information for hydrologic unit code 12 watershed  
 12 areas:  
 13 1. A list of state and federal water quality  
 14 projects engaged in within the watershed areas.  
 15 Private entities engaged in water quality projects may  
 16 at their option also submit data on such water quality  
 17 projects undertaken by the private entity.

- 18 2. A list of moneys being expended by entities  
 19 on projects listed pursuant to subsection 1. Private  
 20 entities engaged in water quality projects may at their  
 21 option also submit financial information on such water  
 22 quality projects undertaken by the private entity.  
 23 3. A list of the rate of nitrates and phosphates in  
 24 the watershed area.  
 25 4. A list of extraneous circumstances and variables  
 26 that would affect the rates of nitrates and phosphates  
 27 within the watershed area, such as landscape, soil  
 28 type, slope, and weather-related conditions.>>  
 29 2. Page 13, line 16, after <initiative,> by  
 30 inserting <providing for the creation of an interactive  
 31 water quality database,>  
 32 3. By renumbering as necessary.

RUNNING-MARQUARDT of Linn

H-8184

- 1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 4, line 14, after <committee,> by inserting  
 4 <a watershed management authority created under section  
 5 466B.22,>

ISENHART of Dubuque  
 STAED of Linn  
 HANSON of Jefferson  
 STUTSMAN of Johnson  
 ANDERSON of Polk

KELLEY of Jasper  
 LENSING of Johnson  
 WINCKLER of Scott  
 MASCHER of Johnson  
 MEYER of Polk

H-8185

- 1 Amend the amendment, H-8161, to House File 2451, as  
 2 follows:  
 3 1. Page 10, line 9, after <basis> by inserting  
 4 <which shall not exceed fifty percent of the estimated  
 5 cost or fifty percent of the actual cost, whichever is  
 6 less>  
 7 2. Page 10, line 23, after <basis> by inserting  
 8 <which shall not exceed fifty percent of the estimated  
 9 cost or fifty percent of the actual cost, whichever is  
 10 less>  
 11 3. Page 11, line 33, after <basis> by inserting  
 12 <which shall not exceed fifty percent of the estimated  
 13 cost or fifty percent of the actual cost, whichever is  
 14 less,>

ISENHART of Dubuque  
 LENSING of Johnson  
 MASCHER of Johnson

KELLEY of Jasper  
 STAED of Linn  
 MEYER of Polk

H-8186

1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 2, after line 34 by inserting:  
 4 <\_\_. Page 1, line 10, by striking <authority> and  
 5 inserting <authority clean water commission created in  
 6 section 466D.1>>  
 7 2. Page 3, after line 6 by inserting:  
 8 <\_\_. Page 3, by striking lines 4 through 6.>  
 9 3. Page 6, line 10, by striking <authority> and  
 10 inserting <clean water commission created in section  
 11 466D.1>  
 12 4. By striking page 7, line 34, through page 8,  
 13 line 3.  
 14 5. Page 9, after line 16 by inserting:  
 15 <\_\_. Page 6, after line 16 by inserting:  
 16 <Sec. \_\_. Section 466B.2, Code 2016, is amended by  
 17 adding the following new subsection:  
 18 NEW SUBSECTION. 01. "Commission" means the clean  
 19 water commission created in section 466D.1.  
 20 Sec. \_\_. Section 466B.3, subsections 1 and 2, Code  
 21 2016, are amended to read as follows:  
 22 1. Council established. A water resources  
 23 coordinating council is established within the  
 24 department of agriculture and land stewardship. The  
 25 council shall carry out the powers and duties described  
 26 in this section in accordance with the policies and  
 27 under the direction and supervision of the commission.  
 28 The council shall advise the commission as required by  
 29 the commission.  
 30 2. Purpose. The purpose of the council shall be  
 31 to advise the commission regarding strategies and  
 32 methods to preserve and protect Iowa's water resources,  
 33 and to coordinate the management of those resources  
 34 in a sustainable and fiscally responsible manner. In  
 35 the pursuit of this purpose providing advice to the

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1 commission and acting in accordance with its policies,  
 2 and under its direction and supervision, the council  
 3 shall use an integrated approach to water resource  
 4 management, recognizing that insufficiencies exist  
 5 in current approaches and practices, as well as in  
 6 funding sources and the utilization of funds. The  
 7 integrated approach ~~used by the council~~ shall attempt  
 8 to overcome old categories, labels, and obstacles  
 9 with the primary goal of managing the state's water  
 10 resources comprehensively rather than compartmentally.  
 11 Sec. \_\_. Section 466B.3, subsection 3, unnumbered

12 paragraph 1, Code 2016, is amended to read as follows:

13 The success of ~~the council's~~ efforts made under this  
14 section shall ultimately be measured by the following  
15 outcomes:

16 Sec. \_\_\_\_ Section 466B.3, subsection 6, paragraph  
17 c, Code 2016, is amended to read as follows:

18 c. The council, acting in accordance with the  
19 policies and under the direction and supervision of the  
20 commission, shall develop recommendations for policies  
21 and funding promoting a watershed management approach  
22 to reduce the adverse impact of future flooding on this  
23 state's residents, businesses, communities, and soil  
24 and water quality. The council and the commission  
25 shall consider policies and funding options for various  
26 strategies to reduce the impact of flooding, including  
27 but not limited to additional floodplain regulation;  
28 wetland protection, restoration, and construction; the  
29 promulgation and implementation of statewide storm  
30 water management standards; conservation easements and  
31 other land management; perennial ground cover and other  
32 agricultural conservation practices; pervious pavement,  
33 bioswales, and other urban conservation practices; and  
34 permanent or temporary water retention structures.  
35 In developing recommendations, the council and the

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1 commission shall consult with hydrological and land use  
2 experts, representatives of cities, counties, drainage  
3 and levee districts, agricultural interests, and soil  
4 and water conservation districts, and other urban and  
5 regional planning experts.

6 Sec. \_\_\_\_ Section 466B.31, subsection 1, Code 2016,  
7 is amended to read as follows:

8 1. a. A watershed planning advisory council is  
9 established for purposes of assembling a diverse  
10 group of stakeholders to review research and make  
11 recommendations to various state entities regarding  
12 methods to protect water resources in the state,  
13 assure an adequate supply of water, mitigate and  
14 prevent floods, and coordinate the management of those  
15 resources in a sustainable, fiscally responsible, and  
16 environmentally responsible manner.

17 b. The council shall carry out the powers and  
18 duties described in this section in accordance with the  
19 policies and under the direction and supervision of the  
20 commission. The council shall advise the commission as  
21 required by the commission.

22 c. The advisory commission shall supervise the  
23 council ~~may seek in seeking~~ input from councils of  
24 governments or other organizations in the development  
25 of its recommendations. The advisory council shall

26 meet once a year and at other times as deemed necessary  
 27 to meet the requirements of this section. The advisory  
 28 council may appoint a task force to assist the advisory  
 29 council in completing its duties.

30 Sec. \_\_\_\_ Section 466B.31, subsection 3, unnumbered  
 31 paragraph 1, Code 2016, is amended to read as follows:

32 By December 1 of each year, the watershed planning  
 33 advisory council with approval by the commission shall  
 34 submit a report to the governor, the general assembly,  
 35 the department of agriculture and land stewardship,

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1 the department of natural resources, and the water  
 2 resources coordinating council. The report shall  
 3 include recommendations regarding all of the following:

4 Sec. \_\_\_\_ Section 466B.42, Code 2016, is amended to  
 5 read as follows:

6 **466B.42 Water quality initiative.**

7 ~~The division shall establish a~~ A water quality  
 8 initiative ~~is established~~ in order to assess and  
 9 reduce nutrients in this state's watersheds, including  
 10 subwatersheds, and regional watersheds. ~~The division~~  
 11 commission shall establish oversee and the division,  
 12 acting in accordance with the policies and under the  
 13 direction and supervision of the commission, shall  
 14 administer the water quality initiative and advise the  
 15 commission as required by the commission. As part of  
 16 the initiative, the division shall administer projects  
 17 to reduce nutrients in surface waters from nonpoint  
 18 sources in a scientific, reasonable, and cost-effective  
 19 manner. ~~The commission and the~~ division shall utilize  
 20 a pragmatic, strategic, and coordinated approach with  
 21 the goal of accomplishing reductions over time.>>

22 6. Page 11, by striking lines 4 through 8.

23 7. Page 12, by striking lines 23 through 27.

24 8. Page 12, after line 31 by inserting:

25 <\_\_\_\_. Page 6, after line 16 by inserting:

26 <Sec. \_\_\_\_ Section 466B.45, subsections 1 through  
 27 3, Code 2016, are amended to read as follows:

28 1. A water quality initiative fund is created in  
 29 the state treasury under the management and control  
 30 of the commission which shall be administered by the  
 31 division.

32 2. The fund shall include moneys appropriated  
 33 by the general assembly. The fund may include other  
 34 moneys available to and obtained or accepted by the  
 35 ~~division~~ commission, including moneys from public or

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1 private sources.

2 3. Moneys in the fund are appropriated to the  
 3 ~~division~~ commission and shall be used exclusively to  
 4 carry out the provisions of this subchapter by the  
 5 division as determined by the ~~division~~ commission, and  
 6 shall not require further special authorization by the  
 7 general assembly.>>

8 Sec. \_\_\_\_ NEW SECTION. 466D.1 Clean water  
 9 commission — appointment and administration.

10 1. There is created a clean water commission which  
 11 shall be housed in the department of agriculture and  
 12 land stewardship.

13 2. The commission shall be composed of nine voting  
 14 members appointed by the governor, subject to senate  
 15 confirmation.

16 3. The commission shall be comprised of four  
 17 legislative members who shall serve in a nonvoting  
 18 ex officio capacity. The legislative members shall  
 19 include all of the following:

20 a. Two members of the senate. One senator shall be  
 21 appointed by the majority leader of the senate and one  
 22 senator shall be appointed by the minority leader of  
 23 the senate.

24 b. Two members of the house of representatives.  
 25 One member shall be appointed by the speaker of the  
 26 house of representatives and one member shall be  
 27 appointed by the minority leader of the house of  
 28 representatives.

29 4. The voting members shall serve four-year terms  
 30 and may be reappointed. The initial terms of the  
 31 voting members shall be staggered at the discretion of  
 32 the governor. Nonvoting members shall serve at the  
 33 pleasure of the persons making their appointments.

34 5. Sections 69.16, 69.16A, and 69.19 shall apply to  
 35 the voting members.

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1 6. a. A member, other than a legislative member,  
 2 is eligible to receive compensation as provided in  
 3 section 7E.6, and shall be reimbursed for actual and  
 4 necessary expenses incurred in performance of the  
 5 member's duties. All expenses shall be paid from  
 6 appropriations for such purposes, and the commission  
 7 shall be subject to the budget requirements of chapter  
 8 8.

9 b. A legislative member serves for a term as  
 10 provided in section 69.16B and is eligible for per diem  
 11 and expenses as provided in section 2.10.

12 7. The commission shall meet in January of each  
 13 year for the purpose of electing one of its voting  
 14 members as chairperson.

15 8. The commission shall meet on a regular basis



16 and at the call of the chairperson or upon the written  
 17 request to the chairperson of five or more members.  
 18 Written notice of the time and place of the meeting  
 19 shall be given to each member.

20 9. A majority of voting members constitutes a  
 21 quorum, and the affirmative vote of a majority of  
 22 voting members is necessary for any action taken by  
 23 the board, except that a lesser number may adjourn a  
 24 meeting.

25 10. Any vacancy in the membership of the commission  
 26 shall be filled in the same manner as regular  
 27 appointments are made for the unexpired portion of  
 28 the regular term. A vacancy in the membership of the  
 29 commission does not impair the rights of a quorum to  
 30 exercise all rights and perform all duties of the  
 31 commission.

32 11. A person shall not serve as a member of the  
 33 commission if the person has an interest in a contract  
 34 or job of work or material or the profits thereof  
 35 or service to be performed for the department of

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1 agriculture and land stewardship or the department of  
 2 natural resources. Any member of the commission who  
 3 accepts employment with or acquires any stock, bonds,  
 4 or other interest in any company or corporation doing  
 5 business with the department of agriculture and land  
 6 stewardship or the department of natural resources  
 7 shall be disqualified from remaining a member of the  
 8 commission.

9 12. The department of agriculture and land  
 10 stewardship in cooperation with the department of  
 11 natural resources shall assist the commission by doing  
 12 all of the following:

13 a. Provide the commission with necessary  
 14 facilities, items, and clerical support.  
 15 b. Perform administrative functions necessary for  
 16 the management of the commission.

17 Sec. \_\_\_\_ **NEW SECTION. 466D.2 Clean water**  
 18 **commission — powers and duties.**

19 1. The purpose of the clean water commission shall  
 20 be to oversee the management and fiscal components of  
 21 all of the following:

22 a. The wastewater and drinking water treatment  
 23 financial assistance program created in section 16.134  
 24 as administered by the Iowa finance authority.

25 b. The water quality financing program created  
 26 in section 16.144 as administered by the Iowa finance  
 27 authority in cooperation with the department of natural  
 28 resources and the department of agriculture and land  
 29 stewardship.

30 c. The water resources coordinating council  
31 activities as provided in section 466B.3.  
32 d. The activities of the watershed planning  
33 advisory council as provided in section 466B.31.  
34 e. The water quality initiative and water quality  
35 initiative fund as provided in sections 466B.42 and

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1 466B.45.  
2 f. The water quality agriculture infrastructure  
3 programs created in section 466B.43, including an  
4 edge-of-field infrastructure program and an in-field  
5 infrastructure program, as administered by the  
6 division of soil conservation and water quality of the  
7 department of agriculture and land stewardship.  
8 g. The water quality urban infrastructure program  
9 created in section 466B.44 as administered by the  
10 division of soil conservation and water quality of the  
11 department of agriculture and land stewardship.  
12 2. The clean water commission shall establish  
13 in-stream water quality improvement objectives of  
14 programs described in subsection 1 to be achieved by  
15 dates identified by the commission which shall include  
16 program timelines and milestones. The commission  
17 shall benchmark, monitor, measure, and publicly report  
18 progress toward achieving program objectives on a  
19 watershed basis.  
20 3. The commission may develop and update  
21 comprehensive water quality policies and plans,  
22 including integration of existing plans, programs,  
23 and projects. The commission shall use existing data  
24 and amend, augment, and consolidate existing plans or  
25 strategies which have improved or which promise to  
26 improve water quality. The information collected by  
27 the department shall be made readily available and  
28 maintained in a computer-readable format.  
29 4. The commission may identify additional water  
30 quality improvement needs on a watershed basis,  
31 including the need to develop new or innovative  
32 programs or projects.  
33 5. By October 1, 2017, and by October 1 of each  
34 year thereafter, the commission shall submit a report  
35 to the governor and the general assembly on the

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1 programs described in subsection 1. A report shall  
2 include all of the following:  
3 a. A description and update of the current status  
4 of the programs and associated projects, and the  
5 expenditure of moneys appropriated to support the

6 programs and associated projects.  
 7     **b.** An evaluation of the successes and failures  
 8 of each program and associated project in meeting  
 9 the program’s objectives. The report shall include  
 10 any legislative proposals to enact, amend, or repeal  
 11 statutes and any administrative proposals to adopt,  
 12 revise, or rescind administrative rules.  
 13     6. The Iowa finance authority, the department of  
 14 natural resources, the department of agriculture and  
 15 land stewardship, and the water quality financing  
 16 review committee created in section 16.134 shall  
 17 cooperate with the commission in providing the  
 18 commission with all information necessary in order for  
 19 the commission to carry out the provisions of this  
 20 section.  
 21     7. The commission shall adopt rules pursuant to  
 22 chapter 17A for the administration of this chapter.  
 23 The commission, in consultation with the Iowa finance  
 24 authority, the department of natural resources, the  
 25 department of agriculture and land stewardship, and  
 26 the water quality finance review committee created in  
 27 section 16.134, shall adopt rules pursuant to chapter  
 28 17A for the administration of the programs under the  
 29 purview of the commission.>>  
 30     9. Page 13, line 16, after <initiative,> by  
 31 inserting <establishing a clean water commission  
 32 and transferring certain powers and duties to the  
 33 commission,>  
 34     10. By renumbering, redesignating, and correcting  
 35 internal references as necessary.

ISENHART of Dubuque	ANDERSON of Polk
BERRY of Black Hawk	BROWN-POWERS of Black Hawk
FINKENAUER of Dubuque	FORBES of Polk
GASKILL of Wapello	HANSON of Jefferson
KELLEY of Jasper	LENSING of Johnson
MEYER of Polk	OLSON of Polk
PRICHARD of Floyd	STAED of Linn
STUTSMAN of Johnson	WESSEL-KROESCHELL of Story
WINCKLER of Scott	WOLFE of Clinton

H-8187

1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:  
 3 1. Page 2, after line 34 by inserting:  
 4 <\_. Page 1, line 28, by striking <design>  
 5 and inserting <design, including engineering and  
 6 technical assistance provided by a utility management  
 7 organization formed under chapter 28E or operated by

8 a rural water system organized under chapter 357A or  
9 chapter 504>>

PRICHARD of Floyd

H-8188

1 Amend the amendment, H-8161, to House File 2451 as  
2 follows:

- 3 1. Page 9, after line 12 by inserting:  
4 <\_\_. Page 5, line 35, after <department> by  
5 inserting <shall first transfer one-sixth of the  
6 revenues collected under section 423G.3 to the secure  
7 an advanced vision for education fund created in  
8 section 423F.2, and then from the remaining revenues>>  
9 2. By renumbering as necessary.

PRICHARD of Floyd

H-8189

1 Amend the amendment, H-8161, to House File 2451 as  
2 follows:

- 3 1. Page 3, line 27, by striking <forty-five> and  
4 inserting <sixty>
- 5 2. Page 3, by striking lines 30 through 34.
- 6 3. By renumbering as necessary.

PRICHARD of Floyd

H-8190

1 Amend the amendment, H-8161, to House File 2451 as  
2 follows:

- 3 1. Page 9, after line 12 by inserting:  
4 <\_\_. Page 4, line 29, by striking <Water> and  
5 inserting <**State-imposed water**>  
6 \_\_\_. Page 4, after line 32 by inserting:  
7 <Sec. \_\_. **NEW SECTION. 423G.3A Locally imposed**  
8 **water service tax.**  
9 1. *a.* A county that is not subject to subsection 2  
10 may impose a local water service tax at a rate of not  
11 more than one percent of the sales price from the sale  
12 or furnishing by a water utility of a water service  
13 in the state to consumers or users. The tax shall be  
14 imposed, collected, and administered in the same manner  
15 as the local sales and services tax in chapter 423B and  
16 sections 423B.1 and 423B.5 through 423B.10, consistent  
17 with the provisions of this chapter, shall apply with  
18 respect to the tax authorized under this subsection,  
19 in the same manner and with the same effect as if the  
20 local water service tax was a local sales and services

21 tax within the meaning of chapter 423B.  
 22 *b.* The question of the imposition of a local water  
 23 service tax may be submitted at the same election as  
 24 the local option taxes authorized under chapter 423B  
 25 and shall be stated on the ballot as questions to be  
 26 voted on separately.  
 27 *c.* This subsection shall not be construed to  
 28 require a county to impose a local water service tax  
 29 if the question of imposing a local sales and services  
 30 tax is approved at election.  
 31 2. *a.* If a city or county has in effect a local  
 32 sales and services tax under chapter 423B on the  
 33 effective date of this Act, that city or county shall  
 34 impose on and after the effective date of this Act  
 35 a local water service tax at the same rate as the

## PAGE 2

1 local sales and services tax on the sales price from  
 2 the sale or furnishing by a water utility of a water  
 3 service in the state to consumers or users. The local  
 4 water service tax shall be imposed, collected, and  
 5 administered in the same manner and with the same  
 6 effect as the city's or county's local sales and  
 7 services tax under chapter 423B and sections 423B.1 and  
 8 423B.5 through 423B.10, consistent with the provisions  
 9 of this chapter, shall apply with respect to the tax  
 10 imposed under this subsection, in the same manner and  
 11 with the same effect as if the local water service tax  
 12 was a local sales and services tax within the meaning  
 13 of chapter 423B.  
 14 *b.* The city or county shall within sixty days of  
 15 the effective date of this Act amend its local sales  
 16 and services tax ordinance to reflect the imposition of  
 17 the local water service tax under this subsection.  
 18 *c.* The city or county shall continue to collect the  
 19 local water service tax imposed under this subsection  
 20 until such time as the local sales and services tax in  
 21 effect on the effective date of this Act is repealed by  
 22 the city or county.>  
 23 \_\_\_\_ Page 5, line 3, before <water> by inserting  
 24 <state and local>  
 25 \_\_\_\_ Page 5, line 9, before <water> by inserting  
 26 <state and local>  
 27 \_\_\_\_ Page 5, line 21, by striking <tax> and  
 28 inserting <taxes>  
 29 \_\_\_\_ Page 5, after line 33 by inserting:  
 30 <1A. The director, in consultation with local  
 31 officials, shall collect and account for a local  
 32 water service tax and shall credit all revenues in  
 33 the same manner as provided in section 423B.7. Local  
 34 authorities shall not require any tax permit not

35 required by the director of revenue.

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1 1B. Subsequent to the deposit in the general  
2 fund of the state, the department shall transfer the  
3 revenues collected under section 423G.3A in the manner  
4 prescribed in section 423B.7, and when received by the  
5 board of supervisors or city council shall be deposited  
6 in a special fund created by the county or city and  
7 used by the county or city as provided in section  
8 423G.6A.>

9 \_\_\_\_\_. Page 5, line 35, after <amounts> by inserting  
10 <of the revenues collected under section 423G.3>>

11 2. Page 9, after line 15 by inserting:

12 <\_\_\_\_\_. Page 6, after line 14 by inserting:

13 <Sec. \_\_\_\_\_. **NEW SECTION. 423G.6A Funding water**  
14 **quality projects.**

15 1. Moneys deposited in a special fund of a city or  
16 county pursuant to section 423G.6, subsection 1B, shall  
17 be used by the city or county only as provided in this  
18 section and only to support voluntary water quality  
19 projects and shall not be used for regulatory efforts,  
20 enforcement actions, or litigation.

21 2. Two or more cities or counties may enter into an  
22 agreement under chapter 28E to form an entity in order  
23 to carry out any water quality project authorized in  
24 this section.

25 3. Moneys in the special fund shall be used to  
26 support projects designed to improve water quality in  
27 the local area or watershed and shall be undertaken in  
28 a manner that advances implementation of the latest  
29 version of the "Iowa Nutrient Reduction Strategy"  
30 initially presented in November 2012 by the department  
31 of agriculture and land stewardship, the department of  
32 natural resources, and Iowa state university of science  
33 and technology. Such projects include but are not  
34 limited to the following:

35 a. A project meeting the requirements of a program

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1 under chapter 16, subchapter X, part 2.

2 b. A project, operation, or practice undertaken  
3 or carried out to address watershed protection, flood  
4 prevention, or water quality improvement.

5 c. A project meeting the requirements of a sponsor  
6 project under section 455B.199.

7 d. A project for the installation of  
8 infrastructure, including conservation structures,  
9 practices, or other measures that reduce contributing  
10 nutrient loads, associated sediment, or other

- 11 contaminants from sources to surface waters.
- 12 e. An edge-of-field project located on agricultural  
 13 land, which may include a demonstration project,  
 14 that captures or filters nutrients entering into  
 15 surface water. Such a project shall be limited to  
 16 infrastructure designed and installed for use over  
 17 multiple years, including but not limited to wetlands,  
 18 bioreactor systems, saturated buffers, or land use  
 19 changes.
- 20 f. An in-field project located on agricultural  
 21 land, which may include a demonstration project, that  
 22 decreases erosion and precipitation-induced surface  
 23 runoff, increases water infiltration rates, and  
 24 increases soil sustainability. Such a project shall be  
 25 limited to infrastructure designed and installed for  
 26 use over multiple years, including but not limited to  
 27 structures, terraces, and waterways located on cropland  
 28 or pastureland, and including but not limited to soil  
 29 conservation or erosion control structures or managed  
 30 drainage systems.
- 31 g. A project located on urban land, which may  
 32 include a demonstration project, that decreases  
 33 erosion, precipitation-induced surface runoff, and  
 34 storm water discharges and increases water infiltration  
 35 rates. Such a project shall be based on the Iowa

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- 1 stormwater management manual published by the  
 2 department of natural resources.>>
- 3 3. Page 13, after line 16 by inserting:  
 4 <\_\_\_. Title page, line 3, after <exemption> by  
 5 inserting <and providing for the use of excise tax  
 6 revenues>
- 7 4. By renumbering as necessary.

PRICHARD of Floyd

H-8191

- 1 Amend the amendment, H-8161, to House File 2451 as  
 2 follows:
- 3 1. Page 5, line 26, after <efforts> by inserting  
 4 <, and to projects that have hired or contracted with  
 5 one or more water quality experts as determined by  
 6 the department of agriculture and land stewardship.  
 7 The department of agriculture and land stewardship  
 8 shall establish by rule the necessary professional  
 9 qualifications, education, training, experience, and  
 10 technical knowledge to be considered a water quality  
 11 expert for purposes of this subsection>

BEARINGER of Fayette

H-8192

- 1 Amend the amendment, H-8161, to House File 2451, as  
 2 follows:
- 3 1. Page 2, by striking lines 12 through 14 and  
 4 inserting <stewardship. The fund shall consist of  
 5 moneys appropriated by the general assembly and moneys  
 6 transferred to the fund pursuant to section 479B.34.>
- 7 2. Page 2, after line 34 by inserting:  
 8 <\_\_. Page 1, line 19, by striking <423G.6> and  
 9 inserting <16.134A>>
- 10 3. Page 3, line 14, by striking <423G.6> and  
 11 inserting <479B.34>
- 12 4. Page 3, line 16, by striking <2038> and  
 13 inserting <2030>
- 14 5. Page 3, line 21, by striking <July 1, 2017, and  
 15 ending June 30, 2037> and inserting <July 1, 2016, and  
 16 ending June 30, 2029>
- 17 6. Page 7, line 34, by striking <2018> and  
 18 inserting <2017>
- 19 7. Page 9, by striking lines 13 through 15 and  
 20 inserting:  
 21 <\_\_. By striking page 4, line 9, through page 6,  
 22 line 16.>
- 23 8. Page 9, line 16, by striking <after line 16> and  
 24 inserting <before line 17>
- 25 9. Page 12, line 23, by striking <2018> and  
 26 inserting <2017>
- 27 10. Page 12, after line 31 by inserting:  
 28 <\_\_. Page 6, before line 17 by inserting:  
 29 <Sec. \_\_. **NEW SECTION. 479B.34 Clean water**  
 30 **infrastructure improvement fee.**  
 31 1. A clean water infrastructure improvement fee  
 32 shall be payable to the utilities division by the owner  
 33 or operator of a pipeline company in an amount equal  
 34 to forty-eight ten-thousandths of one cent per gallon  
 35 of crude oil transported out of the state by pipeline,

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- 1 whether extracted in or out of the state. The board  
 2 shall establish by rule procedures for collection of  
 3 the fees.
- 4 2. Fees collected pursuant to this section shall be  
 5 deposited as follows:
- 6 a. Fifty percent shall be deposited in the water  
 7 quality infrastructure fund created in section 8.57B.
- 8 b. Fifty percent shall be deposited in the water  
 9 quality financial assistance fund created in section  
 10 16.134A.
- 11 3. This section is repealed July 1, 2029.
- 12 Sec. \_\_. WATER QUALITY APPROPRIATION FOR FISCAL



13 YEAR 2015-2016.

14 1. There is appropriated from the general fund  
15 of the state to the water quality infrastructure fund  
16 created in section 8.57B the sum of ten million dollars  
17 for the fiscal year beginning July 1, 2015, and ending  
18 June 30, 2016.

19 2. There is appropriated from the general fund of  
20 the state to the water quality financial assistance  
21 fund created in section 16.134A the sum of ten million  
22 dollars for the fiscal year beginning July 1, 2015, and  
23 ending June 30, 2016.>>

24 11. Page 13, by striking lines 1 through 9 and  
25 inserting:

26 <1. The section of this Act enacting section  
27 479B.34.

28 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. The following  
29 provision or provisions of this Act, being deemed of  
30 immediate importance, take effect upon enactment:

31 1. The section of this Act enacting section 8.57B.

32 2. The section of this Act enacting section  
33 16.134A.

34 3. The section of this Act appropriating money for  
35 the fiscal year beginning July 1, 2015, and ending June

PAGE 3

1 30, 2016, from the general fund of the state to the  
2 water quality infrastructure fund created in section  
3 8.57B and the water quality financial assistance fund  
4 created in section 16.134A.>>

5 12. Page 13, after line 16 by inserting:

6 <\_\_\_\_. Title page, lines 2 and 3, by striking <  
7 creating a water service excise tax and a related  
8 sales tax exemption> and inserting <creating a clean  
9 water infrastructure improvement fee>>

10 13. By renumbering, redesignating, and correcting  
11 internal references as necessary.

ISENHART of Dubuque

H-8193

1 Amend House File 2451 as follows:

2 1. Page 2, after line 27 by inserting:

3 <4A. A utility management organization formed  
4 under chapter 28E or operated by a rural water system  
5 organized under chapter 357A or chapter 504 shall be  
6 considered eligible for financial assistance under the  
7 program.>

8 2. By renumbering, redesignating, and correcting  
9 internal references as necessary.

PRICHARD of Floyd

H-8194

- 1 Amend the amendment, H-8154, to Senate File 2304, as  
2 passed by the Senate, as follows:
- 3 1. Page 2, by striking lines 15 and 16.
  - 4 2. Page 3, line 13, after <provider.> by inserting  
5 <Certification standards established by the department  
6 of human services under this section shall not address  
7 educational religious programming at children's  
8 residential facilities.>
  - 9 3. Page 3, line 14, after <Rules> by inserting <**and**  
10 **standards** — **requirements**>
  - 11 4. Page 3, by striking lines 18 through 26 and  
12 inserting:  
13 <2. Before the administrator issues or reissues  
14 a certificate of approval to a children's residential  
15 facility under section 237C.7, the facility shall  
16 comply with standards adopted by the state fire marshal  
17 under chapter 100.>
  - 18 5. Page 3, by striking lines 29 through 31  
19 and inserting <facilities shall be adopted by the  
20 department of human services in consultation with the  
21 director of public health.>
  - 22 6. Page 4, after line 3 by inserting:  
23 <6. Rules adopted or promulgated under this section  
24 shall be restricted to protecting the health and  
25 safety of children placed in children's residential  
26 facilities, and shall not regulate educational  
27 religious programming at children's residential  
28 facilities.>
  - 29 7. Page 4, by striking lines 9 through 28.
  - 30 8. Page 9, by striking lines 2 through 11.
  - 31 9. By renumbering, redesignating, and correcting  
32 internal references as necessary.

GAINES of Polk  
LENSING of Johnson

H-8195

- 1 Amend the amendment, H-8154, to Senate File 2304, as  
2 passed by the Senate, as follows:
- 3 1. Page 3, line 14, after <Rules> by inserting <**and**  
4 **standards** — **requirements**>
  - 5 2. Page 3, by striking lines 18 through 26 and  
6 inserting:  
7 <2. Before the administrator issues or reissues  
8 a certificate of approval to a children's residential  
9 facility under section 237C.7, the facility shall  
10 comply with standards adopted by the state fire marshal  
11 under chapter 100.>
  - 12 3. Page 3, by striking lines 29 through 31

13 and inserting <facilities shall be adopted by the  
 14 department of human services in consultation with the  
 15 director of public health.>  
 16 4. Page 4, line 11, before <If> by inserting <1.>  
 17 5. Page 4, line 18, by striking <1.> and inserting  
 18 <a.>  
 19 6. Page 4, line 21, by striking <2.> and inserting  
 20 <b.>  
 21 7. Page 4, line 25, by striking <3.> and inserting  
 22 <c.>  
 23 8. Page 4, after line 28 by inserting:  
 24 < d. Comply with standards adopted by the state fire  
 25 marshal under chapter 100.  
 26 e. Meet the sanitation, water, and waste disposal  
 27 standards adopted by rule by the department of human  
 28 services under section 237C.4.  
 29 2. This section shall not be construed to require  
 30 a facility that is a bona fide religious institution  
 31 exempt from the definition of children's residential  
 32 facility under section 237C.1, subsection 3, paragraph  
 33 "j", but that would otherwise qualify as a children's  
 34 residential facility under section 237C.1, subsection  
 35 3, to apply for or obtain a certificate of approval

PAGE 2

1 under section 237C.7.>  
 2 9. By renumbering as necessary.

GAINES of Polk  
 KAUFMANN of Cedar

H-8196

1 Amend House File 2064, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 802.2B, Code 2016, is amended  
 6 by adding the following new subsection:  
 7 NEW SUBSECTION. 5A. Child endangerment in  
 8 violation of section 726.6, subsection 4, 5, or 6.  
 9 Sec. 2. Section 902.12, Code 2016, is amended to  
 10 read as follows:  
 11 **902.12 Minimum sentence for certain felonies —**  
 12 **eligibility for parole or work release.**  
 13 1. A person serving a sentence for conviction of  
 14 the following felonies, including a person serving a  
 15 sentence for conviction of the following felonies prior  
 16 to July 1, 2003, shall be denied parole or work release  
 17 unless the person has served at least seven-tenths of  
 18 the maximum term of the person's sentence:

19 1. a. Murder in the second degree in violation of  
 20 section 707.3.  
 21 2. b. Attempted murder in violation of section  
 22 707.11.  
 23 3. c. Sexual abuse in the second degree in  
 24 violation of section 709.3.  
 25 4. d. Kidnapping in the second degree in violation  
 26 of section 710.3.  
 27 5. e. Robbery in the first or second degree in  
 28 violation of section 711.2 or 711.3.  
 29 6. f. Vehicular homicide in violation of section  
 30 707.6A, subsection 1 or 2, if the person was also  
 31 convicted under section 321.261, subsection 4, based on  
 32 the same facts or event that resulted in the conviction  
 33 under section 707.6A, subsection 1 or 2.  
 34 2. a. A person serving a sentence for a conviction  
 35 of child endangerment as defined in section 726.6.

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1 subsection 1, paragraph "b", that is described and  
 2 punishable under section 726.6, subsection 4, shall  
 3 be denied parole or work release until the person has  
 4 served between three-tenths and seven-tenths of the  
 5 maximum term of the person's sentence as provided under  
 6 paragraph "b".  
 7 b. The sentencing court shall determine when  
 8 the person shall become eligible for consideration  
 9 of parole or work release within the parameters  
 10 specified under paragraph "a", based upon all pertinent  
 11 information including the person's criminal record,  
 12 a validated risk assessment, and whether the offense  
 13 involved multiple intentional acts or a series of  
 14 intentional acts, or whether the offense involved  
 15 torture or cruelty.  
 16 **Sec. 3. NEW SECTION. 906.20 Waiver of minimum**  
 17 **sentence.**  
 18 Notwithstanding section 124.413, the board of  
 19 parole, at its discretion, may place on parole or work  
 20 release a person sentenced for a violation of section  
 21 124.401, subsection 1, paragraph "a", "b", or "c", if  
 22 the person is not classified a high risk to reoffend  
 23 and the person has served at least one-half of the  
 24 minimum period of confinement prescribed under section  
 25 124.413.>  
 26 2. Title page, line 2, by striking <resulting in  
 27 the death of a child or minor> and inserting <and to  
 28 criminal drug offenses>

SENATE AMENDMENT

H-8197

1 Amend House File 2394, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 2, after line 28 by inserting:

4 <Sec. \_\_. **NEW SECTION. 514K.2 Health carrier**  
5 **disclosures — public internet sites.**

6 1. A carrier that provides small group health  
7 coverage pursuant to chapter 513B or individual health  
8 coverage pursuant to chapter 513C and that offers  
9 for sale a policy, contract, or plan that covers the  
10 essential health benefits required pursuant to section  
11 1302 of the federal Patient Protection and Affordable  
12 Care Act, Pub. L. No. 111-148, and its implementing  
13 regulations, shall provide to each of its enrollees  
14 at the time of enrollment, and shall make available  
15 to prospective enrollees and enrollees, insurance  
16 producers licensed under chapter 522B, and the general  
17 public, on the carrier's internet site, all of the  
18 following information in a clear and understandable  
19 form for use in comparing policies, contracts, and  
20 plans, and coverage and premiums:

21 a. Any items or services, including prescription  
22 drugs, that have a coinsurance requirement where the  
23 cost-sharing required depends on the cost of the item  
24 or service.

25 b. The specific prescription drugs available on  
26 the carrier's formulary, the specific prescription  
27 drugs covered when furnished by a physician or clinic,  
28 and any clinical prerequisites or prior authorization  
29 requirements for coverage of the drugs.

30 c. How medications will specifically be included  
31 in or excluded from the deductible, including a  
32 description of all out-of-pocket costs that may not  
33 apply to the deductible for a prescription drug.

34 2. A carrier that provides a summary of benefits  
35 and coverage to its enrollees in accordance with 26

PAGE 2

1 C.F.R. §54.9815-2715, 29 C.F.R. §2590.715-2715, and 45  
2 C.F.R. §147.200 is deemed to be in compliance with this  
3 section unless the commissioner of insurance determines  
4 that these federal regulations, or the successors to  
5 any of these federal regulations, fail to require the  
6 information required pursuant to this section in a  
7 clear and understandable form.

8 3. The commissioner shall adopt rules pursuant to  
9 chapter 17A to administer this section.>

10 2. Page 10, after line 22 by inserting:

11 <Sec. \_\_. **APPLICABILITY.** The following provision  
12 of this Act is applicable to health insurance policies,

13 contracts, or plans that are delivered, issued for  
 14 delivery, continued, or renewed on or after January 1,  
 15 2017:

16 1. The section of this Act enacting section  
 17 514K.2.>

18 3. Title page, line 3, after <penalties> by  
 19 inserting <and applicability provisions>

20 4. By renumbering as necessary.

## SENATE AMENDMENT

H-8198

1 Amend House File 2392, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. Page 4, line 10, after <systems.> by inserting  
 4 <The rules adopted under this section shall  
 5 establish an approval process for the approval of a  
 6 vendor-provided career information and decision-making  
 7 system which school districts may use in compliance  
 8 with this section.>

9 2. Page 10, after line 20 by inserting:  
 10 <Sec. \_\_\_\_. Section 256.7, subsection 26, paragraph  
 11 a, subparagraph (3), Code 2016, is amended to read as  
 12 follows:

13 (3) The rules establishing a core curriculum shall  
 14 address the core content standards in subsection 28 and  
 15 the skills and knowledge students need to be successful  
 16 in the twenty-first century. The core curriculum  
 17 shall include social studies and twenty-first century  
 18 learning skills which include but are not limited to  
 19 civic literacy, health literacy, technology literacy,  
 20 financial literacy, family life and consumer sciences,  
 21 and employability skills; and shall address the  
 22 curricular needs of students in kindergarten through  
 23 grade twelve in those areas. The state board shall  
 24 further define the twenty-first century learning skills  
 25 components by rule.>

26 3. Page 12, lines 1 and 2, by striking <, including  
 27 hospitality and tourism>

28 4. Page 12, by striking lines 3 through 17 and  
 29 inserting:  
 30 <~~(02) Instruction~~ Instructional programs provided  
 31 under subparagraph (1) shall comply with the provisions  
 32 of chapter 258 relating to career and technical  
 33 education, and shall be competency-based, articulated  
 34 with postsecondary programs of study, and include  
 35 field, laboratory, or on-the-job training. Each

PAGE 2

1 sequential unit shall ~~include instruction in a minimum~~

2 ~~set of competencies established contain a portion of a~~  
 3 ~~career and technical education program approved by the~~  
 4 ~~department of education that relate to the following:~~  
 5 Standards for instructional programs shall include  
 6 but not be limited to new and emerging technologies;  
 7 job-seeking, job-adaptability, and other employment,  
 8 self-employment and entrepreneurial skills that  
 9 reflect current industry standards and labor-market  
 10 needs; and reinforcement of basic academic skills.  
 11 ~~The instructional programs shall also comply with~~  
 12 ~~the provisions of chapter 258 relating to vocational~~  
 13 ~~education. However, this paragraph does not apply~~  
 14 ~~to the teaching of vocational education in nonpublic~~  
 15 ~~schools.>~~

16 5. Page 12, after line 23 by inserting:  
 17 <(3) This paragraph “h” does not apply to the  
 18 teaching of career and technical education in nonpublic  
 19 schools.>

20 6. Page 19, line 4, by striking <districts, which>  
 21 and inserting <districts,~~which that~~>

22 7. Page 19, line 5, by striking <which that> and  
 23 inserting <which>

24 8. Page 19, line 6, by striking <education,> and  
 25 inserting <education,>

26 9. Page 21, after line 30 by inserting:  
 27 < 9A. “Work-based learning” means opportunities and  
 28 experiences that include but are not limited to tours,  
 29 job shadowing, rotations, mentoring, entrepreneurship,  
 30 service learning, internships, and apprenticeships.>

31 10. Page 27, line 15, by striking <or> and  
 32 inserting <and>

33 11. Page 27, line 19, after <region.> by inserting  
 34 <In convening the regional career and technical  
 35 education planning partnership, the area education

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1 agency and the community college shall include  
 2 stakeholders from each member district of the  
 3 partnership.>

4 12. Page 39, after line 27 by inserting:  
 5 <Sec. \_\_. DEPARTMENT OF EDUCATION — CAREER AND  
 6 TECHNICAL EDUCATION STATUS REPORT. The department  
 7 of education shall submit a report to the general  
 8 assembly by January 16, 2017, detailing the progress  
 9 in implementing the provisions of this division of  
 10 this Act. The report shall establish a timeline by  
 11 which the provisions of this division of this Act  
 12 shall be fully implemented, including but not limited  
 13 to adoption of rules by the state board of education.  
 14 The report shall also identify the measures by which  
 15 regional career and technical education planning

16 partnerships will be evaluated, including the measures  
 17 to be undertaken by the regional career and technical  
 18 education planning partnerships to ensure that career  
 19 and technical education teachers for grades seven  
 20 through twelve receive high-quality professional  
 21 development opportunities geared toward updating and  
 22 enhancing their instructional and technical skills.  
 23 Sec. \_\_\_\_ CAREER AND TECHNICAL EDUCATION  
 24 IMPLEMENTATION INTERIM STUDY COMMITTEE. The  
 25 legislative council shall establish an interim study  
 26 committee composed of members of the senate and the  
 27 house of representatives to meet during the 2019  
 28 legislative interim. The committee, in consultation  
 29 with former members of the secondary career and  
 30 technical programming task force convened pursuant to  
 31 2013 Iowa Acts, chapter 141, section 52, shall study  
 32 administrative rules implementing this division of  
 33 this Act, including an assessment of the membership  
 34 of the regional career and technical education  
 35 planning partnerships to assure that all affected

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1 groups have substantial representation, and any other  
 2 matters concerning implementation of this division of  
 3 this Act. The committee shall submit its findings  
 4 and recommendations to the general assembly for  
 5 consideration during the 2020 legislative session.>  
 6 13. By renumbering, redesignating, and correcting  
 7 internal references as necessary.

SENATE AMENDMENT

H-8199

1 Amend House File 2414, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 321.1, subsection 8, Code 2016,  
 6 is amended by adding the following new paragraphs:  
 7 NEW PARAGRAPH. j. A transportation network  
 8 company driver, as defined in section 321N.1, is not  
 9 a chauffeur.  
 10 NEW PARAGRAPH. k. A person operating a taxicab  
 11 having a seating capacity of less than seven passengers  
 12 and not operating on a regular route or between  
 13 specified points is not a chauffeur.  
 14 Sec. 2. Section 321.40, Code 2016, is amended by  
 15 adding the following new subsection:  
 16 NEW SUBSECTION. 6A. a. The department or the  
 17 county treasurer shall refuse to renew the registration



18 of a vehicle registered to an applicant if the  
 19 department or the county treasurer knows that the  
 20 applicant has not paid a civil penalty imposed on the  
 21 applicant pursuant to section 321N.3, subsection 3.  
 22 An applicant may contest this action by requesting a  
 23 contested case proceeding from the department. The  
 24 department shall notify the county treasurers through  
 25 the distributed teleprocessing network of persons who  
 26 have not paid such civil penalties.  
 27 *b.* The county treasurer of the county of an  
 28 applicant's residence and in which the applicant's  
 29 vehicle is registered, in cooperation with the  
 30 department, may collect a civil penalty imposed on the  
 31 applicant pursuant to section 321N.3, subsection 3,  
 32 when the applicant applies for renewal of a vehicle  
 33 registration. The applicant may remit full payment  
 34 of the civil penalty, along with a processing fee  
 35 of five dollars, to the county treasurer at the

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1 time of registration renewal. Upon full payment  
 2 of the civil penalty, the processing fee, and the  
 3 vehicle registration fee, the county treasurer shall  
 4 issue the registration to the applicant. A county  
 5 treasurer collecting a civil penalty on behalf of  
 6 the department pursuant to this subsection shall  
 7 update the vehicle registration records through the  
 8 distributed teleprocessing network on a daily basis for  
 9 all applicants who have paid civil penalties pursuant  
 10 to this subsection. A county treasurer shall forward  
 11 all funds collected on behalf of the department to the  
 12 department.

13 Sec. 3. Section 321.236, subsection 7, Code 2016,  
 14 is amended to read as follows:

15 7. Licensing and regulating the operation of  
 16 vehicles offered to the public for hire and used  
 17 principally in intracity operation, except to the  
 18 extent such licensure and regulation conflicts with  
 19 section 321.241, section 321N.11, section 325A.6, or  
 20 any other provision of the Code.

21 Sec. 4. **NEW SECTION. 321.241 Regulation of**  
 22 **taxicabs by local authorities — limits.**

23 1. A local authority shall not enact, enforce,  
 24 or maintain any ordinance, regulation, or rule that  
 25 imposes a requirement on a person operating a taxicab  
 26 having a seating capacity of less than seven passengers  
 27 and not operating on a regular route or between  
 28 specified points that is more restrictive than any of  
 29 the following:

30 *a.* Requiring the person to have a driver's license  
 31 valid for the operation of the motor vehicle used as

32 a taxicab that is not an instruction permit, special  
33 instruction permit, or temporary restricted license.  
34 b. Prohibiting the person from operating the  
35 taxicab if any of the following apply:

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1 (1) The person is restricted to operating motor  
2 vehicles equipped with an ignition interlock device.  
3 (2) The person's driving privileges have been  
4 suspended, revoked, barred, canceled, denied, or  
5 disqualified in the prior three-year period.  
6 (3) The person has been convicted of more than  
7 three moving violations in the prior three-year period.  
8 (4) The person has been convicted of violating  
9 section 321.218, 321.277, or 321J.21, or section  
10 321A.32, subsection 1, in the prior three-year period.  
11 (5) The person has been convicted in the prior  
12 seven-year period of a felony, of violating section  
13 321J.2 or 321J.2A, or of any crime involving resisting  
14 law enforcement, dishonesty, injury to another person,  
15 damage to the property of another person, or operating  
16 a vehicle in a manner that endangers another person.  
17 (6) The person is registered on the national sex  
18 offender registry.  
19 2. A local authority shall not enact, enforce,  
20 or maintain any ordinance, regulation, or rule  
21 that requires a corporation, partnership, sole  
22 proprietorship, or other entity that sells or offers  
23 for sale transportation by taxicabs having a seating  
24 capacity of less than seven passengers and not  
25 operating on a regular route or between specified  
26 points to maintain a physical place of business in  
27 the local authority's jurisdiction as a condition  
28 of operating such taxicabs in the local authority's  
29 jurisdiction.  
30 Sec. 5. Section 321.446, subsection 4, paragraph c,  
31 Code 2016, is amended to read as follows:  
32 c. If a child under fourteen years of age, or a  
33 child fourteen years of age or older who is unable  
34 to fasten a seatbelt due to a temporary or permanent  
35 disability, is being transported in a taxicab or in a

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1 personal vehicle operated by a transportation network  
2 company driver, as defined in section 321N.1, in a  
3 manner that is not in compliance with subsection 1 or  
4 2, the parent, legal guardian, or other responsible  
5 adult traveling with the child shall be served with a  
6 citation for a violation of this section in lieu of  
7 the taxicab operator or transportation network company

8 driver. Otherwise, if a passenger being transported  
 9 in the taxicab or in a personal vehicle operated by  
 10 a transportation network company driver is fourteen  
 11 years of age or older, the citation shall be served  
 12 on the passenger in lieu of the taxicab operator or  
 13 transportation network company driver.

14 Sec. 6. NEW SECTION. 321N.1 Definitions.

15 As used in this chapter, unless the context  
 16 otherwise requires:

17 1. *“Department”* means the state department of  
 18 transportation.

19 2. *“Digital network”* means an online-enabled  
 20 application, internet site, or system offered or  
 21 utilized by a transportation network company that  
 22 enables transportation network company riders to  
 23 prearrange rides with transportation network company  
 24 drivers.

25 3. *“Personal vehicle”* means a noncommercial motor  
 26 vehicle that is used by a transportation network  
 27 company driver and is owned, leased, or otherwise  
 28 authorized for use by the transportation network  
 29 company driver. *“Personal vehicle”* does not include a  
 30 taxicab, limousine, or other vehicle for hire.

31 4. *“Prearranged ride”* means the provision of  
 32 transportation by a transportation network company  
 33 driver to a transportation network company rider.  
 34 A prearranged ride begins when a driver accepts a  
 35 ride request from a rider through a digital network

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1 controlled by a transportation network company,  
 2 continues while the driver transports the requesting  
 3 rider, and ends when the last requesting rider departs  
 4 from the driver’s personal vehicle. A prearranged  
 5 ride does not include transportation provided using a  
 6 taxicab, limousine, or other vehicle for hire, or a  
 7 shared expense carpool or vanpool arrangement.

8 5. *“Transportation network company”* or *“company”*  
 9 means a corporation, partnership, sole proprietorship,  
 10 or other entity that operates in this state and  
 11 uses a digital network to connect transportation  
 12 network company riders to transportation network  
 13 company drivers who provide prearranged rides. A  
 14 transportation network company is not deemed to  
 15 control, direct, or manage a transportation network  
 16 company driver that connects to its digital network,  
 17 or the driver’s personal vehicle, except as agreed to  
 18 by the company and the driver pursuant to a written  
 19 contract.

20 6. *“Transportation network company driver”* or  
 21 *“driver”* means an individual who does all of the

22 following:

- 23     *a.* Receives connections to potential transportation  
 24 network company riders and other related services  
 25 from a transportation network company in exchange for  
 26 payment of a fee to the transportation network company.  
 27     *b.* Uses a personal vehicle to offer or provide  
 28 prearranged rides to transportation network company  
 29 riders upon connection through a digital network  
 30 controlled by a transportation network company in  
 31 return for compensation or payment of a fee.  
 32     7. *“Transportation network company rider” or “rider”*  
 33 means an individual or group of individuals who use  
 34 a transportation network company’s digital network to  
 35 connect with a transportation network company driver to

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- 1 request a prearranged ride for the individual or group  
 2 of individuals, and who receive the prearranged ride in  
 3 the driver’s personal vehicle between locations chosen  
 4 by the individual or group of individuals.  
 5     Sec. 7. **NEW SECTION. 321N.2 Permit required —**  
 6 **examination of records — sanctions.**  
 7     1. A transportation network company shall not  
 8 operate or conduct business in this state without a  
 9 permit issued pursuant to this section.  
 10     2. *a.* Upon the filing of an application by a  
 11 transportation network company with the department and  
 12 a determination by the department that the company is  
 13 in compliance with the provisions of this chapter, the  
 14 department shall issue a permit to the company. An  
 15 application filed pursuant to this section shall be in  
 16 writing and shall contain all of the following:  
 17     (1) The full legal name and tax identification  
 18 number of the applicant.  
 19     (2) The address of the applicant’s principal place  
 20 of business.  
 21     (3) A statement agreeing to comply with all  
 22 applicable requirements of this chapter signed by the  
 23 applicant.  
 24     (4) Proof of compliance with the financial  
 25 responsibility requirements of section 321N.4,  
 26 submitted in a manner prescribed by the department.  
 27     (5) Proof that the applicant has established a  
 28 zero tolerance policy for the use of drugs and alcohol  
 29 as provided in section 321N.3, submitted in a manner  
 30 prescribed by the department.  
 31     (6) Proof that the applicant requires personal  
 32 vehicles to comply with applicable motor vehicle  
 33 equipment requirements as provided in section 321N.3,  
 34 submitted in a manner prescribed by the department.  
 35     (7) Proof that the applicant has adopted and is

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1 enforcing nondiscrimination and accessibility policies,  
2 submitted in a manner prescribed by the department.

3 (8) Proof that the applicant has established  
4 record retention guidelines, submitted in a manner  
5 prescribed by the department, that comply with all of  
6 the following:

7 (a) A record of a prearranged ride shall be  
8 retained for at least six years after the date the  
9 prearranged ride was provided, unless the company is  
10 notified that the record is material to a judicial  
11 proceeding, in which case the record shall be retained  
12 for at least two years after final disposition of the  
13 judicial proceeding.

14 (b) A record of a transportation network company  
15 driver shall be retained for at least six years after  
16 the date on which the driver's activation on the  
17 company's digital network ended, unless the company  
18 is notified that the record is material to a judicial  
19 proceeding, in which case the record shall be retained  
20 for at least two years after final disposition of the  
21 judicial proceeding.

22 b. The permit application shall be accompanied by a  
23 fee of five thousand dollars. All fees received by the  
24 department for permits issued pursuant to this section  
25 shall be paid monthly to the treasurer of state and  
26 deposited in the road use tax fund.

27 3. A permit issued pursuant to this section shall  
28 be valid for one year after the date of issuance.

29 4. The department may deny issuance of a permit if  
30 the department determines, and evidence demonstrates,  
31 that the applicant is not in compliance or is unable to  
32 comply with the provisions of this chapter.

33 5. The department may examine the records of a  
34 transportation network company for the purpose of  
35 enforcing this chapter. The examination may include

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1 a random sample of the company's records related to  
2 transportation network company drivers and prearranged  
3 rides. The examination shall take place at the  
4 department's motor vehicle division building unless  
5 another location is agreed to by the department and  
6 the company. Such examinations shall not occur more  
7 than twice per year unless additional examinations are  
8 necessary to investigate a complaint. Records obtained  
9 by the department pursuant to this subsection are not  
10 public records or otherwise subject to disclosure  
11 under chapter 22, and shall be kept confidential by the  
12 department except to the extent such records may be

13 required to be disclosed in a departmental or judicial  
14 proceeding.

15 6. The department may suspend the permit of a  
16 transportation network company for a violation of this  
17 chapter or a rule adopted under this chapter until the  
18 company demonstrates to the department that the company  
19 is in compliance with the applicable requirements. The  
20 department may revoke the permit of a transportation  
21 network company for continued noncompliance with this  
22 chapter or a rule adopted under this chapter.

23 7. A transportation network company whose  
24 application for a permit has been denied, or whose  
25 permit has been suspended or revoked, shall have  
26 all rights afforded to the company under chapter 17A  
27 and rules adopted by the department to contest the  
28 department's decision.

29 8. The department may adopt rules pursuant to  
30 chapter 17A to administer this section.

31 Sec. 8. **NEW SECTION. 321N.3 Exclusions — driver**  
32 **requirements.**

33 1. A transportation network company, a  
34 transportation network company driver, or a personal  
35 vehicle used to provide a prearranged ride is not a

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1 motor carrier as defined in section 325A.1, private  
2 carrier as defined in section 325A.1, charter carrier  
3 as defined in section 325A.12, or common carrier.

4 2. Prior to permitting an individual to act  
5 as a transportation network company driver on a  
6 transportation network company's digital network, the  
7 company shall do all of the following:

8 a. Require the individual to submit an application  
9 to the company with the individual's name, address,  
10 and age, and with copies of the individual's driver's  
11 license, the registration for the personal vehicle the  
12 individual will use to provide prearranged rides, proof  
13 of financial liability coverage, as defined in section  
14 321.1, subsection 24B, covering the individual's use of  
15 the personal vehicle, proof of financial responsibility  
16 covering the individual in the types and amounts  
17 required by section 321N.4, and any other information  
18 required by the company.

19 b. Conduct, or instruct a third party to conduct,  
20 a local and national criminal background check on the  
21 individual and a search of the national sex offender  
22 registry database for the individual.

23 c. Obtain and review a driving history research  
24 report on the individual.

25 d. Obtain a disclosure form signed by the  
26 individual notifying the individual of all of the

27 following:

- 28 (1) If a lien exists against a personal vehicle  
 29 the individual intends to use while acting as a  
 30 transportation network company driver, the individual  
 31 is required to notify the lienholder within the  
 32 seven-day period prior to using the vehicle for such  
 33 purposes that the individual intends to use the vehicle  
 34 for such purposes.  
 35 (2) If the individual is not the owner of the

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1 personal vehicle the individual intends to use while  
 2 acting as a transportation network company driver,  
 3 the individual is required to notify the owner of the  
 4 vehicle within the seven-day period prior to using the  
 5 vehicle for such purposes that the individual intends  
 6 to use the vehicle for such purposes and that the  
 7 owner's automobile insurance policy, depending on the  
 8 policy's terms, may not provide any coverage while  
 9 the individual is logged on to the company's digital  
 10 network and is available to receive requests for a  
 11 prearranged ride, or while the individual is engaged in  
 12 a prearranged ride.

13 (3) Failure to notify a lienholder or an owner  
 14 pursuant to this paragraph "d" shall result in the  
 15 imposition of a civil penalty as provided in subsection  
 16 3.

17 3. If an individual fails to notify a lienholder  
 18 or an owner pursuant to subsection 2, the department  
 19 shall assess a civil penalty against the individual in  
 20 the amount of two hundred fifty dollars. All moneys  
 21 collected by the department pursuant to this subsection  
 22 shall be paid monthly to the treasurer of state and  
 23 deposited in the road use tax fund.

24 4. A transportation network company shall not  
 25 knowingly allow an individual to act as a driver on  
 26 the company's digital network if any of the following  
 27 apply:

28 a. The individual does not have a driver's license  
 29 valid for the operation of the personal vehicle.  
 30 A driver's license valid for the operation of the  
 31 personal vehicle shall not include an instruction  
 32 permit, special instruction permit, or temporary  
 33 restricted license.

34 b. The individual is restricted to operating motor  
 35 vehicles equipped with an ignition interlock device.

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1 c. The individual's driving privileges have been  
 2 suspended, revoked, barred, canceled, denied, or

3 disqualified in the prior three-year period.  
4 *d.* The individual has been convicted of more than  
5 three moving violations in the prior three-year period.  
6 *e.* The individual has been convicted of violating  
7 section 321.218, 321.277, or 321J.21, or section  
8 321A.32, subsection 1, in the prior three-year period.  
9 *f.* The individual has been convicted in the prior  
10 seven-year period of a felony, of violating section  
11 321J.2 or 321J.2A, or of any crime involving resisting  
12 law enforcement, dishonesty, injury to another person,  
13 damage to the property of another person, or operating  
14 a vehicle in a manner that endangers another person.  
15 *g.* The individual is registered on the national sex  
16 offender registry.  
17 *h.* The individual is not at least nineteen years of  
18 age.  
19 *i.* The individual is unable to provide any  
20 information required by this section.  
21 5. A transportation network company shall adopt and  
22 enforce a zero tolerance policy prohibiting the use of  
23 drugs or alcohol by a transportation network company  
24 driver while the driver is providing a prearranged ride  
25 or is logged on to the company's digital network and  
26 available to receive requests for transportation from  
27 potential riders. The policy shall include provisions  
28 providing for the investigation of alleged violations  
29 of the policy and the suspension of drivers under  
30 investigation.  
31 6. A transportation network company shall require  
32 that a personal vehicle used to provide prearranged  
33 rides shall comply with all applicable motor vehicle  
34 equipment requirements.  
35 Sec. 9. NEW SECTION. **321N.4 Financial**

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1 **responsibility.**  
2 1. A transportation network company driver, or a  
3 transportation network company on the driver's behalf,  
4 shall maintain primary automobile insurance that does  
5 all of the following:  
6 *a.* Recognizes that the driver is a transportation  
7 network company driver or that the driver otherwise  
8 uses a motor vehicle to transport passengers for  
9 compensation.  
10 *b.* Covers the driver while the driver is logged on  
11 to the transportation network company's digital network  
12 and while the driver is engaged in a prearranged ride.  
13 *c.* Covers the driver in the amounts set forth in  
14 subsections 2 and 3.  
15 2. *a.* While a participating transportation network  
16 company driver is logged on to a transportation network



17 company's digital network and is available to receive  
18 requests for a prearranged ride, but is not engaged  
19 in a prearranged ride, primary automobile insurance  
20 maintained pursuant to paragraph "c" shall cover the  
21 driver in the amount of at least fifty thousand dollars  
22 because of bodily injury to or death of one person in  
23 any one accident, the amount of at least one hundred  
24 thousand dollars because of bodily injury to or death  
25 of two or more persons in any one accident, and the  
26 amount of at least twenty-five thousand dollars because  
27 of injury to or destruction of property of others in  
28 any one accident.

29 *b.* The requirements of paragraph "a" shall be in  
30 addition to the automobile insurance requirements set  
31 forth in chapter 516A or any other provision of law.

32 *c.* The requirements of paragraph "a" may be  
33 satisfied by any of the following:

34 (1) Insurance maintained by the transportation  
35 network company driver.

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1 (2) Insurance maintained by the transportation  
2 network company.

3 (3) A combination of subparagraphs (1) and (2).

4 3. *a.* While a transportation network company  
5 driver is engaged in a prearranged ride, primary  
6 automobile insurance maintained pursuant to paragraph  
7 "c" shall cover the driver in the amount of at least  
8 one million dollars because of bodily injury to  
9 or death of one or more persons and injury to or  
10 destruction of property of others in any one accident.

11 *b.* The requirements of paragraph "a" shall be in  
12 addition to the automobile insurance requirements set  
13 forth in chapter 516A or any other provision of law.

14 *c.* The requirements of paragraph "a" may be  
15 satisfied by any of the following:

16 (1) Insurance maintained by the transportation  
17 network company driver.

18 (2) Insurance maintained by the transportation  
19 network company.

20 (3) A combination of subparagraphs (1) and (2).

21 4. If insurance maintained by a transportation  
22 network company driver under this chapter lapses or  
23 does not provide coverage in the amounts required  
24 by subsections 2 and 3, insurance maintained by a  
25 transportation network company shall provide coverage  
26 in the amounts required by subsections 2 and 3  
27 beginning with the first dollar of a claim, and the  
28 company shall have a duty to defend the claim.

29 5. Coverage under an automobile insurance policy  
30 maintained by a transportation network company under

31 this chapter shall not be dependent on the insurer  
32 of a driver's personal vehicle first denying a claim,  
33 nor shall a personal automobile insurance policy be  
34 required to first deny a claim.  
35 6. Insurance maintained under this chapter shall be

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1 provided by an insurer governed by chapter 515 or 518,  
2 or by a surplus lines insurer governed by chapter 515L.  
3 A surplus lines insurer that issues a policy pursuant  
4 to this section shall be considered an insurance  
5 carrier duly authorized to transact business in this  
6 state for the purposes of chapter 321A.

7 7. Insurance maintained under this chapter shall  
8 be deemed to satisfy the financial responsibility  
9 requirements for a motor vehicle under chapter 321A.

10 8. A transportation network company driver shall  
11 carry proof of financial liability coverage, as  
12 required by section 321.20B, in the amounts required  
13 by subsections 2 and 3, at all times during which the  
14 driver uses a motor vehicle in connection with the  
15 use of a transportation network company's digital  
16 network. In the event of an accident, the driver  
17 shall provide proof of financial liability coverage to  
18 any directly interested party or insurer, and to any  
19 investigating police officer, upon request and in a  
20 format provided for under section 321.20B. Upon such a  
21 request, the driver shall also disclose to any directly  
22 interested party or insurer, and to any investigating  
23 police officer, whether the driver was logged on  
24 to a company's digital network or was providing a  
25 prearranged ride at the time of the accident.

26 **Sec. 10. NEW SECTION. 321N.5 Disclosure**  
27 **requirements.**

28 A transportation network company shall disclose  
29 all of the following information to a transportation  
30 network company driver in writing before the driver may  
31 accept a request from a rider for a prearranged ride on  
32 the company's digital network:

33 1. The types, amounts, terms, and limits of  
34 automobile insurance provided by the company to the  
35 driver while the driver uses a personal vehicle in

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1 connection with the use of the company's digital  
2 network.

3 2. That the driver's own automobile insurance  
4 policy, depending on the policy's terms, may not  
5 provide any coverage while the driver is logged on  
6 to the company's digital network and is available to

7 receive requests for a prearranged ride, or while the  
8 driver is engaged in a prearranged ride.

9 Sec. 11. NEW SECTION. 321N.6 Insurers.

10 1. *a.* Notwithstanding any other provision of law  
11 to the contrary, an insurer that writes automobile  
12 insurance within this state may exclude any and all  
13 coverage afforded to an insured person under a policy  
14 issued to the owner or operator of a personal vehicle  
15 for any injury or loss that occurs while the insured  
16 is logged on to a transportation network company's  
17 digital network or while the insured is providing a  
18 prearranged ride. This right to exclude coverage  
19 may apply to any type of coverage provided for in  
20 the insured's policy, including but not limited to  
21 liability coverage for bodily injury and property  
22 damage, personal injury protection coverage, uninsured  
23 and underinsured motorist coverage, medical payments  
24 coverage, comprehensive physical damage coverage, and  
25 collision physical damage coverage.

26 *b.* This chapter shall not be construed to require  
27 an insurer to provide coverage to an individual while  
28 the individual is logged on to a company's digital  
29 network, is engaged in a prearranged ride, or is  
30 otherwise transporting another individual or group of  
31 individuals in a vehicle for compensation.

32 *c.* This chapter shall not be construed to preclude  
33 an insurer from providing coverage for a transportation  
34 network company driver's personal vehicle, if the  
35 insurer chooses to do so by contract or endorsement.

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1 2. *a.* An insurer that excludes coverage pursuant  
2 to subsection 1 shall not have a duty to defend or  
3 indemnify a claim expressly excluded from a policy  
4 issued by the insurer. This chapter shall not be  
5 deemed to invalidate or limit an exclusion contained  
6 in a policy, including a policy in use or approved for  
7 use in this state prior to the effective date of this  
8 Act, that excludes coverage for vehicles used to carry  
9 individuals or property for compensation or vehicles  
10 available for hire by the public.

11 *b.* An insurer that defends or indemnifies a claim  
12 against an insured transportation network company  
13 driver that is excluded under the terms of the driver's  
14 policy shall have a right of action for contribution  
15 or indemnity against an insurer providing automobile  
16 insurance to the driver under this chapter during the  
17 period in which the loss occurred.

18 3. In a claims coverage investigation, any involved  
19 transportation network company and any insurer  
20 providing coverage pursuant to this chapter shall

21 cooperate to facilitate the exchange of relevant  
22 information with one another, and with any insurer  
23 of the transportation network company driver, where  
24 applicable, including but not limited to the precise  
25 times during which the driver logged on and off of the  
26 company's digital network in the twelve-hour period  
27 immediately preceding and in the twelve-hour period  
28 immediately following the accident, and shall disclose  
29 to one another a clear description of any relevant  
30 automobile insurance provided pursuant to this chapter,  
31 including any applicable limits and exclusions.  
32 **Sec. 12. NEW SECTION. 321N.7 Identification of**  
33 **drivers and vehicles.**  
34 Before a transportation network company rider  
35 enters the personal vehicle of a transportation network

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1 company driver, the transportation network company  
2 shall disclose all of the following information to the  
3 rider on the company's digital network:  
4 1. A picture that prominently displays the face of  
5 the driver.  
6 2. The make, model, and registration plate number  
7 of the personal vehicle used by the driver.  
8 **Sec. 13. NEW SECTION. 321N.8 Electronic receipt.**  
9 Within a reasonable period of time following  
10 the completion of a prearranged ride provided  
11 to a transportation network company rider, the  
12 transportation network company shall transmit an  
13 electronic receipt to the rider containing all of the  
14 following information:  
15 1. The origin and destination of the trip.  
16 2. The total time and distance of the trip.  
17 3. An itemized account of the total fare paid by  
18 the rider, if any.  
19 **Sec. 14. NEW SECTION. 321N.9 Street hails**  
20 **prohibited.**  
21 A transportation network company driver shall not  
22 solicit or accept riders hailing the driver from the  
23 street.  
24 **Sec. 15. NEW SECTION. 321N.10 Disclosure of**  
25 **personal information.**  
26 1. A transportation network company shall not  
27 disclose a transportation network company rider's  
28 personal information to a third party unless the rider  
29 consents to the disclosure, the disclosure is required  
30 by law, the disclosure is required to protect or defend  
31 the terms of use of the company's services, or the  
32 disclosure is required to investigate a violation  
33 of the terms of use. For purposes of this section,  
34 "*personal information*" includes but is not limited to

35 the rider's name, home address, telephone number, and

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1 payment information.

2 2. Notwithstanding subsection 1, a transportation  
3 network company may disclose a rider's name and  
4 telephone number to the driver providing a prearranged  
5 ride to the rider in order to facilitate the  
6 identification of the rider by the driver, or to  
7 facilitate communication between the rider and the  
8 driver.

9 Sec. 16. NEW SECTION. 321N.11 Regulation by  
10 **political subdivisions prohibited — exception.**

11 1. *a.* Except as otherwise provided in this  
12 section, transportation network companies,  
13 transportation network company drivers, and personal  
14 vehicles, in the course of their operation pursuant  
15 to this chapter, shall be exclusively controlled,  
16 supervised, and regulated by the department in  
17 accordance with this chapter.

18 *b.* Except as otherwise provided in this section,  
19 no provision of this chapter shall be construed to  
20 authorize a political subdivision of the state to  
21 enact an ordinance regulating transportation network  
22 companies, transportation network company drivers, or  
23 personal vehicles operated pursuant to this chapter.

24 2. No provision of this chapter shall be construed  
25 to limit the rights and powers of a commercial service  
26 airport, as defined in 49 U.S.C. §47102, to do any of  
27 the following:

28 *a.* Regulate the operation of motor vehicles on  
29 the airport's premises in accordance with rules,  
30 regulations, and policies adopted for the orderly use  
31 of the airport.

32 *b.* Establish, alter, and collect rates, fees,  
33 rental payments, or other charges for the use of the  
34 airport's services and facilities.

35 Sec. 17. Section 325A.1, subsections 6, 7, and 13,

PAGE 19

1 Code 2016, are amended to read as follows:

2 6. "*Motor carrier*" means a person defined in  
3 subsection 8, 9, or 10, but does not include a  
4 transportation network company or a transportation  
5 network company driver, as defined in section 321N.1.

6 7. "*Motor carrier certificate*" means a certificate  
7 issued by the department to any person transporting  
8 passengers on any highway of this state for hire,  
9 other than a transportation network company or a  
10 transportation network company driver, as defined in

11 section 321N.1. This certificate is transferable.  
12 13. "*Private carrier*" means a person who provides  
13 transportation of property or passengers by motor  
14 vehicle, is not a for-hire motor carrier or a  
15 transportation network company or a transportation  
16 network company driver, as defined in section 321N.1,  
17 or who transports commodities of which the person is  
18 the owner, lessee, or bailee and the transportation  
19 is a furtherance of the person's primary business or  
20 occupation.  
21 Sec. 18. Section 325A.2, subsection 2, Code 2016,  
22 is amended to read as follows:  
23 2. A local authority, as defined in section 321.1,  
24 shall not impose any regulations, including special  
25 registration or inspection requirements, upon the  
26 operation of motor carriers that are more restrictive  
27 than any of the provisions of this chapter, or section  
28 321.449 or 321.450. This subsection does not, however,  
29 prohibit a local authority from exercising the home  
30 rule power of the local authority to impose additional  
31 or more restrictive regulations or requirements upon  
32 the operation of taxicabs or limousines engaged in  
33 nonfixed route transportation for hire, except to the  
34 extent such regulations or requirements conflict with  
35 section 321.241, section 325A.6, or any other provision

PAGE 20

1 of the Code.  
2 Sec. 19. Section 325A.6, Code 2016, is amended to  
3 read as follows:  
4 **325A.6 Insurance.**  
5 1. All Except as provided in subsection 2, all  
6 motor carriers subject to this chapter shall have  
7 minimum insurance coverage which meets the limits  
8 established in the federal motor carrier safety  
9 regulations in 49 C.F.R. pt. 387.  
10 2. All motor vehicles providing taxicab services,  
11 having a seating capacity of less than seven  
12 passengers, and not operating on a regular route  
13 or between specified points shall maintain primary  
14 automobile insurance in the amount of at least one  
15 million dollars because of bodily injury to or death  
16 of one or more persons and injury to or destruction of  
17 property of others in any one accident. A political  
18 subdivision of the state shall not enact an ordinance  
19 requiring insurance coverage for such vehicles in  
20 an amount different than the amount required by this  
21 subsection.  
22 Sec. 20. Section 325A.11, Code 2016, is amended to  
23 read as follows:  
24 **325A.11 Passenger transportation.**

25 In addition to the requirements of subchapter 1,  
 26 motor carriers of passengers and charter carriers shall  
 27 comply with the requirements of this subchapter. A  
 28 transportation network company or a transportation  
 29 network company driver, as defined in section 321N.1,  
 30 need not comply with the requirements of subchapter 1  
 31 or this subchapter.

32 Sec. 21. Section 325A.12, subsection 3, Code 2016,  
 33 is amended by adding the following new paragraph:  
 34 NEW PARAGRAPH. e. A transportation network company  
 35 or a transportation network company driver, as defined

PAGE 21

1 in section 321N.1.  
 2 Sec. 22. Section 327D.1, Code 2016, is amended to  
 3 read as follows:  
 4 **327D.1 Applicability of chapter.**  
 5 This chapter applies to intrastate transportation  
 6 by for-hire common carriers of persons and property.  
 7 However, this chapter does not apply to regular route  
 8 motor carriers of passengers or charter carriers, as  
 9 defined under section 325A.12, or a transportation  
 10 network company or a transportation network company  
 11 driver, as defined in section 321N.1.

12 Sec. 23. LOCAL ORDINANCES VOID — VALIDITY OF  
 13 PROCEEDINGS. On January 1, 2017, all local ordinances,  
 14 regulations, and rules not consistent with this Act are  
 15 void. However, this Act shall not affect the validity  
 16 of any proceeding brought or punishment imposed prior  
 17 to January 1, 2017, for a violation of such a local  
 18 ordinance, regulation, or rule.

19 Sec. 24. EFFECTIVE DATE. This Act takes effect  
 20 January 1, 2017.

21 Sec. 25. APPLICABILITY OF INSURANCE PROVISIONS.

22 The section of this Act enacting section 321N.4 shall  
 23 apply on and after the date of approval of the form  
 24 filings necessary to implement section 321N.4 by the  
 25 commissioner of insurance as required under 191 IAC  
 26 20.4.>

27 2. Title page, line 2, after <companies> by  
 28 inserting <and taxicabs, providing penalties>

29 3. Title page, line 2, after <including> by  
 30 inserting <effective date and>

SENATE AMENDMENT

H-8200

1 Amend House File 2454 as follows:

2 1. Page 20, by striking lines 12 through 14 and  
 3 inserting:

- 4 <Sec. \_\_\_\_. REAP — IN LIEU OF GENERAL FUND>
- 5 2. Page 22, lines 29 and 30, by striking <and
- 6 interest on a civil penalty>
- 7 3. By renumbering, redesignating, and correcting
- 8 internal references as necessary.

MOMMSEN of Clinton

H-8201

- 1 Amend House File 2454 as follows:
- 2 1. Page 17, after line 28 by inserting:
- 3 <\_\_\_\_. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION
- 4 FUND
- 5 a. For deposit in the southern Iowa development and
- 6 conservation fund created in section 161D.12:
- 7 ..... \$ 250,000
- 8 b. Not more than 10 percent of the moneys
- 9 appropriated in paragraph “a” may be used for
- 10 administrative costs.>
- 11 2. By renumbering as necessary.

HANSON of Jefferson  
GASKILL of Wapello

H-8202

- 1 Amend House File 2454 as follows:
- 2 1. Page 20, line 22, by striking <16,000,000> and
- 3 inserting <20,000,000>

MASCHER of Johnson

H-8203

- 1 Amend House File 2454 as follows:
- 2 1. Page 25, after line 15 by inserting:
- 3 <DIVISION \_\_\_\_
- 4 STATUTORY CHANGES — WATER QUALITY REPORTING
- 5 Sec. \_\_\_\_. **NEW SECTION. 466B.43 Watershed reporting**
- 6 **internet site.**
- 7 The division shall develop and maintain an
- 8 interactive internet site to compile the following
- 9 information for hydrologic unit code 12 watershed
- 10 areas:
- 11 1. A list of state and federal water quality
- 12 projects engaged in within the watershed areas.
- 13 Private entities engaged in water quality projects may
- 14 at their option also submit data on such water quality
- 15 projects undertaken by the private entity.
- 16 2. A list of moneys being expended by entities
- 17 on projects listed pursuant to subsection 1. Private
- 18 entities engaged in water quality projects may at their



19 option also submit financial information on such water  
 20 quality projects undertaken by the private entity.  
 21 3. A list of the rate of nitrates and phosphates in  
 22 the watershed area.  
 23 4. A list of extraneous circumstances and variables  
 24 that would affect the rates of nitrates and phosphates  
 25 within the watershed area, such as landscape, soil  
 26 type, slope, and weather-related conditions.>  
 27 2. By renumbering as necessary.

RUNNING-MARQUARDT of Linn

H-8204

1 Amend the Senate amendment, H-8197, to House File  
 2 2394, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 2, by striking lines 7 through 9 and  
 5 inserting <clear and understandable form.>>

PETTENGILL of Benton

H-8205

1 Amend House File 2273, as passed by the House, as  
 2 follows:  
 3 1. Page 1, before line 1 by inserting:  
 4 <DIVISION I  
 5 GENERAL PROVISIONS>  
 6 2. Page 5, after line 5 by inserting:  
 7 <DIVISION \_\_\_\_  
 8 EMERGENCY PROVISIONS  
 9 Sec. \_\_\_\_ Section 53.17, subsection 1, paragraph b,  
 10 Code 2016, is amended to read as follows:  
 11 b. The sealed return envelope may be mailed to  
 12 the commissioner by the registered voter or by the  
 13 voter's designee. If mailed by the voter's designee,  
 14 the envelope must be mailed within seventy-two hours  
 15 of retrieving it from the voter or within time to be  
 16 postmarked or, if applicable, to have the intelligent  
 17 mail barcode traced to a date of entry into the federal  
 18 mail system not later than the day before the election,  
 19 whichever is earlier.  
 20 Sec. \_\_\_\_ Section 53.17, subsection 2, Code 2016,  
 21 is amended to read as follows:  
 22 2. In order for the ballot to be counted, the  
 23 return envelope must be received in the commissioner's  
 24 office before the polls close on election day or be  
 25 clearly postmarked by an officially authorized postal  
 26 service or bear an intelligent mail barcode traceable  
 27 to a date of entry into the federal mail system not  
 28 later than the day before the election and received

29 by the commissioner not later than noon on the Monday  
30 following the election.

31 Sec. \_\_\_\_ Section 53.17, subsection 4, paragraph f,  
32 Code 2016, is amended to read as follows:

33 *f.* A statement that the completed absentee ballot  
34 will be delivered to the commissioner's office within  
35 seventy-two hours of retrieving it from the voter

PAGE 2

1 or before the closing of the polls on election day,  
2 whichever is earlier, or that the completed absentee  
3 ballot will be mailed to the commissioner within  
4 seventy-two hours of retrieving it from the voter or  
5 within time to be postmarked or, if applicable, to have  
6 the intelligent mail barcode traced to a date of entry  
7 into the federal mail system not later than the day  
8 before the election, whichever is earlier.

9 Sec. \_\_\_\_ Section 53.22, subsection 5, paragraph b,  
10 Code 2016, is amended to read as follows:

11 *b.* Absentee ballots voted under this subsection  
12 shall be delivered to the commissioner no later than  
13 the time the polls are closed on election day. If the  
14 ballot is returned by mail the return envelope must be  
15 received by the time the polls close, or be clearly  
16 postmarked by an officially authorized postal service  
17 or bear an intelligent mail barcode traceable to a  
18 date of entry into the federal mail system not later  
19 than the day before the election and received by the  
20 commissioner no later than the time established for the  
21 canvass by the board of supervisors for that election.

22 Sec. \_\_\_\_ REPORT. The state commissioner of  
23 elections shall prepare a report related to the use  
24 of intelligent mail barcodes by county commissioners  
25 of elections during the 2016 general election. The  
26 report shall include information on the number of  
27 county commissioners of elections utilizing intelligent  
28 mail barcodes on absentee ballot return envelopes and  
29 statistics from such county commissioners detailing the  
30 number of absentee ballots counted in such counties as  
31 a result of the use of intelligent mail barcodes, along  
32 with any additional information deemed appropriate by  
33 the state commissioner. The county commissioners shall  
34 provide the state commissioner with information and  
35 statistics requested by the state commissioner pursuant

PAGE 3

1 to this section. The state commissioner shall deliver  
2 the report to the chairpersons and ranking members of  
3 the general assembly's standing committees on state  
4 government and to the legislative services agency by

5 January 17, 2017.  
 6 Sec. \_\_. EMERGENCY RULES. The state commissioner  
 7 of elections may adopt emergency rules under section  
 8 17A.4, subsection 3, and section 17A.5, subsection  
 9 2, paragraph “b”, to implement the provisions of  
 10 this division of this Act and the rules shall be  
 11 effective immediately upon filing unless a later date  
 12 is specified in the rules. Any rules adopted in  
 13 accordance with this section shall also be published  
 14 as a notice of intended action as provided in section  
 15 17A.4.  
 16 Sec. \_\_. EFFECTIVE UPON ENACTMENT. This division  
 17 of this Act, being deemed of immediate importance,  
 18 takes effect upon enactment.>  
 19 3. Title page, line 2, after <ballots,> by  
 20 inserting <the counting of certain absentee ballots,>  
 21 4. Title page, line 4, after <elections> by  
 22 inserting <, and including effective date provisions>  
 23 5. By renumbering as necessary.

## SENATE AMENDMENT

H-8206

1 Amend House File 2454 as follows:  
 2 1. Page 8, after line 8 by inserting:  
 3 < \_\_. As a condition of the appropriation made in  
 4 subsection 1, the department of agriculture and land  
 5 stewardship, in cooperation with the department of  
 6 natural resources, shall use moneys contained in the  
 7 water quality initiative fund to update the latest  
 8 version of the publication entitled the “Iowa Nutrient  
 9 Reduction Strategy”. The updated publication shall  
 10 include targeted goals and specific action steps  
 11 in order to achieve a twenty percent nitrogen and  
 12 phosphorus load reduction at the watershed scale by  
 13 the year 2025, as described in the Mississippi/Gulf of  
 14 Mexico watershed nutrient task force’s “2015 Report to  
 15 Congress”. The department shall present the updated  
 16 publication for approval by the water resources  
 17 coordinating council established pursuant to section  
 18 466B.3 and shall submit the approved publication to the  
 19 governor and general assembly by December 31, 2016.>  
 20 2. By renumbering as necessary.

ISENHART of Dubuque  
 FORBES of Polk  
 HEDDENS of Story  
 JACOBY of Johnson  
 LENSING of Johnson  
 MEYER of Polk  
 OLDSO of Polk

ANDERSON of Polk  
 HANSON of Jefferson  
 HUNTER of Polk  
 KEARNS of Lee  
 MASCHER of Johnson  
 H. MILLER of Webster  
 OLSON of Polk

OURTH of Warren  
STECKMAN of Cerro Gordo  
WINCKLER of Scott

STAED of Linn  
WESSEL-KROESCHELL of Story

H-8207

- 1 Amend House File 2454 as follows:  
2 1. Page 25, line 9, after <watersheds> by inserting  
3 <and which shall be consistent with achieving a 20  
4 percent nitrogen and phosphorus load reduction by the  
5 year 2025>  
6 2. By renumbering as necessary.

ISENHART of Dubuque

H-8208

- 1 Amend House File 2455 as follows:  
2 1. Page 16, after line 19 by inserting:  
3 <DIVISION \_\_\_  
4 MISCELLANEOUS PROVISIONS — KEEP IOWA BEAUTIFUL  
5 Sec. \_\_\_. KEEP IOWA BEAUTIFUL INITIATIVE. For  
6 the fiscal year beginning July 1, 2016, the economic  
7 development authority shall award grants for purposes  
8 of supporting a keep Iowa beautiful initiative in order  
9 to assist communities in developing and implementing  
10 beautification and community development plans. The  
11 aggregate combined total of grants awarded shall equal  
12 \$200,000 in the fiscal year. The grants awarded under  
13 this section shall be funded with moneys appropriated  
14 to the economic development authority pursuant to 2015  
15 Iowa Acts, ch. 130, section 9, that would otherwise be  
16 dedicated to main street Iowa programs administered by  
17 the authority.>  
18 2. Title page, line 5, after <institutions> by  
19 inserting <, and providing for properly related  
20 matters>  
21 3. By renumbering as necessary.

GRASSLEY of Butler

H-8209

- 1 Amend House File 2455 as follows:  
2 1. Page 5, after line 12 by inserting:  
3 <Od. (1) From the moneys appropriated in  
4 subsection 1, \$25,000 shall be awarded as a grant to a  
5 publicly endorsed, privately led initiative intended  
6 to inspire Iowans and their communities to improve  
7 their health and happiness. The grant recipient shall  
8 award pilot project grants to main street communities  
9 under a main street Iowa program for nonprofit farmers

10 market association projects that incentivize federal  
 11 supplemental nutrition assistance program participants  
 12 to utilize their program benefits to purchase fresh  
 13 fruits and vegetables at farmers markets located within  
 14 the state.

15 (2) The authority shall contract with the grant  
 16 recipient for administration of the pilot project grant  
 17 awards and identification and oversight of individual  
 18 pilot projects. The grant recipient shall require  
 19 private moneys to match the state moneys awarded to  
 20 pilot project grant recipients under this paragraph  
 21 “0d” on a dollar-for-dollar basis.

22 (3) The authority shall report to the chairs  
 23 and ranking members of the joint appropriations  
 24 subcommittees on economic development, agriculture and  
 25 natural resources, and health and human services on  
 26 the results of the individual pilot projects awarded  
 27 grants, including the economic impacts on communities  
 28 and local food producers, by December 31, 2016.>

29 2. By renumbering as necessary.

ISENHART of Dubuque

H-8210

1 Amend House File 2455 as follows:

2 1. Page 17, after line 10 by inserting:

3 <DIVISION \_\_\_

4 MISCELLANEOUS PROVISIONS — SERVICE CONTRACT RECIPIENTS

5 Sec. \_\_\_. Section 8F.3, subsection 1, paragraphs b

6 and d, Code 2016, are amended to read as follows:

7 b. Information regarding the training and education

8 received by the members of the governing body of

9 the recipient entity relating to the duties and

10 legal responsibilities of the governing body. The

11 information shall also include certification that

12 the members of the governing body have completed a

13 training program established pursuant to section 19B.7,

14 subsection 3.

15 d. Information regarding any policies adopted

16 by the governing body of the recipient entity that

17 prohibit taking adverse employment action against

18 employees of the recipient entity who disclose

19 information about a service contract, to include

20 information about the pay and benefits received by

21 an employee of a recipient entity, to the oversight

22 agency, the auditor of state, the office of the

23 attorney general, or the office of ombudsman and

24 that state whether those policies are substantially

25 similar to the protection provided to state employees

26 under section 70A.28. The information provided shall

27 state whether employees of the recipient entity are

28 informed on a regular basis of their rights to disclose  
 29 information to the oversight agency, the office of  
 30 ombudsman, the auditor of state, or the office of the  
 31 attorney general and the telephone numbers of those  
 32 organizations.

33 Sec. \_\_\_\_ Section 19B.7, Code 2016, is amended by  
 34 adding the following new subsection:

35 NEW SUBSECTION. 3. The department of

PAGE 2

1 administrative services, in coordination with  
 2 the Iowa civil rights commission, shall establish a  
 3 training program for prospective recipient entities, as  
 4 defined in section 8F.2, concerning the requirements  
 5 of this section, and chapter 216, relative to the  
 6 administration and promotion of equal opportunity and  
 7 the prohibition of discriminatory and unfair practices  
 8 within any program receiving or benefiting from state  
 9 financial assistance. The program shall specifically  
 10 include guidance relative to unfair employment  
 11 practices as described in section 216.6, and wage  
 12 discrimination in employment prohibitions as described  
 13 in section 216.6A.

14 DIVISION \_\_\_\_

15 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION IN  
 16 EMPLOYMENT

17 Sec. \_\_\_\_ Section 216.6A, Code 2016, is amended by  
 18 adding the following new subsection:

19 NEW SUBSECTION. 2A. It shall be an unfair or  
 20 discriminatory practice for any employer or agent of  
 21 any employer to do any of the following:

22 a. Require, as a condition of employment, that  
 23 an employee refrain from disclosing, discussing,  
 24 or sharing information about the amount of the  
 25 employee's wages, benefits, or other compensation or  
 26 from inquiring, discussing, or sharing information  
 27 about any other employee's wages, benefits, or other  
 28 compensation.

29 b. Require, as a condition of employment, that an  
 30 employee sign a waiver or other document that requires  
 31 an employee to refrain from engaging in any of the  
 32 activities permitted under paragraph "a".

33 c. Discriminate or retaliate against an employee  
 34 for engaging in any of the activities permitted under  
 35 paragraph "a".

PAGE 3

1 d. Seek salary history information, including  
 2 but not limited to information on compensation and  
 3 benefits, from a potential employee as a condition of a

4 job interview or employment. This paragraph shall not  
 5 be construed to prohibit a prospective employer from  
 6 asking a prospective employee what salary level the  
 7 prospective employee would require in order to accept  
 8 a job.

9 e. Release the salary history, including but  
 10 not limited to information on compensation and  
 11 benefits, of any current or former employee to any  
 12 prospective employer in response to a request as part  
 13 of an interview or hiring process without written  
 14 authorization from such current or former employee.

15 f. Publish, list, or post within the employer's  
 16 organization, with any employment agency, job-listing  
 17 service, or internet site, or in any other public  
 18 manner, an advertisement to recruit candidates for hire  
 19 or independent contractors to fill a position within  
 20 the employer's organization without including the  
 21 minimum rate of pay of the position. The rate of pay  
 22 may be by the hour, shift, day, week, salary, piece,  
 23 commission, or other applicable rate. The rate of pay  
 24 shall include overtime and allowances, if any, claimed  
 25 as part of the minimum wage, including but not limited  
 26 to tipped wages.

27 g. Pay a newly hired employee at less than the  
 28 rate of pay advertised for the employee's position as  
 29 required under paragraph "f".

30 DIVISION \_\_\_\_

31 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION —  
 32 EQUAL PAY TASK FORCE AND REPORT

33 Sec. \_\_\_\_ EQUAL PAY TASK FORCE AND REPORT.

34 1. An equal pay task force is created. The task  
 35 force shall consist of the following members:

PAGE 4

1 a. The director of the civil rights commission, or  
 2 the director's designee.

3 b. The director of the department of human rights,  
 4 or the director's designee.

5 c. An employee of the labor market information  
 6 division of the department of workforce development  
 7 designated by the director of the department.

8 d. A representative of the association of business  
 9 and industry, appointed by the president of the  
 10 association.

11 e. A member of a statewide labor organization  
 12 designated by the legislative council, appointed by the  
 13 president of the organization.

14 f. Two representatives of organizations whose  
 15 objectives include the elimination of pay disparities  
 16 between men and women and minorities and nonminorities  
 17 and that have undertaken advocacy, educational, or  
 18 legislative initiatives in pursuit of such objectives

19 appointed by the director of the civil rights  
20 commission in consultation with the leadership of those  
21 organizations.  
22 g. Two representatives of postsecondary education  
23 institutions who have experience and expertise in  
24 the collection and analysis of data concerning pay  
25 disparities between men and women and minorities and  
26 nonminorities and whose research has been used in  
27 efforts to promote the elimination of such disparities  
28 appointed by the director of the civil rights  
29 commission in consultation with the leadership of those  
30 institutions.  
31 h. Four members of the general assembly serving  
32 as ex officio, nonvoting members, one representative  
33 to be appointed by the speaker of the house of  
34 representatives, one representative to be appointed by  
35 the minority leader of the house of representatives,

PAGE 5

1 one senator to be appointed by the majority leader of  
2 the senate, and one senator to be appointed by the  
3 minority leader of the senate.  
4 2. The task force shall study all of the following:  
5 a. The extent of wage disparities, both in the  
6 public and private sectors, between men and women and  
7 between minorities and nonminorities.  
8 b. Factors that cause, or which tend to cause, such  
9 disparities, including segregation between women and  
10 men and between minorities and nonminorities across  
11 and within occupations, payment of lower wages for  
12 work in female-dominated occupations, child-rearing  
13 responsibilities, the number of women who are heads of  
14 households, education, hours worked, and years on the  
15 job.  
16 c. The consequences of such disparities on the  
17 economy and affected families.  
18 d. Actions likely to lead to the elimination and  
19 prevention of such disparities.  
20 3. The civil rights commission shall provide  
21 staffing services for the task force.  
22 4. The voting members shall elect a chairperson  
23 from the voting membership of the task force. A  
24 majority of the voting members of the task force  
25 constitutes a quorum.  
26 5. Voting members of the task force shall receive  
27 reimbursement for actual expenses incurred while  
28 serving in their official capacity only if they are not  
29 eligible for reimbursement by the organization that  
30 they represent. Legislative members shall be paid the  
31 per diem and expenses specified in section 2.10.  
32 6. The task force shall submit a report regarding



33 its findings and its recommendations regarding  
 34 potential actions for the elimination and prevention  
 35 of disparities in wages between men and women and

PAGE 6

1 minorities and nonminorities to the governor and the  
 2 general assembly no later than December 22, 2017.>  
 3 2. By renumbering as necessary.

ANDERSON of Polk  
 FINKENAUER of Dubuque

H-8211

1 Amend House File 2455 as follows:  
 2 1. Page 5, line 19, before <There> by inserting  
 3 <a.>  
 4 2. Page 5, after line 25 by inserting:  
 5 <b. (1) From the moneys appropriated in this  
 6 subsection, \$25,000 shall be awarded by the world food  
 7 prize as a grant to a publicly endorsed, privately  
 8 led initiative intended to inspire Iowans and their  
 9 communities to improve their health and happiness.  
 10 The grant recipient shall award pilot project grants  
 11 to main street communities under a main street Iowa  
 12 program for nonprofit farmers market association  
 13 projects that incentivize federal supplemental  
 14 nutrition assistance program participants to utilize  
 15 their program benefits to purchase fresh fruits and  
 16 vegetables at farmers markets located within the state.  
 17 (2) As a condition of receiving moneys pursuant to  
 18 this subsection, the world food prize shall:  
 19 (a) Contract with the grant recipient for  
 20 administration of the pilot project grant awards and  
 21 identification and oversight of individual pilot  
 22 projects. The grant recipient shall require private  
 23 moneys to match the state moneys awarded to pilot  
 24 project grant recipients under this paragraph "b" on  
 25 a dollar-for-dollar basis.  
 26 (b) Report to the chairs and ranking members of  
 27 the joint appropriations subcommittee on economic  
 28 development on the results of the individual pilot  
 29 projects awarded grants, including the economic impacts  
 30 on communities and local food producers, by December  
 31 31, 2016.>

ISENHART of Dubuque

H-8212

1 Amend House File 2455 as follows:

- 2 1. Page 17, after line 1 by inserting:  
 3 <DIVISION \_\_\_  
 4 KEEP IOWA BEAUTIFUL  
 5 Sec. \_\_\_. KEEP IOWA BEAUTIFUL INITIATIVE. The  
 6 director of the economic development authority created  
 7 in section 15.105 shall allocate moneys in one or more  
 8 funds established in section 15.106A, subsection 1,  
 9 paragraph "o", in an amount equal to \$200,000 for the  
 10 fiscal year beginning July 1, 2016, and ending June  
 11 30, 2017, for the purpose of supporting a keep Iowa  
 12 beautiful initiative in order to assist communities  
 13 in developing and implementing beautification and  
 14 community development plans.>  
 15 2. By renumbering as necessary.

GRASSLEY of Butler

H-8213

- 1 Amend House File 2455 as follows:  
 2 1. Page 16, line 30, after <BOARD> by inserting  
 3 <AND DIVISION>  
 4 2. Page 17, after line 1 by inserting:  
 5 <Sec. \_\_\_. Section 303.8, subsection 2, paragraph  
 6 b, Code 2016, is amended to read as follows:  
 7 b. Maintain research centers in Des Moines and Iowa  
 8 City and ensure the centers remain open and accessible  
 9 to the public for a minimum of thirty-six hours per  
 10 calendar week with the hours being distributed over  
 11 consecutive days. The hour requirements under this  
 12 paragraph "b" shall not apply to any week containing a  
 13 legal public holiday described in section 1C.1.  
 14 3. By renumbering as necessary.

RUNNING-MARQUARDT of Linn

H-8214

- 1 Amend House File 2458 as follows:  
 2 1. Page 22, lines 29 and 30, by striking <and the  
 3 rules shall be effective immediately upon filing unless  
 4 a later date is specified in the rules>

PETTENGILL of Benton

H-8215

- 1 Amend House File 2459 as follows:  
 2 1. Page 6, after line 30 by inserting:  
 3 <DIVISION \_\_\_  
 4 UNDERGROUND STORAGE TANK FUND AND RENEWABLE FUEL  
 5 INFRASTRUCTURE FUND ALLOCATIONS — UNDERGROUND STORAGE

## 6 TANKS REMEDIAL ACTION TAX CREDIT AND CLAIMS

7 Sec. \_\_\_\_ Section 321.145, subsection 2, paragraph  
8 a, Code 2016, is amended by striking the paragraph.

9 Sec. \_\_\_\_ Section 321.145, subsection 2, paragraph  
10 b, Code 2016, is amended to read as follows:

11 b. Moneys ~~remaining after the operation of~~  
12 ~~paragraph “a”~~ shall be credited in order of priority as  
13 follows:

14 (1) An amount equal to four percent of the revenue  
15 from the operation of section 321.105A, subsection 2,  
16 shall be credited to the department, to be used for  
17 purposes of public transit assistance under chapter  
18 324A.

19 (2) An amount equal to two dollars per year of  
20 license validity for each issued or renewed driver’s  
21 license which is valid for the operation of a  
22 motorcycle shall be credited to the motorcycle rider  
23 education fund established under section 321.179.

24 (3) The amounts required to be transferred pursuant  
25 to section 321.34 from revenues available under  
26 this subsection shall be transferred and credited as  
27 provided in section 321.34, subsections 7, 10, 10A,  
28 11, 11A, 11B, 13, 16, 17, 18, 19, 20, 20A, 20B, 20C,  
29 21, 22, 23, 24, 25, and 26 for the various purposes  
30 specified in those subsections.

31 Sec. \_\_\_\_ NEW SECTION. 427B.23 Repeal.

32 This division is repealed July 1, 2016.

33 Sec. \_\_\_\_ NEW SECTION. 455G.22 Eligible claims and  
34 date.

35 A claim for a release filed after December 31,

PAGE 2

1 2016, shall not be eligible for payment from the Iowa  
2 comprehensive petroleum underground storage tank fund.

3 DIVISION \_\_\_\_

4 IOWA TANKS FUND FINANCING PROGRAM — UNDERGROUND  
5 STORAGE TANK FUND REPEAL

6 Sec. \_\_\_\_ NEW SECTION. 16.145 Definitions.

7 As used in this part:

8 1. “*Claimant*” means an owner or operator who has  
9 received assistance under the Iowa tanks fund or  
10 its predecessor, the Iowa comprehensive petroleum  
11 underground storage tank fund created in chapter 455G,  
12 Code 2017.

13 2. “*Costs*” means all costs, charges, expenses,  
14 or other indebtedness incurred by a claimant and  
15 determined by the department as reasonable and  
16 necessary for carrying out all works and undertakings  
17 necessary or incidental to the accomplishment of any  
18 project.

19 3. “*Department*” means the department of natural

20 resources created in section 455A.2.

21 4. “*Director*” means the director of the department  
22 of natural resources.

23 5. “*Program*” means the Iowa tanks fund financing  
24 program created pursuant to section 455B.472A.

25 Sec. \_\_\_\_ NEW SECTION. **16.146 Iowa tanks fund**  
26 **financing program.**

27 1. The authority shall cooperate with the  
28 department in the creation, administration, and  
29 financing of the program.

30 2. The authority shall administer the Iowa tanks  
31 fund created in section 455B.472A to carry out  
32 the purposes of the program and shall manage the  
33 funding, administration, investment, restrictions, and  
34 disposition of the fund.

35 3. The authority shall work cooperatively with

PAGE 3

1 the director to distribute financial assistance for  
2 work conducted by eligible entities that comply with  
3 the requirements of the program. The department  
4 shall determine if work completed is eligible for  
5 reimbursement from the Iowa tanks fund created for the  
6 program.

7 Sec. \_\_\_\_ Section 68B.35, subsection 2, paragraph  
8 e, Code 2016, is amended to read as follows:

9 e. Members of the state banking council, the  
10 ethics and campaign disclosure board, the credit union  
11 review board, the economic development authority, the  
12 employment appeal board, the environmental protection  
13 commission, the health facilities council, the  
14 Iowa finance authority, the Iowa public employees’  
15 retirement system investment board, the board of  
16 the Iowa lottery authority, the natural resource  
17 commission, the board of parole, ~~the petroleum~~  
18 ~~underground storage tank fund board~~, the public  
19 employment relations board, the state racing and gaming  
20 commission, the state board of regents, the tax review  
21 board, the transportation commission, the office  
22 of consumer advocate, the utilities board, the Iowa  
23 telecommunications and technology commission, and any  
24 full-time members of other boards and commissions as  
25 defined under section 7E.4 who receive an annual salary  
26 for their service on the board or commission. The Iowa  
27 ethics and campaign disclosure board shall conduct an  
28 annual review to determine if members of any other  
29 board, commission, or authority should file a statement  
30 and shall require the filing of a statement pursuant to  
31 rules adopted pursuant to chapter 17A.

32 Sec. \_\_\_\_ Section 159A.11, subsection 10, Code  
33 2016, is amended by striking the subsection.

34 Sec. \_\_\_\_ Section 159A.13, subsection 6, Code 2016,  
35 is amended by striking the subsection.

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1 Sec. \_\_\_\_ Section 159A.14, subsection 2, Code 2016,  
2 is amended to read as follows:

3 2. A person may apply to the department to receive  
4 financial incentives on a cost-share basis. The  
5 ~~department shall forward the applications to the~~  
6 ~~underground storage tank fund board as required by~~  
7 ~~that board for evaluation and recommendation. The~~  
8 ~~underground storage tank fund board may rank the~~  
9 ~~applications with comments and shall forward them to~~  
10 ~~the infrastructure board for approval or disapproval.~~  
11 The department shall award financial incentives  
12 on a cost-share basis to an eligible person whose  
13 application was approved by the infrastructure board.

14 Sec. \_\_\_\_ Section 159A.15, subsection 1, Code 2016,  
15 is amended to read as follows:

16 1. A person may apply to the department to receive  
17 financial incentives on a cost-share basis. The  
18 ~~department shall forward the applications to the~~  
19 ~~underground storage tank fund board as required by~~  
20 ~~that board for evaluation and recommendation. The~~  
21 ~~underground storage tank fund board may rank the~~  
22 ~~applications with comments and shall forward them to~~  
23 ~~the infrastructure board for approval or disapproval.~~  
24 The department shall award financial incentives  
25 on a cost-share basis to an eligible person whose  
26 application was approved by the infrastructure board.

27 Sec. \_\_\_\_ Section 323.1, subsection 16, Code 2016,  
28 is amended to read as follows:

29 16. "*Storage tank*" means a motor fuel storage tank  
30 as defined in section 214.1, ~~including an underground~~  
31 ~~storage tank subject to regulation under chapter 455G.~~

32 Sec. \_\_\_\_ Section 422.7, subsection 2, paragraph u,  
33 Code 2016, is amended by striking the paragraph.

34 Sec. \_\_\_\_ Section 455B.174, subsection 4, paragraph  
35 d, Code 2016, is amended to read as follows:

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1 d. If a public water supply has a groundwater  
2 source that contains petroleum, a fraction of crude  
3 oil, or their degradation products, or is located  
4 in an area deemed by the department as likely to be  
5 contaminated by such materials, and after consultation  
6 with the public water supply system and consideration  
7 of all applicable rules relating to remediation, the  
8 department may require the public water supply system  
9 to replace that groundwater source in order to receive

10 a permit to operate. The requirement to replace the  
 11 source shall only be made by the department if the  
 12 public water supply system is fully compensated for  
 13 any additional design, construction, operation, and  
 14 monitoring costs from the Iowa comprehensive petroleum  
 15 ~~underground storage tank tanks~~ fund created by chapter  
 16 455G section 455B.472A or from any other funds that  
 17 do not impose a financial obligation on the part of  
 18 the public water supply system. Funds available to  
 19 or provided by the public water supply system may be  
 20 used for system improvements made in conjunction with  
 21 replacement of the source. The department cannot  
 22 require a public water supply system to replace its  
 23 water source with a less reliable water source or with  
 24 a source that does not meet federal primary, secondary,  
 25 or other health-based standards unless treatment is  
 26 provided to ensure that the drinking water meets these  
 27 standards. Nothing in this paragraph shall affect the  
 28 public water supply system's right to pursue recovery  
 29 from a responsible party.

30 Sec. \_\_\_\_ Section 455B.471, Code 2016, is amended  
 31 by adding the following new subsections:  
 32 NEW SUBSECTION. 01. "*Authority*" means the Iowa  
 33 finance authority.  
 34 NEW SUBSECTION. 1A. "*Claimant*" means an owner or  
 35 operator who has received assistance under the Iowa

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1 tanks fund or its predecessor, the Iowa comprehensive  
 2 petroleum underground storage tank fund created in  
 3 chapter 455G, Code 2017.  
 4 NEW SUBSECTION. 2A. "*Costs*" means all costs,  
 5 charges, expenses, or other indebtedness incurred  
 6 by a claimant and determined by the department as  
 7 reasonable and necessary for carrying out all works  
 8 and undertakings necessary or incidental to the  
 9 accomplishment of any project.  
 10 NEW SUBSECTION. 3A. "*Insurance*" means any form  
 11 of financial assistance or showing of financial  
 12 responsibility sufficient to comply with the federal  
 13 Resource Conservation and Recovery Act, 42 U.S.C. §6901  
 14 et seq., or the department's underground storage tank  
 15 financial responsibility rules.  
 16 NEW SUBSECTION. 7A. "*Potentially responsible party*"  
 17 means a person who may be responsible or liable for  
 18 a release for which the fund has made payments for  
 19 corrective action or third-party liability.  
 20 NEW SUBSECTION. 9A. "*Tank*" means an underground  
 21 storage tank for which proof of financial  
 22 responsibility is, or on a date definite will  
 23 be, required to be maintained pursuant to the federal

24 Resource Conservation and Recovery Act and the  
 25 regulations from time-to-time adopted pursuant to that  
 26 Act or successor Acts or amendments.  
 27 NEW SUBSECTION. 10A. *“Third-party liability”* means  
 28 both of the following:  
 29 a. Property damage including physical injury to  
 30 tangible property, but not including loss of use, other  
 31 than costs to remediate.  
 32 b. Bodily injury including sickness, bodily injury,  
 33 illness, or death.  
 34 Sec. \_\_\_\_ Section 455B.471, subsection 1, Code  
 35 2016, is amended by striking the subsection.

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1 Sec. \_\_\_\_ Section 455B.471, subsection 3, Code  
 2 2016, is amended to read as follows:  
 3 3. *“Fund”* means the Iowa ~~comprehensive petroleum~~  
 4 ~~underground storage tank tanks~~ fund ~~created in section~~  
 5 ~~455B.472A.~~  
 6 Sec. \_\_\_\_ NEW SECTION. **455B.472A Iowa tanks fund**  
 7 **financing program — fund created.**  
 8 1. The department, in cooperation with the  
 9 authority, shall establish and administer an Iowa tanks  
 10 fund financing program for the purpose of reimbursing  
 11 underground storage tank owners for all or part of  
 12 the costs of corrective action for previously unknown  
 13 petroleum releases. The department and the authority  
 14 may together enter into and provide any agreements,  
 15 documents, instruments, certificates, data, or  
 16 information necessary in connection with the operation,  
 17 administration, and financing of the program consistent  
 18 with this part, the federal Resource Conservation and  
 19 Recovery Act, 42 U.S.C. §6901 et seq., the rules of  
 20 the commission, the rules of the authority, and other  
 21 applicable federal and state law. The authority and  
 22 the department may act to conform the program to the  
 23 applicable guidance and regulations adopted by the  
 24 United States environmental protection agency.  
 25 2. An Iowa tanks fund is created in the state  
 26 treasury under the control of the authority and  
 27 consisting of moneys appropriated or transferred to  
 28 the fund, cost recovery enforcement moneys collected  
 29 pursuant to section 455B.472B, civil enforcement  
 30 moneys recovered pursuant to section 455B.477, interest  
 31 attributable to moneys in the fund, moneys in the form  
 32 of a devise, gift, bequest, donation, federal or other  
 33 grant, reimbursement, repayment, judgment, or payment  
 34 from any source intended to be used for the purposes  
 35 of the fund, all receipts by the fund, and any other

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1 moneys credited to the fund from any public or private  
2 source. Notwithstanding section 12C.7, subsection 2,  
3 interest or earnings on moneys in the Iowa tanks fund  
4 shall be credited to the Iowa tanks fund.

5 3. Moneys in the Iowa tanks fund shall be used to  
6 reimburse tank owners for all or part of the costs of  
7 a corrective action for a petroleum release, and for  
8 administrative costs of the department.

9 4. Moneys in the Iowa tanks fund are not considered  
10 part of the general fund of the state, are not subject  
11 to appropriation for any other purpose by the general  
12 assembly, and the balance of the Iowa tanks fund shall  
13 not be considered part of the balance of the general  
14 fund of the state. The fund is a separate dedicated  
15 fund under the administration and control of the  
16 authority as provided under section 16.146.

17 5. The state, the general fund of the state, and  
18 all other funds of the state other than the Iowa tanks  
19 fund are not liable for a claim or cause of action in  
20 connection with a tank not owned or operated by the  
21 state, or agency of the state. All expenses incurred  
22 by the fund are payable solely from the fund and no  
23 liability or obligation is imposed upon the state.  
24 The liability of the fund is limited to the extent of  
25 coverage provided by the applicable account within the  
26 fund under which a claim is submitted, subject to the  
27 terms and conditions of that coverage. The liability  
28 of the fund is further limited by the moneys made  
29 available to the fund, and no remedy shall be ordered  
30 which would require the fund to exceed its then current  
31 funding limitations to satisfy an award or which would  
32 restrict the availability of moneys for higher priority  
33 sites. The state is not liable for a claim presented  
34 against the fund.

35 6. The department shall prioritize uses of the

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1 moneys in the fund based upon rules adopted by  
2 the commission in cooperation with the authority.  
3 Department discretion for use of the moneys in the fund  
4 shall not be subject to section 455B.478.

5 7. *a.* For the fiscal year beginning July 1, 2017,  
6 and each fiscal year thereafter, there is appropriated  
7 from the Iowa tanks fund to the department two hundred  
8 thousand dollars to support the administration of the  
9 fund.

10 *b.* Notwithstanding section 8.33, moneys  
11 appropriated in this subsection that remain  
12 unencumbered or unobligated at the close of the fiscal



13 year shall not revert but shall remain available for  
 14 expenditure for the purposes designated until the close  
 15 of the succeeding fiscal year.

16 c. This subsection is repealed July 1, 2022.

17 Sec. \_\_\_\_ NEW SECTION. **455B.472B Cost recovery**  
 18 **enforcement.**

19 1. *Full recovery sought from owner.* The department  
 20 may seek full recovery from the owner, operator, or  
 21 other potentially responsible party liable for the  
 22 released petroleum which is the subject of a corrective  
 23 action, for which the Iowa tanks fund expends moneys,  
 24 or for which the former Iowa comprehensive petroleum  
 25 underground storage tank fund established pursuant  
 26 to section 455G.3, Code 2017, expended moneys, for  
 27 corrective action or third-party liability, and for all  
 28 other costs, including reasonable attorney fees and  
 29 costs of litigation for which moneys are expended by  
 30 the fund in connection with the release. When federal  
 31 cleanup funds are recovered, the federal cleanup funds  
 32 shall be used solely for the purpose of future cleanup  
 33 activities.

34 2. *Limitation of liability of owner or*  
 35 *operator.* Except as provided in subsection 3,

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1 the department shall not seek recovery for expenses in  
 2 connection with corrective action for a release from  
 3 an owner or operator eligible for assistance under  
 4 the Iowa tanks fund except for any unpaid portion of  
 5 the deductible or copayment. This section does not  
 6 affect any authorization of the department to impose  
 7 or collect civil or administrative fines or penalties  
 8 or fees. The fund shall not be held liable for any  
 9 third-party liability.

10 3. *Owner or operator not in compliance, subject*  
 11 *to full and total cost recovery.* Notwithstanding  
 12 subsection 2, the liability of an owner or operator  
 13 shall be the full and total costs of corrective action  
 14 and bodily injury or property damage to third parties,  
 15 as specified in subsection 1, if the owner or operator  
 16 has not complied with the financial responsibility or  
 17 other underground storage tank rules of the department  
 18 or with this part and rules adopted under this part.

19 4. *Treble damages for certain violations.*

20 a. Notwithstanding subsections 2 and 3, the owner  
 21 or operator, or both, of a tank are liable to the Iowa  
 22 tanks fund for punitive damages in an amount equal  
 23 to three times the amount of any cost incurred or  
 24 moneys expended by the fund as a result of a release of  
 25 petroleum from the tank if the owner or operator did  
 26 any of the following:

- 27 (1) Failed, without sufficient cause, to respond  
28 to a release of petroleum from the tank upon, or in  
29 accordance with, a notice issued by the director of the  
30 department.
- 31 (2) After May 5, 1989, failed to perform any of the  
32 following:
- 33 (a) Failed to register the tank, which was known to  
34 exist or reasonably should have been known to exist.
- 35 (b) Intentionally failed to report a known release.

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- 1 b. The punitive damages imposed under this  
2 subsection are in addition to any costs or expenditures  
3 recovered from the owner or operator pursuant to this  
4 part and in addition to any other penalty or relief  
5 provided by this part or any other law.
- 6 c. However, the state, a city, county, or other  
7 political subdivision shall not be liable for punitive  
8 damages.
- 9 5. *Lien on tank site.* Any amount for which an  
10 owner or operator is liable to the Iowa tanks fund,  
11 if not paid when due, by statute, rule, or contract,  
12 or determination of liability by the department  
13 after hearing, shall constitute a lien upon the real  
14 property where the tank, which was the subject of  
15 corrective action, is situated, and the liability shall  
16 be collected in the same manner as the environmental  
17 protection charge pursuant to section 424.11, Code  
18 2016.
- 19 6. *Joinder of parties.* The department has standing  
20 in any case or contested action related to the Iowa  
21 tanks fund or a tank to assert any claim that the  
22 department may have regarding the tank at issue in the  
23 case or contested action. Upon motion and sufficient  
24 showing by a party to a cost recovery or subrogation  
25 action provided for under this section, the court or  
26 the administrative law judge shall join to the action  
27 any potentially responsible party who may be liable for  
28 costs and expenditures of the type recoverable pursuant  
29 to this section.
- 30 7. *Strict liability.* The standard of liability for  
31 a release of petroleum or other regulated substance is  
32 strict liability.
- 33 8. *Third-party contracts not binding on department*  
34 *— proceedings against responsible party.* An insurance,  
35 indemnification, hold harmless, conveyance, or similar

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- 1 risk-sharing or risk-shifting agreement shall not  
2 be effective to transfer any liability for costs

3 recoverable under this section. The department may  
4 proceed directly against the owner or operator or other  
5 allegedly responsible party. This section does not bar  
6 any agreement to insure, hold harmless, or indemnify a  
7 party to the agreement for any costs or expenditures  
8 under this part, and does not modify rights between  
9 the parties to an agreement, except to the extent the  
10 agreement shifts liability to an owner or operator  
11 eligible for assistance under the Iowa tanks fund  
12 for any damages or other expenses in connection with  
13 a corrective action for which another potentially  
14 responsible party is or may be liable. Any such  
15 provision is null and void and of no force or effect.  
16 9. *Later proceedings permitted against other*  
17 *parties.* The entry of judgment against a party to the  
18 action does not bar a future action by the department  
19 against another person who is later alleged to be or  
20 discovered to be liable for costs and expenditures  
21 paid by the Iowa tanks fund. Notwithstanding section  
22 668.5, a potentially responsible party shall not seek  
23 contribution or any other recovery from an owner or  
24 operator eligible for assistance under the fund for  
25 damages or other expenses in connection with corrective  
26 action for a release for which the potentially  
27 responsible party is or may be liable. Subsequent  
28 successful proceedings against another party shall not  
29 modify or reduce the liability of a party against whom  
30 judgment has been previously entered.  
31 10. *Claims against potentially responsible parties.*  
32 a. Upon payment by the Iowa tanks fund for  
33 corrective action or third-party liability pursuant  
34 to this part, the rights of the claimant to recover  
35 payment from any potentially responsible party are

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1 assumed by the department to the extent paid by the  
2 fund. A claimant is precluded from receiving double  
3 compensation for the same injury.  
4 b. In an action brought pursuant to this part  
5 seeking damages for corrective action or third-party  
6 liability, the court shall permit evidence and argument  
7 as to the replacement or indemnification of actual  
8 economic losses incurred or to be incurred in the  
9 future by the claimant by reason of insurance benefits,  
10 governmental benefits or programs, or from any other  
11 source.  
12 c. A claimant may elect to permit the department to  
13 pursue the claimant's cause of action for any injury  
14 not compensated by the Iowa tanks fund against any  
15 potentially responsible party, provided the attorney  
16 general determines such representation would not be a

17 conflict of interest. If a claimant so elects, the  
 18 department's litigation expenses shall be shared on a  
 19 pro rata basis with the claimant, but the claimant's  
 20 share of litigation expenses is payable exclusively  
 21 from any share of the settlement or judgment payable  
 22 to the claimant.

23 11. *Exclusion of punitive damages.* The Iowa tanks  
 24 fund shall not be liable in any case for punitive  
 25 damages.

26 Sec. \_\_\_\_\_. Section 455B.474, subsection 1, paragraph  
 27 a, subparagraph (6), subparagraph divisions (g), (i),  
 28 and (j), Code 2016, are amended to read as follows:

29 (g) An owner or operator may elect to proceed with  
 30 additional corrective action on the site. However,  
 31 any action taken in addition to that required pursuant  
 32 to this subparagraph (6), shall be solely at the  
 33 expense of the owner or operator and shall not be  
 34 considered corrective action for purposes of section  
 35 ~~455G.9~~ 455B.472A, unless otherwise previously agreed

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1 to by the ~~board~~ department and the owner or operator  
 2 pursuant to section ~~455G.9, subsection 7~~ 455B.472A.  
 3 Corrective action taken by an owner or operator due to  
 4 the department's failure to meet the time requirements  
 5 provided in subparagraph division (e) shall be  
 6 considered corrective action for purposes of section  
 7 ~~455G.9~~ 455B.472A.

8 (i) Replacement or upgrade of a tank on a site  
 9 classified as a high or low risk site shall be equipped  
 10 with a secondary containment system with monitoring of  
 11 the space between the primary and secondary containment  
 12 structures or other ~~board-approved~~ department-approved  
 13 tank system or methodology.

14 (j) The commission and the ~~board~~ department shall  
 15 cooperate to ensure that remedial measures required  
 16 by the corrective action rules adopted pursuant to  
 17 this subparagraph (6) are reasonably cost-effective  
 18 and shall, to the fullest extent possible, avoid  
 19 duplicating and conflicting requirements.

20 Sec. \_\_\_\_\_. Section 455B.474, subsection 9, paragraph  
 21 d, Code 2016, is amended to read as follows:

22 *d.* The certification of groundwater professionals  
 23 shall not impose liability on the ~~board, the~~  
 24 department, or the fund for any claim or cause of  
 25 action of any nature, based on the action or inaction  
 26 of a groundwater professional certified pursuant to  
 27 this subsection.

28 Sec. \_\_\_\_\_. Section 455B.474, Code 2016, is amended  
 29 by adding the following new subsection:

30 NEW SUBSECTION. 11. Prioritization for use of

31 moneys from the Iowa tanks fund for corrective action  
 32 to address releases from petroleum underground storage  
 33 tanks.  
 34 Sec. \_\_\_\_ Section 455B.475, Code 2016, is amended  
 35 by adding the following new subsections:

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1 NEW SUBSECTION. 4. Assure that in combination with  
 2 existing state statutes and rules governing underground  
 3 storage tanks, the state will be, and continue to  
 4 be, recognized by the federal government as having an  
 5 “approved state account” under the federal Resource  
 6 Conservation and Recovery Act, 42 U.S.C. §6921–6934,  
 7 especially by compliance with the Act’s subtitle I  
 8 financial responsibility requirements as enacted in the  
 9 federal Superfund Amendments and Reauthorization Act  
 10 of 1986, 42 U.S.C. §9601 et seq., and the financial  
 11 responsibility regulations adopted by the United States  
 12 environmental protection agency at 40 C.F.R. pts.  
 13 280 and 281. Whenever possible, this part shall be  
 14 interpreted to further the purposes of, and to comply  
 15 and not to conflict with, such federal requirements.  
 16 NEW SUBSECTION. 5. Coordinate with the Iowa  
 17 finance authority to process, review, and pay claims  
 18 under the Iowa tanks fund financing program established  
 19 in section 455B.472A.  
 20 Sec. \_\_\_\_ Section 455B.477, subsection 7, Code  
 21 2016, is amended to read as follows:  
 22 7. The civil penalties or other damages or moneys  
 23 recovered by the state ~~or the petroleum underground~~  
 24 ~~storage tank fund~~ in connection with a petroleum  
 25 underground storage tank under this part of this  
 26 division ~~or chapter 455G~~ shall be credited to the Iowa  
 27 ~~tanks fund created in section 455G.3 and allocated~~  
 28 ~~between fund accounts according to the fund budget~~  
 29 ~~455B.472A.~~ Any federal moneys, including but not  
 30 limited to federal underground storage tank trust  
 31 fund moneys, received by the state or the department  
 32 of natural resources in connection with a release  
 33 occurring on or after May 5, 1989, or received  
 34 generally for underground storage tank programs on  
 35 or after May 5, 1989, shall be credited to the fund

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1 created in section ~~455G.3 and allocated between fund~~  
 2 ~~accounts according to the fund budget, unless such use~~  
 3 ~~would be contrary to federal law.~~ The department shall  
 4 cooperate with the board of the Iowa comprehensive  
 5 petroleum underground storage tank fund to maximize  
 6 the state’s eligibility for and receipt of federal

7 funds for underground storage tank related purposes  
8 455B.472A.

9 Sec. \_\_\_\_ Section 455B.478, Code 2016, is amended  
10 to read as follows:

11 **455B.478 Judicial review.**

12 Except as provided in section 455B.477, subsection  
13 5, and section 455B.472A, judicial review of an  
14 order or other action of the commission or the  
15 director may be sought in accordance with chapter 17A.  
16 Notwithstanding chapter 17A, the Iowa administrative  
17 procedure Act, petitions for judicial review may be  
18 filed in the district court of the county in which the  
19 alleged offense was committed or the final order was  
20 entered.

21 Sec. \_\_\_\_ Section 455E.11, subsection 2, paragraph  
22 d, subparagraph (3), Code 2016, is amended by striking  
23 the subparagraph.

24 Sec. \_\_\_\_ NEW SECTION. 455G.22A Future repeal.

25 This subchapter is repealed July 1, 2017.

26 Sec. \_\_\_\_ Section 455I.2, subsection 5, paragraph

27 a, Code 2016, is amended to read as follows:

28 a. A federal or state program that is subject  
29 to the jurisdiction of an agency, including but not  
30 limited to programs established by ~~chapters~~ chapter  
31 ~~455B and 455G~~ section 455B.472A, corrective or response  
32 actions pursuant to 42 U.S.C. §6901 et seq., and  
33 remedial actions under 42 U.S.C. §9601 et seq.

34 Sec. \_\_\_\_ **TRANSITION PROVISIONS.**

35 1. Upon repeal of chapter 455G, subchapter I,

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1 and the creation of the Iowa tanks fund pursuant to  
2 section 455B.472A, as enacted in this Act, all moneys  
3 in all funds administered by the Iowa comprehensive  
4 petroleum underground storage tank fund board are  
5 transferred to the Iowa finance authority for deposit  
6 in the Iowa tanks fund. Any moneys credited to any  
7 fund administered by the Iowa comprehensive petroleum  
8 underground storage tank fund board after July 1, 2017,  
9 are transferred to the Iowa finance authority for  
10 deposit in the Iowa tanks fund.

11 2. Any rule, regulation, form, order, or directive  
12 promulgated by the Iowa comprehensive petroleum  
13 underground storage tank fund board as required to  
14 administer and enforce the provisions relating to the  
15 Iowa comprehensive petroleum underground storage tank  
16 fund shall continue in full force and effect until  
17 amended, repealed, or supplemented by affirmative  
18 action of the department of natural resources and the  
19 Iowa finance authority.

20 3. The Iowa comprehensive petroleum underground

21 storage tank fund board shall administratively close  
 22 or terminate any remaining liabilities, contracts,  
 23 outstanding claims, payments, or other obligations for  
 24 open comprehensive petroleum underground storage tank  
 25 fund claims in existence on June 30, 2017.  
 26 Sec. \_\_\_\_ EFFECTIVE DATE AND IMPLEMENTATION. This  
 27 division of this Act shall take effect July 1, 2017,  
 28 except that the department of natural resources and  
 29 the Iowa finance authority may begin implementation  
 30 prior to July 1, 2017, to the extent necessary to  
 31 transition to full implementation of the provisions  
 32 relating to the Iowa tanks fund and repeal of the Iowa  
 33 comprehensive petroleum underground storage tank fund.>  
 34 2. Title page, line 2, by striking <and>  
 35 3. Title page, line 3, after <atters> by inserting

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1 <, and including effective date provisions>  
 2 4. By renumbering as necessary.

HALL of Woodbury

H-8216

1 Amend House File 2334 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 <Section 1. Section 123.3, subsection 35, Code  
 5 2016, is amended to read as follows:  
 6 35. “Pharmacy” means a drug store in which drugs  
 7 and medicines are exposed for sale and sold at retail,  
 8 or in which prescriptions of licensed physicians and  
 9 surgeons, dentists, prescribing psychologists, or  
 10 veterinarians are compounded and sold by a registered  
 11 pharmacist.  
 12 Sec. 2. Section 124.101, subsection 26, paragraph  
 13 a, Code 2016, is amended to read as follows:  
 14 a. A physician, dentist, podiatric physician,  
 15 prescribing psychologist, veterinarian, scientific  
 16 investigator or other person licensed, registered, or  
 17 otherwise permitted to distribute, dispense, conduct  
 18 research with respect to, or to administer a controlled  
 19 substance in the course of professional practice or  
 20 research in this state.  
 21 Sec. 3. Section 147.107, subsections 1 and 2, Code  
 22 2016, are amended to read as follows:  
 23 1. A person, other than a pharmacist, physician,  
 24 dentist, podiatric physician, prescribing psychologist,  
 25 or veterinarian who dispenses as an incident to the  
 26 practice of the practitioner’s profession, shall not  
 27 dispense prescription drugs or controlled substances.

28 2. a. A pharmacist, physician, dentist, ~~or~~  
29 podiatric physician, or prescribing psychologist  
30 who dispenses prescription drugs, including but not  
31 limited to controlled substances, for human use, may  
32 delegate nonjudgmental dispensing functions to staff  
33 assistants only when verification of the accuracy  
34 and completeness of the dispensing is determined by  
35 the pharmacist or practitioner in the pharmacist's

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1 or practitioner's physical presence. However, the  
2 physical presence requirement does not apply when a  
3 pharmacist or practitioner is utilizing an automated  
4 dispensing system or when a pharmacist is utilizing  
5 a tech-check-tech program, as defined in section  
6 155A.3. When using an automated dispensing system the  
7 pharmacist or practitioner shall utilize an internal  
8 quality control assurance plan that ensures accuracy  
9 for dispensing. When using a tech-check-tech program  
10 the pharmacist shall utilize an internal quality  
11 control assurance plan, in accordance with rules  
12 adopted by the board of pharmacy, that ensures accuracy  
13 for dispensing. Verification of automated dispensing  
14 and tech-check-tech accuracy and completeness remains  
15 the responsibility of the pharmacist or practitioner  
16 and shall be determined in accordance with rules  
17 adopted by the board of pharmacy, the board of  
18 medicine, the dental board, ~~and~~ the board of podiatry,  
19 and the board of psychology for their respective  
20 licensees.  
21 b. A dentist, physician, ~~or~~ podiatric physician,  
22 or prescribing psychologist who dispenses prescription  
23 drugs, other than drug samples, pursuant to this  
24 subsection, shall report the fact that they dispense  
25 prescription drugs with the practitioner's respective  
26 board at least biennially.  
27 c. A physician, dentist, ~~or~~ podiatric physician,  
28 or prescribing psychologist who dispenses prescription  
29 drugs, other than drug samples, pursuant to this  
30 subsection, shall offer to provide the patient with  
31 a written prescription that may be dispensed from a  
32 pharmacy of the patient's choice or offer to transmit  
33 the prescription orally, electronically, or by  
34 facsimile in accordance with section 155A.27 to a  
35 pharmacy of the patient's choice.

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1 Sec. 4. **NEW SECTION. 148.13A Board authority over**  
2 **physicians supervising certain psychologists.**  
3 The board of medicine shall, in consultation with



4 the board of psychology, establish by rule all of the  
5 following:

6 1. Specific minimum standards for the appropriate  
7 supervision of a psychologist prescribing medication  
8 pursuant to a conditional prescription certificate  
9 under chapter 154B. Such standards shall include  
10 requiring a physician serving as a supervising  
11 licensed physician to notify the board of medicine  
12 of the identity of the psychologist the physician  
13 is supervising and any change in the status of the  
14 supervisory relationship.

15 2. The process for initiating and conducting  
16 disciplinary proceedings under chapter 17A if a  
17 licensed physician fails to adequately supervise a  
18 psychologist prescribing psychotropic medications  
19 pursuant to a prescription certificate under  
20 chapter 154B. The rule shall take into account  
21 the deliberations of the board in making such a  
22 determination.

23 Sec. 5. Section 154B.1, Code 2016, is amended to  
24 read as follows:

25 **154B.1 Definition Definitions.**

26 As used in this chapter, unless the context  
27 otherwise requires:

28 1. "Board" means the board of psychology created  
29 under chapter 147.

30 2. "Collaborative practice agreement" means a  
31 written agreement between a prescribing psychologist  
32 and a licensed physician that establishes clinical  
33 protocols, practice guidelines, and care plans  
34 relevant to the scope of the collaborative practice.  
35 The practice guidelines may include limitations

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1 on the prescribing of psychotropic medications by  
2 psychologists and protocols for prescribing to special  
3 populations including patients who are less than  
4 seventeen years of age or over sixty-five years of  
5 age, patients who are pregnant, and patients with  
6 serious medical conditions including but not limited to  
7 heart disease, cancer, stroke, seizures, and patients  
8 with developmental disabilities and intellectual  
9 disabilities.

10 3. "Collaborative relationship" means a cooperative  
11 working relationship between a prescribing psychologist  
12 or a psychologist with a conditional prescription  
13 certificate and a licensed physician in the provision  
14 of patient care, including diagnosis and cooperation  
15 in the management and delivery of physical and mental  
16 health care.

17 4. "Conditional prescription certificate" means a

18 document issued by the board to a licensed psychologist  
19 that permits the holder to prescribe psychotropic  
20 medication under the supervision of a licensed  
21 physician pursuant to this chapter.

22 5. "Practice of psychology" means the application  
23 of established principles of learning, motivation,  
24 perception, thinking, and emotional relations to  
25 problems of behavior adjustment, group relations, and  
26 behavior modification, by persons trained in psychology  
27 for compensation or other personal gain. The  
28 application of principles includes, but is not limited  
29 to: Counseling and the use of psychological remedial  
30 measures with persons, in groups or individually, with  
31 adjustment or emotional problems in the areas of work,  
32 family, school, and personal relationships; measuring  
33 and testing personality, intelligence, aptitudes,  
34 public opinion, attitudes, and skills; and the teaching  
35 of such subject matter, and the conducting of research

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1 on the problems relating to human behavior.

2 6. "Prescribing psychologist" means a licensed  
3 psychologist who holds a valid prescription  
4 certificate.

5 7. "Prescription certificate" means a document  
6 issued by the board to a licensed psychologist that  
7 permits the holder to prescribe psychotropic medication  
8 pursuant to this chapter.

9 8. "Psychotropic medication" means a controlled  
10 substance or dangerous drug that shall not be  
11 dispensed or administered without a prescription  
12 and that has been approved by the federal food and  
13 drug administration for the treatment of mental  
14 disorders, as defined by the most current diagnostic  
15 and statistical manual of mental disorders published  
16 by the American psychiatric association or the most  
17 current version of the international classification of  
18 diseases, and that is listed as a psychotherapeutic  
19 agent in the American hospital formulary service.  
20 "Psychotropic medication" does not include narcotics.

21 **Sec. 6. NEW SECTION. 154B.9 Drugs — medicine.**

22 1. Except as provided in subsections 2 and 3, a  
23 psychologist shall not administer or prescribe drugs  
24 or medicine.

25 2. A licensed psychologist holding a conditional  
26 prescription certificate may prescribe psychotropic  
27 medication under the supervision of a licensed  
28 physician pursuant to this chapter.

29 3. A prescribing psychologist may prescribe  
30 psychotropic medication pursuant to this chapter.

31 **Sec. 7. NEW SECTION. 154B.10 Conditional**

32 **prescription certificate.**

33 1. An applicant for a conditional prescription  
34 certificate shall be granted a certificate by the  
35 board if the applicant satisfies all of the following

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1 requirements:

2 *a.* Holds a current license to practice psychology  
3 in this state.

4 *b.* Completed pharmacological training from an  
5 institution approved by the board or from a provider of  
6 continuing education approved by the board.

7 *c.* Passed a national certification examination  
8 approved by the board that tested the applicant's  
9 knowledge of pharmacology in the diagnosis, care, and  
10 treatment of mental disorders.

11 *d.* Within five years immediately preceding the date  
12 of application, successfully completed a post-doctoral  
13 master of science degree in clinical psychopharmacology  
14 approved by the board of psychology. The program  
15 shall at a minimum include coursework in neuroscience,  
16 pharmacology, psychopharmacology, physiology, and  
17 appropriate and relevant physical and laboratory  
18 assessments.

19 *e.* Within five years immediately preceding the date  
20 of application, has been certified by the applicant's  
21 supervising physician as having successfully completed  
22 a supervised and relevant clinical experience of  
23 no less than an eighty-hour practicum in clinical  
24 assessment and pathophysiology and an additional  
25 supervised practicum of at least four hundred hours  
26 treating no fewer than one hundred patients with mental  
27 disorders. The practica shall have been supervised  
28 by a trained physician. The board shall determine  
29 whether the practica is sufficient to competently train  
30 the applicant in the treatment of a diverse patient  
31 population.

32 *f.* Possesses malpractice insurance that will  
33 cover the applicant during the period the conditional  
34 prescription certificate is in effect.

35 *g.* Meets all other requirements, as determined by

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1 rules adopted by the board, for obtaining a conditional  
2 prescription certificate.

3 2. A conditional prescription certificate is valid  
4 for four years, at the end of which the holder may  
5 apply again pursuant to the provisions of subsection 1.

6 3. A psychologist with a conditional prescription  
7 certificate may prescribe psychotropic medication under

8 the supervision of a licensed physician subject to all  
9 of the following conditions:  
10 *a.* The psychologist shall continue to hold a  
11 current license to practice psychology in this state  
12 and continue to maintain malpractice insurance.  
13 *b.* The psychologist shall inform the board of  
14 the name of the physician under whose supervision the  
15 psychologist will prescribe psychotropic medication  
16 and promptly inform the board of any change of the  
17 supervising physician.  
18 *c.* A physician supervising a psychologist  
19 prescribing psychotropic medication pursuant to a  
20 conditional prescription certificate shall be subject  
21 to disciplinary action pursuant to section 148.13A  
22 for the acts and omissions of the psychologist while  
23 under the physician's supervision. This provision does  
24 not relieve the psychologist from liability for the  
25 psychologist's acts and omissions.  
26 **Sec. 8. NEW SECTION. 154B.11 Prescription**  
27 **certificate.**

28 1. An applicant for a prescription certificate  
29 shall be granted a certificate by the board if the  
30 applicant satisfies all of the following requirements:  
31 *a.* Possesses a conditional prescription certificate  
32 and has successfully completed two years of prescribing  
33 psychotropic medication as certified by the supervising  
34 licensed physician. An applicant for a prescription  
35 certificate who specializes in the psychological care

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1 of children, elderly persons, or persons with comorbid  
2 psychological conditions shall complete at least one  
3 year prescribing psychotropic medications to such  
4 populations as certified by the supervising licensed  
5 physician.  
6 *b.* Holds a current license to practice psychology  
7 in this state.  
8 *c.* Possesses malpractice insurance that will cover  
9 the applicant as a prescribing psychologist.  
10 *d.* Meets all other requirements, as determined  
11 by rules adopted by the board, for obtaining a  
12 prescription certificate.  
13 2. A psychologist with a prescription certificate  
14 may prescribe psychotropic medication pursuant to the  
15 provisions of this chapter subject to the following  
16 conditions:  
17 *a.* The psychologist continues to hold a current  
18 license to practice psychology in this state and  
19 maintains malpractice insurance.  
20 *b.* The psychologist annually satisfies the  
21 continuing education requirements for prescribing

22 psychologists, as determined by the board, which shall  
23 be no fewer than twenty hours each year.

24 c. The psychologist has entered into a  
25 collaborative practice agreement with a licensed  
26 physician.

27 Sec. 9. NEW SECTION. 154B.12 Prescribing  
28 **practices.**

29 1. A prescribing psychologist or a psychologist  
30 with a conditional prescription certificate may  
31 administer and prescribe psychotropic medication  
32 within the scope of the psychologist's profession,  
33 including the ordering and review of laboratory tests  
34 in conjunction with the prescription, for the treatment  
35 of mental disorders.

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1 2. When prescribing psychotropic medication  
2 for a patient, the prescribing psychologist or  
3 the psychologist with a conditional prescription  
4 certificate shall maintain an ongoing collaborative  
5 relationship with the licensed physician who oversees  
6 the patient's general medical care to ensure that  
7 necessary medical examinations are conducted, the  
8 psychotropic medication is appropriate for the  
9 patient's medical condition, and significant changes in  
10 the patient's medical or psychological condition are  
11 discussed.

12 3. A prescription written by a prescribing  
13 psychologist or a psychologist with a conditional  
14 prescription certificate shall meet all of the  
15 following requirements:

16 a. Comply with applicable state and federal laws.

17 b. Be identified as issued by the psychologist as  
18 "psychologist certified to prescribe".

19 c. Include the psychologist's board-assigned  
20 identification number.

21 4. A prescribing psychologist or a psychologist  
22 with a conditional prescription certificate shall not  
23 delegate prescriptive authority to any other person.  
24 Records of all prescriptions shall be maintained in  
25 patient records.

26 5. When authorized to prescribe controlled  
27 substances, a prescribing psychologist or a  
28 psychologist with a conditional prescription  
29 certificate shall file with the board in a timely  
30 manner all individual federal drug enforcement agency  
31 registration and numbers. The board shall maintain  
32 current records on every psychologist, including  
33 federal registration and numbers.

34 Sec. 10. NEW SECTION. 154B.13 Board duties  
35 **regarding prescription certificates and conditional**

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1 **prescription certificates.**

2 1. The board shall, in consultation with the board  
3 of medicine, adopt rules to carry out the provisions  
4 of this chapter relating to prescribing psychologists.  
5 The rules shall include but not be limited to all of  
6 the following:

7 a. Procedures to obtain a conditional prescription  
8 certificate, a prescription certificate, and a renewal  
9 of a prescription certificate. The board may set  
10 reasonable application and renewal fees.

11 b. Grounds for the denial, suspension, or  
12 revocation of a conditional prescription certificate  
13 and a prescription certificate, including a provision  
14 for suspension or revocation of a license to  
15 practice psychology upon suspension of a conditional  
16 prescription certificate and a prescription  
17 certificate.

18 c. The provision of an annual list of psychologists  
19 with prescription certificates and psychologists with  
20 conditional prescription certificates that contains  
21 the information agreed to between the board and the  
22 board of medicine. The board shall promptly notify the  
23 board of medicine of psychologists who are added to or  
24 removed from the list.

25 d. Any other rules necessary for the administration  
26 of this chapter.

27 2. The board shall appoint a prescribing  
28 psychologist rules subcommittee comprised of a  
29 psychologist appointed by the board, a physician  
30 appointed by the board of medicine, and a member of the  
31 public appointed by the director of public health to  
32 develop rules for consideration by the board pursuant  
33 to this section.

34 Sec. 11. Section 155A.3, subsection 35, Code 2016,  
35 is amended to read as follows:

PAGE 11

1 35. "*Practitioner*" means a physician, dentist,  
2 podiatric physician, prescribing psychologist,  
3 veterinarian, or other person licensed or registered to  
4 distribute or dispense a prescription drug or device in  
5 the course of professional practice in this state or  
6 a person licensed by another state in a health field  
7 in which, under Iowa law, licensees in this state may  
8 legally prescribe drugs.

9 Sec. 12. Section 155A.23, subsection 1, paragraph  
10 c, Code 2016, is amended to read as follows:

11 c. For the purpose of obtaining a prescription drug  
12 or device, falsely assuming the title of or claiming

13 to be a manufacturer, wholesaler, pharmacist, pharmacy  
 14 owner, physician, dentist, podiatric physician,  
 15 prescribing psychologist, veterinarian, or other  
 16 authorized person.

17 Sec. 13. Section 155A.24, subsection 14, Code 2016,  
 18 is amended to read as follows:

19 14. This section does not prevent a licensed  
 20 practitioner of medicine, dentistry, podiatry,  
 21 nursing, psychology, veterinary medicine, optometry, or  
 22 pharmacy from acts necessary in the ethical and legal  
 23 performance of the practitioner's profession.>

L. MILLER of Scott

H-8217

1 Amend House File 2457 as follows:

2 1. Page 3, after line 22 by inserting:

3 <Sec. \_\_. JUDICIAL BRANCH — STAFFING — INTERIM  
 4 STUDY COMMITTEE. The legislative council shall  
 5 establish an interim study committee to study staffing  
 6 needs of the judicial branch in order to maintain  
 7 and provide adequate court services to the people of  
 8 the state at courthouses throughout the state and  
 9 through the internet site of the judicial branch.  
 10 The membership of the committee shall consist of two  
 11 members of the senate, one appointed by the president  
 12 of the senate, and one appointed by the minority leader  
 13 of the senate; and two representatives, one appointed  
 14 by the speaker of the house of representatives, and  
 15 one appointed by the minority leader of the house of  
 16 representatives. The study committee shall present its  
 17 conclusions and recommendations in a report to the 2017  
 18 session of the general assembly.>

19 2. By renumbering as necessary.

T. TAYLOR of Linn

H-8218

1 Amend House File 2458 as follows:

2 1. Page 22, after line 33 by inserting:

3 <Sec. \_\_. DEPARTMENT OF CORRECTIONS — STAFFING  
 4 LEVELS — INTERIM STUDY COMMITTEE. The legislative  
 5 council shall establish an interim study committee  
 6 to study staffing needs throughout the department  
 7 of corrections in order to maintain safe and  
 8 secure operations in the correctional institutions  
 9 and community-based correctional facilities,  
 10 specifically in regards to staffing levels relating  
 11 to inmate-to-staff ratios at various security levels  
 12 and caseloads for probation and parole officers. The

13 membership of the committee shall consist of two  
14 members of the senate, one appointed by the president  
15 of the senate, and one appointed by the minority leader  
16 of the senate; and two representatives, one appointed  
17 by the speaker of the house of representatives, and  
18 one appointed by the minority leader of the house of  
19 representatives. The study committee shall present its  
20 conclusions and recommendations in a report to the 2017  
21 session of the general assembly.>

T. TAYLOR of Linn

H-8219

1 Amend House File 2460 as follows:  
2 1. Page 10, after line 22 by inserting:  
3 < . (1) The department of public health shall  
4 annually apply to the United States department of  
5 health and human services for grant funding under Tit.  
6 X of the federal Public Health Services Act, 42 U.S.C.  
7 §300 et seq. The department shall distribute all grant  
8 funding received to applicants in the following order  
9 of priority:  
10 (a) Public entities that provide family planning  
11 services including state, county, or local community  
12 health clinics and federally qualified health centers.  
13 (b) Nonpublic entities that, in addition to family  
14 planning services, provide required primary health  
15 services as described in 42 U.S.C. §254b(b)(1)(A).  
16 (c) Nonpublic entities that provide family planning  
17 services but do not provide required primary health  
18 services as described in 42 U.S.C. §254b(b)(1)(A).  
19 (2) Distribution of funds under this paragraph  
20 shall be made in a manner that continues access to  
21 family planning services.  
22 (3) Distribution of funds shall not be made to any  
23 entity that performs abortions or that maintains or  
24 operates a facility where abortions are performed. For  
25 the purposes of this paragraph, "abortion" does not  
26 include any of the following:  
27 (a) The treatment of a woman for a physical  
28 disorder, physical injury, or physical illness,  
29 including a life-endangering physical condition caused  
30 by or arising from the pregnancy itself, that would,  
31 as certified by a physician, place the woman in danger  
32 of death.  
33 (b) The treatment of a woman for a spontaneous  
34 abortion, commonly known as a miscarriage, when not all  
35 of the products of human conception are expelled.



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1 (4) Funds distributed in accordance with this  
 2 paragraph shall not be used for direct or indirect  
 3 costs, including but not limited to administrative  
 4 costs or expenses, overhead, employee salaries, rent,  
 5 and telephone and other utility costs, related to  
 6 providing abortions as specified in this paragraph.  
 7 (5) The department of human services shall  
 8 submit a report to the governor and the general  
 9 assembly, annually by January 1, listing any entities  
 10 that received funds pursuant to subparagraph (1),  
 11 subparagraph division (c), and the amount and type of  
 12 funds received by such entities during the preceding  
 13 calendar year. The report shall provide a detailed  
 14 explanation of how the department determined that  
 15 distribution of funds to such an entity, instead of to  
 16 an entity described in subparagraph (1), subparagraph  
 17 division (a) or (b), was necessary to prevent severe  
 18 limitation or elimination of access to family planning  
 19 services in the region of the state where the entity  
 20 is located.  
 21 . Any contract entered into on or after July  
 22 1, 2016, by the department of public health to  
 23 administer the personal responsibility education  
 24 program as specified in 42 U.S.C. §713 or to administer  
 25 the abstinence education grant program authorized  
 26 pursuant to section 510 of Tit. V of the federal Social  
 27 Security Act, shall exclude as an eligible applicant  
 28 any applicant entity that provides abortions or that  
 29 maintains or operates a facility where abortions are  
 30 performed.>  
 31 2. Page 24, line 33, by striking <Pregnancy> and  
 32 inserting <a. Pregnancy>  
 33 3. Page 25, after line 10, by inserting:  
 34 <b. Any contract entered into on or after July 1,  
 35 2016, by the department of human services to award a

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1 community adolescent pregnancy prevention and services  
 2 program grant shall exclude as an eligible applicant  
 3 any applicant entity that provides abortions or that  
 4 maintains or operates a facility where abortions are  
 5 performed.>  
 6 4. By renumbering as necessary.

SALMON of Black Hawk

H-8220

1 Amend the amendment, H-8210, to House File 2455 as

2 follows:

3 1. By striking page 1, line 3, through page 6, line  
4 2, and inserting:

5 <DIVISION \_\_\_\_  
6 MISCELLANEOUS PROVISIONS — COLLECTIVE BARGAINING  
7 ARBITRATION

8 Sec. \_\_\_\_ Section 20.22, subsections 3, 6, 7, 9,  
9 10, and 11, Code 2016, are amended to read as follows:

10 3. The submission of the impasse items to the  
11 arbitrator shall be limited to those items upon which  
12 the parties have not reached agreement. ~~With~~ However,  
13 with respect to each such item, the arbitrator's  
14 award shall not be restricted to the final offers on  
15 each impasse item submitted by the parties to the  
16 arbitrator.

17 6. From the time the board notifies the arbitrator  
18 of the selection of the arbitrator until such time as  
19 the arbitrator's ~~selection~~ decision on each impasse  
20 item is made, there shall be no discussion concerning  
21 recommendations for settlement of the dispute by the  
22 arbitrator with parties other than those who are direct  
23 parties to the dispute.

24 7. The arbitrator shall consider, and may consider  
25 additional information presented by either party, in  
26 addition to any other relevant factors, the following  
27 factors:

28 ~~a. Past collective bargaining contracts between the~~  
29 ~~parties including the bargaining that led up to such~~  
30 ~~contracts.~~

31 ~~b. a.~~ Comparison of wages, benefits, hours,  
32 and conditions of employment of the involved public  
33 employees with those of other public employees,  
34 including public employees not represented by an  
35 employee organization, and with private sector

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1 employees doing comparable work, giving consideration  
2 to factors peculiar to the area and the classifications  
3 involved. In considering this comparison, the  
4 arbitrator shall strive to maintain parity in wages,  
5 benefits, hours, and conditions of employment between  
6 the public sector and the private sector for comparable  
7 types of work, and shall give consideration to similar  
8 and equitable economic conditions where applicable.

9 ~~e. b.~~ The interests and welfare of the public,  
10 the ability of the public employer to finance economic  
11 adjustments without raising any tax, and the effect of  
12 such adjustments on the normal standard of services.

13 ~~d. The power of the public employer to levy~~  
14 ~~taxes and appropriate funds for the conduct of its~~  
15 ~~operations.~~

16 c. Efficiency of the public employer in its ability  
 17 to carry out any of its functions.

18 9. The arbitrator shall ~~select~~ render a decision  
 19 within fifteen days after the hearing the most  
 20 reasonable offer, in the arbitrator's judgment, of the  
 21 final offers on consisting of final terms for each  
 22 impasse item submitted by the parties. The arbitrator  
 23 may select one of the final offers on each impasse item  
 24 submitted by the parties or the arbitrator may make an  
 25 award which does not go beyond the terms of a final  
 26 offer for any impasse item submitted by the parties.

27 10. The ~~selections~~ decisions by the arbitrator  
 28 and items agreed upon by the public employer and  
 29 the employee organization, shall be deemed to be the  
 30 collective bargaining agreement between the parties.

31 11. The ~~determination~~ decisions of the arbitrator  
 32 shall be final and binding subject to the provisions of  
 33 section 20.17, subsection 6. The arbitrator shall give  
 34 written explanation for the arbitrator's ~~selections~~  
 35 decision regarding the final terms for each impasse

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1 item and inform the parties of the decision.

2 Sec. \_\_. APPLICABILITY. This division of this Act  
 3 applies to collective bargaining agreements entered  
 4 into on or after the effective date of this division  
 5 of this Act.>

6 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-8221

1 Amend the amendment, H-8210, to House File 2455 as  
 2 follows:

3 1. By striking page 1, line 3, through page 6, line  
 4 2, and inserting:

5 <DIVISION \_\_  
 6 MISCELLANEOUS PROVISIONS — COLLECTIVE BARGAINING  
 7 ARBITRATION

8 Sec. \_\_. Section 20.22, subsections 3, 6, 7, 9,  
 9 10, and 11, Code 2016, are amended to read as follows:

10 3. The submission of the impasse items to the  
 11 arbitrator shall be limited to those items upon which  
 12 the parties have not reached agreement. With However,  
 13 with respect to each such item, the arbitrator's  
 14 award shall not be restricted to the final offers on  
 15 each impasse item submitted by the parties to the  
 16 arbitrator.

17 6. From the time the board notifies the arbitrator  
 18 of the selection of the arbitrator until such time as

19 the arbitrator's ~~selection~~ decision on each impasse  
 20 item is made, there shall be no discussion concerning  
 21 recommendations for settlement of the dispute by the  
 22 arbitrator with parties other than those who are direct  
 23 parties to the dispute.

24 7. The arbitrator shall consider, and may consider  
 25 additional information presented by either party, in  
 26 addition to any other relevant factors, the following  
 27 factors:

28 ~~a. Past collective bargaining contracts between the~~  
 29 ~~parties including the bargaining that led up to such~~  
 30 ~~contracts.~~

31 ~~b. a.~~ Comparison of wages, benefits, hours,  
 32 and conditions of employment of the involved public  
 33 employees with those of other public employees,  
 34 including public employees not represented by an  
 35 employee organization, and with private sector

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1 employees doing comparable work, giving consideration  
 2 to factors peculiar to the area and the classifications  
 3 involved. In considering this comparison, the  
 4 arbitrator shall strive to maintain parity in wages,  
 5 benefits, hours, and conditions of employment between  
 6 the public sector and the private sector for comparable  
 7 types of work, and shall give consideration to similar  
 8 and equitable economic conditions where applicable.

9 ~~e. b.~~ The interests and welfare of the public,  
 10 the ability of the public employer to finance economic  
 11 adjustments without raising any tax, and the effect of  
 12 such adjustments on the normal standard of services.

13 ~~d. The power of the public employer to levy~~  
 14 ~~taxes and appropriate funds for the conduct of its~~  
 15 ~~operations.~~

16 c. Efficiency of the public employer in its ability  
 17 to carry out any of its functions.

18 9. The arbitrator shall ~~select~~ render a decision  
 19 within fifteen days after the hearing ~~the most~~  
 20 ~~reasonable offer, in the arbitrator's judgment, of the~~  
 21 ~~final offers on~~ consisting of final terms for each  
 22 impasse item submitted by the parties. The arbitrator  
 23 may select one of the final offers on each impasse item  
 24 submitted by the parties or the arbitrator may make an  
 25 award which does not go beyond the terms of a final  
 26 offer for any impasse item submitted by the parties.

27 10. The ~~selections~~ decisions by the arbitrator  
 28 and items agreed upon by the public employer and  
 29 the employee organization, shall be deemed to be the  
 30 collective bargaining agreement between the parties.

31 11. The ~~determination~~ decisions of the arbitrator  
 32 shall be final and binding subject to the provisions of

33 section 20.17, subsection 6. The arbitrator shall give  
 34 written explanation for the arbitrator's ~~selections~~  
 35 decision regarding the final terms for each impasse

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1 item and inform the parties of the decision.  
 2 Sec. \_\_\_\_ APPLICABILITY. This division of this Act  
 3 applies to collective bargaining agreements entered  
 4 into on or after the effective date of this division  
 5 of this Act.

6 DIVISION \_\_\_\_  
 7 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION  
 8 Sec. \_\_\_\_ ADDITIONAL UNFAIR OR DISCRIMINATORY  
 9 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

10 1. As stated in chapter 216, the general assembly  
 11 finds that the practice of discriminating against any  
 12 employee because of the age, race, creed, color, sex,  
 13 sexual orientation, gender identity, national origin,  
 14 religion, or disability of such employee by paying  
 15 wages to such employee at a rate less than the rate  
 16 paid to other employees does all of the following:  
 17 a. Unjustly discriminates against the person  
 18 receiving the lesser rate.  
 19 b. Leads to low employee morale, high turnover, and  
 20 frequent labor unrest.  
 21 c. Discourages employees paid at lesser wage rates  
 22 from training for higher level jobs.  
 23 d. Curtails employment opportunities, decreases  
 24 employees' mobility, and increases labor costs.  
 25 e. Impairs purchasing power and threatens the  
 26 maintenance of an adequate standard of living by such  
 27 employees and their families.  
 28 f. Prevents optimum utilization of the state's  
 29 available labor resources.  
 30 g. Threatens the well-being of citizens of this  
 31 state and adversely affects the general welfare.  
 32 2. As stated in section 216.6A, it remains  
 33 unfair or discriminatory practice for any employer  
 34 or agent of any employer to discriminate against  
 35 any employee because of the age, race, creed, color,

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1 sex, sexual orientation, gender identity, national  
 2 origin, religion, or disability of such employee by  
 3 paying wages to such employee at a rate less than the  
 4 rate paid to other employees who are employed within  
 5 the same establishment for equal work on jobs, the  
 6 performance of which requires equal skill, effort, and  
 7 responsibility, and which are performed under similar  
 8 working conditions. As also stated in section 216.6A,

9 an employer or agent of an employer who is paying wages  
 10 to an employee at a rate less than the rate paid to  
 11 other employees in violation of this section shall not  
 12 remedy the violation by reducing the wage rate of any  
 13 employee.>  
 14 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-8222

1 Amend the amendment, H-8212, to House File 2455 as  
 2 follows:

3 1. Page 1, by striking lines 2 through 15 and  
 4 inserting:

5 <1. Page 17, after line 10 by inserting:

6 <DIVISION \_\_\_\_  
 7 KEEP IOWA BEAUTIFUL  
 8 Sec. \_\_\_\_ KEEP IOWA BEAUTIFUL INITIATIVE. The  
 9 director of the economic development authority created  
 10 in section 15.105 shall allocate moneys in one or more  
 11 funds established in section 15.106A, subsection 1,  
 12 paragraph "o", in an amount equal to \$200,000 for the  
 13 fiscal year beginning July 1, 2016, and ending June  
 14 30, 2017, for the purpose of supporting a keep Iowa  
 15 beautiful initiative in order to assist communities  
 16 in developing and implementing beautification and  
 17 community development plans.

18 DIVISION \_\_\_\_  
 19 MISCELLANEOUS PROVISIONS — SERVICE CONTRACT RECIPIENTS

20 Sec. \_\_\_\_ Section 8F.3, subsection 1, paragraphs b  
 21 and d, Code 2016, are amended to read as follows:

22 b. Information regarding the training and education  
 23 received by the members of the governing body of  
 24 the recipient entity relating to the duties and  
 25 legal responsibilities of the governing body. The  
 26 information shall also include certification that  
 27 the members of the governing body have completed a  
 28 training program established pursuant to section 19B.7,  
 29 subsection 3.

30 d. Information regarding any policies adopted  
 31 by the governing body of the recipient entity that  
 32 prohibit taking adverse employment action against  
 33 employees of the recipient entity who disclose  
 34 information about a service contract, to include  
 35 information about the pay and benefits received by

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1 an employee of a recipient entity, to the oversight  
 2 agency, the auditor of state, the office of the  
 3 attorney general, or the office of ombudsman and

4 that state whether those policies are substantially  
 5 similar to the protection provided to state employees  
 6 under section 70A.28. The information provided shall  
 7 state whether employees of the recipient entity are  
 8 informed on a regular basis of their rights to disclose  
 9 information to the oversight agency, the office of  
 10 ombudsman, the auditor of state, or the office of the  
 11 attorney general and the telephone numbers of those  
 12 organizations.

13 Sec. \_\_\_\_ Section 19B.7, Code 2016, is amended by  
 14 adding the following new subsection:

15 NEW SUBSECTION. 3. The department of  
 16 administrative services, in coordination with  
 17 the Iowa civil rights commission, shall establish a  
 18 training program for prospective recipient entities, as  
 19 defined in section 8F.2, concerning the requirements  
 20 of this section, and chapter 216, relative to the  
 21 administration and promotion of equal opportunity and  
 22 the prohibition of discriminatory and unfair practices  
 23 within any program receiving or benefiting from state  
 24 financial assistance. The program shall specifically  
 25 include guidance relative to unfair employment  
 26 practices as described in section 216.6, and wage  
 27 discrimination in employment prohibitions as described  
 28 in section 216.6A.

29 DIVISION \_\_\_\_  
 30 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION IN  
 31 EMPLOYMENT

32 Sec. \_\_\_\_ Section 216.6A, Code 2016, is amended by  
 33 adding the following new subsection:

34 NEW SUBSECTION. 2A. It shall be an unfair or  
 35 discriminatory practice for any employer or agent of

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1 any employer to do any of the following:  
 2 *a.* Require, as a condition of employment, that  
 3 an employee refrain from disclosing, discussing,  
 4 or sharing information about the amount of the  
 5 employee's wages, benefits, or other compensation or  
 6 from inquiring, discussing, or sharing information  
 7 about any other employee's wages, benefits, or other  
 8 compensation.  
 9 *b.* Require, as a condition of employment, that an  
 10 employee sign a waiver or other document that requires  
 11 an employee to refrain from engaging in any of the  
 12 activities permitted under paragraph "*a*".  
 13 *c.* Discriminate or retaliate against an employee  
 14 for engaging in any of the activities permitted under  
 15 paragraph "*a*".  
 16 *d.* Seek salary history information, including  
 17 but not limited to information on compensation and

18 benefits, from a potential employee as a condition of a  
19 job interview or employment. This paragraph shall not  
20 be construed to prohibit a prospective employer from  
21 asking a prospective employee what salary level the  
22 prospective employee would require in order to accept  
23 a job.

24 e. Release the salary history, including but  
25 not limited to information on compensation and  
26 benefits, of any current or former employee to any  
27 prospective employer in response to a request as part  
28 of an interview or hiring process without written  
29 authorization from such current or former employee.

30 f. Publish, list, or post within the employer's  
31 organization, with any employment agency, job-listing  
32 service, or internet site, or in any other public  
33 manner, an advertisement to recruit candidates for hire  
34 or independent contractors to fill a position within  
35 the employer's organization without including the

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1 minimum rate of pay of the position. The rate of pay  
2 may be by the hour, shift, day, week, salary, piece,  
3 commission, or other applicable rate. The rate of pay  
4 shall include overtime and allowances, if any, claimed  
5 as part of the minimum wage, including but not limited  
6 to tipped wages.

7 g. Pay a newly hired employee at less than the  
8 rate of pay advertised for the employee's position as  
9 required under paragraph "f".

10 DIVISION \_\_\_\_

11 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION —  
12 EQUAL PAY TASK FORCE AND REPORT

13 Sec. \_\_\_\_ EQUAL PAY TASK FORCE AND REPORT.

14 1. An equal pay task force is created. The task  
15 force shall consist of the following members:

16 a. The director of the civil rights commission, or  
17 the director's designee.

18 b. The director of the department of human rights,  
19 or the director's designee.

20 c. An employee of the labor market information  
21 division of the department of workforce development  
22 designated by the director of the department.

23 d. A representative of the association of business  
24 and industry, appointed by the president of the  
25 association.

26 e. A member of a statewide labor organization  
27 designated by the legislative council, appointed by the  
28 president of the organization.

29 f. Two representatives of organizations whose  
30 objectives include the elimination of pay disparities  
31 between men and women and minorities and nonminorities



32 and that have undertaken advocacy, educational, or  
 33 legislative initiatives in pursuit of such objectives  
 34 appointed by the director of the civil rights  
 35 commission in consultation with the leadership of those

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1 organizations.  
 2 g. Two representatives of postsecondary education  
 3 institutions who have experience and expertise in  
 4 the collection and analysis of data concerning pay  
 5 disparities between men and women and minorities and  
 6 nonminorities and whose research has been used in  
 7 efforts to promote the elimination of such disparities  
 8 appointed by the director of the civil rights  
 9 commission in consultation with the leadership of those  
 10 institutions.  
 11 h. Four members of the general assembly serving  
 12 as ex officio, nonvoting members, one representative  
 13 to be appointed by the speaker of the house of  
 14 representatives, one representative to be appointed by  
 15 the minority leader of the house of representatives,  
 16 one senator to be appointed by the majority leader of  
 17 the senate, and one senator to be appointed by the  
 18 minority leader of the senate.  
 19 2. The task force shall study all of the following:  
 20 a. The extent of wage disparities, both in the  
 21 public and private sectors, between men and women and  
 22 between minorities and nonminorities.  
 23 b. Factors that cause, or which tend to cause, such  
 24 disparities, including segregation between women and  
 25 men and between minorities and nonminorities across  
 26 and within occupations, payment of lower wages for  
 27 work in female-dominated occupations, child-rearing  
 28 responsibilities, the number of women who are heads of  
 29 households, education, hours worked, and years on the  
 30 job.  
 31 c. The consequences of such disparities on the  
 32 economy and affected families.  
 33 d. Actions likely to lead to the elimination and  
 34 prevention of such disparities.  
 35 3. The civil rights commission shall provide

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1 staffing services for the task force.  
 2 4. The voting members shall elect a chairperson  
 3 from the voting membership of the task force. A  
 4 majority of the voting members of the task force  
 5 constitutes a quorum.  
 6 5. Voting members of the task force shall receive  
 7 reimbursement for actual expenses incurred while

8 serving in their official capacity only if they are not  
 9 eligible for reimbursement by the organization that  
 10 they represent. Legislative members shall be paid the  
 11 per diem and expenses specified in section 2.10.  
 12 6. The task force shall submit a report regarding  
 13 its findings and its recommendations regarding  
 14 potential actions for the elimination and prevention  
 15 of disparities in wages between men and women and  
 16 minorities and nonminorities to the governor and the  
 17 general assembly no later than December 22, 2017.>  
 18 2. By renumbering as necessary.>

FINKENAUER of Dubuque

H-8223

1 Amend House File 2460 as follows:  
 2 1. Page 12, line 4, by striking <§570.993> and  
 3 inserting <§594.543>  
 4 2. Page 13, line 7, by striking <§146.414> and  
 5 inserting <§99.414>  
 6 3. Page 14, line 34, by striking <up to> and  
 7 inserting <up to not less than>  
 8 4. Page 15, line 4, by striking <up to> and  
 9 inserting <up to not less than>  
 10 5. Page 15, line 10, by striking <up to> and  
 11 inserting <up to not less than>  
 12 6. Page 15, line 16, by striking <up to> and  
 13 inserting <up to not less than>  
 14 7. Page 17, line 11, by striking <§179.882> and  
 15 inserting <§105.823>  
 16 8. Page 18, by striking lines 7 through 13 and  
 17 inserting <grants for the fiscal year beginning July  
 18 1, 2016, shall be given to sponsors approved but not  
 19 funded in the prior fiscal year competitive procurement  
 20 process that proposed preference in the use of the  
 21 grant funds for internal medicine positions, and  
 22 priority in the awarding of the remaining moneys shall  
 23 be given to sponsors that propose preference in the use  
 24 of the grant funds for psychiatric residency positions  
 25 and family practice residency positions.>  
 26 9. Page 20, by striking lines 14 through 27 and  
 27 inserting:  
 28 <b. The department of public health shall conduct a  
 29 sampling of the entities to which appropriated funds  
 30 are allocated, granted, or otherwise distributed under  
 31 this section and shall require such entities to submit  
 32 a progress report to the department by September 1,  
 33 2016, which includes the objectives and results of the  
 34 program since the initial receipt of state funding and  
 35 how the funds are assisting the program in meeting the

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- 1 objectives, specifying the target population served  
2 and the type of services provided, and identifying  
3 the continuing needs of the recipient entity and the  
4 service population. The department shall review the  
5 information reported and shall make recommendations to  
6 the governor and the general assembly by December 15,  
7 2016, to realign, bundle, or otherwise redistribute  
8 funding to meet the needs identified and improve  
9 services during the subsequent fiscal year.>
- 10 10. Page 23, line 23, by striking <2016> and  
11 inserting <2016 2017>
- 12 11. Page 23, line 27, by striking <35,774,330> and  
13 inserting <35,774,331>
- 14 12. Page 24, line 25, by striking <36,256,581> and  
15 inserting <36,256,580>
- 16 13. By striking page 37, line 31, through page 38,  
17 line 1, and inserting:  
18 <14. ~~Any new or renewed contract entered into~~  
19 ~~by the department with a third party to administer~~  
20 ~~services under the medical assistance program shall~~  
21 ~~provide that any interest earned on payments from the~~  
22 ~~state during the state fiscal year shall be remitted to~~  
23 ~~the department and treated as recoveries to offset the~~  
24 ~~costs of the medical assistance program.>~~
- 25 14. Page 40, line 3, by striking <22.> and  
26 inserting <23.>
- 27 15. Page 40, line 16, by striking <23.> and  
28 inserting <24.>
- 29 16. Page 40, line 20, by striking <24.> and  
30 inserting <25.>
- 31 17. Page 40, line 24, by striking <25.> and  
32 inserting <26.>
- 33 18. Page 40, line 28, by striking <26.> and  
34 inserting <27.>
- 35 19. Page 40, line 29, after <regarding> by

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- 1 inserting <the impact of>
- 2 20. By striking page 40, line 32, through page 41,  
3 line 4, and inserting:  
4 <28. Any dental benefit manager contracting  
5 with the department of human services for the dental  
6 wellness plan on or after July 1, 2016, shall meet the  
7 same contract requirements. Readiness review of such a  
8 dental benefit manager shall be based on the criteria  
9 applicable to the dental wellness plan when implemented  
10 on May 1, 2014, including but not limited to network  
11 adequacy, access to services, performance measures,  
12 benefit design, and other requirements as determined by

13 the department for the dental wellness program. Any  
 14 dental benefit manager that has been approved by a  
 15 readiness review prior to July 1, 2016, shall not be  
 16 required to repeat such review for the department.>  
 17 21. Page 42, line 5, after <be> by inserting  
 18 <credited to the autism support program fund created in  
 19 section 242D.2 to be>  
 20 22. Page 55, by striking lines 16 through 21 and  
 21 inserting:  
 22 <2. The department shall use at At least \$320,750  
 23 \$727,500 of the moneys appropriated in this section is  
 24 transferred to the department of public health for the  
 25 family support center component of the comprehensive  
 26 family support program under section 225C.47 chapter  
 27 225C, subchapter V. Not more than \$12,500 of the  
 28 amount allocated in this subsection shall be used for  
 29 administrative costs. The department of human services  
 30 shall submit a report to the individuals identified  
 31 in this Act for submission of reports by December  
 32 15, 2016, regarding the outcomes of the program and  
 33 recommendations for future program improvement.>  
 34 23. Page 56, by striking lines 14 through 17 and  
 35 inserting <necessary, to be used for the purposes

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1 ~~designated which amounts shall not be transferred~~  
 2 ~~or expended for any purpose other than the purposes~~  
 3 ~~designated, notwithstanding section 218.6 to the~~  
 4 ~~contrary:>~~  
 5 24. Page 60, after line 34 by inserting:  
 6 <The moneys appropriated in this section may be  
 7 used to fund additional full-time equivalent positions  
 8 at facilities under the purview of the department of  
 9 human services, provided the total number of positions  
 10 authorized across all such facilities under this Act  
 11 for the fiscal year is not exceeded.>  
 12 25. Page 64, by striking lines 10 through 13 and  
 13 inserting <(LUPA) methodology with state geographic  
 14 wage adjustments, and updated to reflect the most  
 15 recent Medicare LUPA shall remain at the rates in  
 16 effect on June 30, 2016.>  
 17 26. By striking page 64, line 32, through page 65,  
 18 line 1, and inserting:  
 19 (2) For the nonstate-owned psychiatric medical  
 20 institutions for children, reimbursement rates shall be  
 21 based on the reimbursement methodology developed by the  
 22 Medicaid managed care contractor for behavioral health  
 23 services as required for federal compliance in effect  
 24 on June 30, 2016.>  
 25 27. Page 66, lines 17 and 18, by striking <approved  
 26 by the department of human services> and inserting

27 <approved by the department of human services>  
 28 28. Page 66, by striking lines 23 through 26 and  
 29 inserting:  
 30 <q. For the fiscal year beginning July 1, 2016, the  
 31 upper limits ~~on~~ and reimbursement rates for providers  
 32 of home and community-based services waiver services  
 33 ~~shall remain at the limits in effect on June 30,~~  
 34 ~~2016 for which the rate floor is based on the average~~  
 35 ~~aggregate reimbursement rate for the fiscal year~~

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1 beginning July 1, 2015, shall be determined as follows:  
 2 (1) For fee-for-service claims, the reimbursement  
 3 rate shall be increased by 1 percent over the rates in  
 4 effect on June 30, 2016.  
 5 (2) For managed care claims, the reimbursement rate  
 6 floor shall be increased by 1 percent over the rate  
 7 floor in effect on April 1, 2016.>  
 8 29. Page 66, by striking lines 30 through 33.  
 9 30. Page 70, line 6, by striking <organization>  
 10 31. Page 70, by striking lines 8 through 10 and  
 11 inserting <lower than the rate floor approved by  
 12 the department of human services as the managed care  
 13 organization provider reimbursement rate floor for the  
 14 respective provider or service, in effect on April 1,  
 15 2016.>  
 16 32. Page 72, by striking lines 13 and 14 and  
 17 inserting <House File 630, ~~and from the federal~~  
 18 ~~temporary assistance for needy families block grant,~~  
 19 totaling at least \$11,774,275>  
 20 33. Page 73, line 13, by striking <8,774,970> and  
 21 inserting <3,880,918>  
 22 34. Page 74, after line 22 by inserting:  
 23 <AUTISM SUPPORT PROGRAM FUND FY 2015-2016  
 24 Sec. \_\_\_\_ 2015 Iowa Acts, chapter 137, section 13,  
 25 subsection 5, unnumbered paragraph 1, is amended to  
 26 read as follows:  
 27 Of the funds appropriated in this section,  
 28 \$2,000,000 shall be credited to the autism support  
 29 program fund created in section 242D.2 to be used for  
 30 the autism support program created in chapter 225D,  
 31 with the exception of the following amounts of this  
 32 allocation which shall be used as follows:>  
 33 35. Page 78, line 17, by striking <organization>  
 34 36. Page 79, line 12, by striking <All funds> and  
 35 inserting <Funds>

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1 37. Page 79, line 13, by striking <to> and  
 2 inserting <only to>

- 3 38. Page 80, by striking lines 2 through 5 and  
4 inserting:  
5 <\_\_. Any continuation of the program shall include  
6 oversight and review by the hospital health care trust  
7 fund board created in section 249M.4.>  
8 39. Page 80, by striking lines 9 and 10 and  
9 inserting:  
10 <Sec. \_\_. RETROACTIVE APPLICABILITY. The section  
11 of this division of this Act repealing section 249M.5,  
12 Code 2016, is retroactively applicable to June 30,  
13 2016.>  
14 40. Page 84, line 20, by striking <CARRYFORWARD>  
15 and inserting <TRANSFER>  
16 41. Page 84, line 21, by striking <fund> and  
17 inserting <autism support fund>  
18 42. Page 84, line 28, by striking <carryforward of  
19 moneys> and inserting <transfer of moneys in the autism  
20 support fund>  
21 43. Page 84, line 33, by striking <carryforward of  
22 moneys> and inserting <transfer of moneys in the autism  
23 support fund>  
24 44. Page 96, by striking line 10 and inserting <4,  
25 is repealed.>  
26 45. Page 101, after line 27 by inserting:  
27 <Sec. \_\_. Section 249L.2, Code 2016, is amended by  
28 adding the following new subsections:  
29 NEW SUBSECTION. 5A. *“Non-state governmental entity”*  
30 means a hospital authority, hospital district, health  
31 care district, city, or county.  
32 NEW SUBSECTION. 5B. *“Non-state government-owned*  
33 *nursing facility”* means a nursing facility owned or  
34 operated by a non-state governmental entity for which  
35 a non-state governmental entity holds the nursing

PAGE 7

- 1 facility’s license and is party to the nursing  
2 facility’s Medicaid contract.>  
3 46. Page 102, lines 9 and 10, by striking <no later  
4 than June 30, 2016,>  
5 47. Page 104, by striking lines 2 through 4.  
6 48. Page 104, line 27, after <facility> by  
7 inserting <owned or operated by a non-state  
8 governmental entity>  
9 49. By striking page 104, line 33, through page  
10 105, line 3, and inserting:  
11 <Sec. \_\_. IMPLEMENTATION PROVISIONS.  
12 1. The section of this division of this Act  
13 directing the department of human services to submit  
14 a Medicaid state plan amendment to CMS, shall be  
15 implemented as soon as possible following enactment,  
16 consistent with all applicable federal requirements.

17 2. The sections of this division of this Act  
 18 amending section 249L.2, shall only be implemented  
 19 upon receipt by the department of human services of  
 20 the Medicaid state plan amendment by the centers for  
 21 Medicare and Medicaid services of the United States  
 22 department of health and human services, and if such  
 23 approval is received, are applicable no earlier than  
 24 the first day of the calendar quarter following the  
 25 date of receipt of such approval.>

26 50. Page 109, line 24, by striking <c.> and  
 27 inserting <c. (1)>

28 51. By striking page 109, line 33, through page  
 29 110, line 5, and inserting <of the hospital or  
 30 emergency care facility.

31 (2) Notwithstanding subparagraph (1), until  
 32 December 31, 2018, the department shall not decrease a  
 33 level II certificate of verification issued to a trauma  
 34 care facility by the department on or before July 1,  
 35 2015, unless the facility subsequently fails to comply

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1 with the trauma care criteria established by rule under  
 2 this subchapter in effect at the time the verification  
 3 was issued.>

4 52. Title page, line 4, by striking <date>

5 53. By renumbering as necessary.

HEATON of Henry

H-8224

1 Amend House File 2455 as follows:

2 1. Page 17, after line 10 by inserting:

3 <DIVISION \_\_\_\_

4 MISCELLANEOUS PROVISIONS — SERVICE CONTRACT RECIPIENTS

5 Sec. \_\_\_\_ Section 8F.3, subsection 1, paragraphs b  
 6 and d, Code 2016, are amended to read as follows:

7 *b.* Information regarding the training and education  
 8 received by the members of the governing body of  
 9 the recipient entity relating to the duties and  
 10 legal responsibilities of the governing body. The  
 11 information shall also include certification that  
 12 the members of the governing body have completed a  
 13 training program established pursuant to section 19B.7,  
 14 subsection 3.

15 *d.* Information regarding any policies adopted  
 16 by the governing body of the recipient entity that  
 17 prohibit taking adverse employment action against  
 18 employees of the recipient entity who disclose  
 19 information about a service contract, to include  
 20 information about the pay and benefits received by

21 an employee of a recipient entity, to the oversight  
 22 agency, the auditor of state, the office of the  
 23 attorney general, or the office of ombudsman and  
 24 that state whether those policies are substantially  
 25 similar to the protection provided to state employees  
 26 under section 70A.28. The information provided shall  
 27 state whether employees of the recipient entity are  
 28 informed on a regular basis of their rights to disclose  
 29 information to the oversight agency, the office of  
 30 ombudsman, the auditor of state, or the office of the  
 31 attorney general and the telephone numbers of those  
 32 organizations.

33 Sec. \_\_\_\_ Section 19B.7, Code 2016, is amended by  
 34 adding the following new subsection:

35 NEW SUBSECTION. 3. The department of

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1 administrative services, in coordination with  
 2 the Iowa civil rights commission, shall establish a  
 3 training program for prospective recipient entities, as  
 4 defined in section 8F.2, concerning the requirements  
 5 of this section, and chapter 216, relative to the  
 6 administration and promotion of equal opportunity and  
 7 the prohibition of discriminatory and unfair practices  
 8 within any program receiving or benefiting from state  
 9 financial assistance. The program shall specifically  
 10 include guidance relative to unfair employment  
 11 practices as described in section 216.6, and wage  
 12 discrimination in employment prohibitions as described  
 13 in section 216.6A.

14 DIVISION \_\_\_\_

15 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION IN  
 16 EMPLOYMENT

17 Sec. \_\_\_\_ Section 216.6A, Code 2016, is amended by  
 18 adding the following new subsection:

19 NEW SUBSECTION. 2A. It shall be an unfair or  
 20 discriminatory practice for any employer or agent of  
 21 any employer to do any of the following:

22 a. Require, as a condition of employment, that  
 23 an employee refrain from disclosing, discussing,  
 24 or sharing information about the amount of the  
 25 employee's wages, benefits, or other compensation or  
 26 from inquiring, discussing, or sharing information  
 27 about any other employee's wages, benefits, or other  
 28 compensation.

29 b. Require, as a condition of employment, that an  
 30 employee sign a waiver or other document that requires  
 31 an employee to refrain from engaging in any of the  
 32 activities permitted under paragraph "a".

33 c. Discriminate or retaliate against an employee  
 34 for engaging in any of the activities permitted under



35 paragraph "a".

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- 1 d. Seek salary history information, including  
 2 but not limited to information on compensation and  
 3 benefits, from a potential employee as a condition of a  
 4 job interview or employment. This paragraph shall not  
 5 be construed to prohibit a prospective employer from  
 6 asking a prospective employee what salary level the  
 7 prospective employee would require in order to accept  
 8 a job.
- 9 e. Release the salary history, including but  
 10 not limited to information on compensation and  
 11 benefits, of any current or former employee to any  
 12 prospective employer in response to a request as part  
 13 of an interview or hiring process without written  
 14 authorization from such current or former employee.
- 15 f. Publish, list, or post within the employer's  
 16 organization, with any employment agency, job-listing  
 17 service, or internet site, or in any other public  
 18 manner, an advertisement to recruit candidates for hire  
 19 or independent contractors to fill a position within  
 20 the employer's organization without including the  
 21 minimum rate of pay of the position. The rate of pay  
 22 may be by the hour, shift, day, week, salary, piece,  
 23 commission, or other applicable rate. The rate of pay  
 24 shall include overtime and allowances, if any, claimed  
 25 as part of the minimum wage, including but not limited  
 26 to tipped wages.
- 27 g. Pay a newly hired employee at less than the  
 28 rate of pay advertised for the employee's position as  
 29 required under paragraph "f".

30 DIVISION \_\_\_\_

31 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION —  
 32 EQUAL PAY TASK FORCE AND REPORT

- 33 Sec. \_\_\_\_ EQUAL PAY TASK FORCE AND REPORT.
- 34 1. An equal pay task force is created. The task  
 35 force shall consist of the following members:

PAGE 4

- 1 a. The director of the civil rights commission, or  
 2 the director's designee.
- 3 b. The director of the department of human rights,  
 4 or the director's designee.
- 5 c. An employee of the labor market information  
 6 division of the department of workforce development  
 7 designated by the director of the department.
- 8 d. A representative of the association of business  
 9 and industry, appointed by the president of the  
 10 association.

- 11 e. A member of a statewide labor organization  
12 designated by the legislative council, appointed by the  
13 president of the organization.
- 14 f. Two representatives of organizations whose  
15 objectives include the elimination of pay disparities  
16 between men and women and minorities and nonminorities  
17 and that have undertaken advocacy, educational, or  
18 legislative initiatives in pursuit of such objectives  
19 appointed by the director of the civil rights  
20 commission in consultation with the leadership of those  
21 organizations.
- 22 g. Two representatives of postsecondary education  
23 institutions who have experience and expertise in  
24 the collection and analysis of data concerning pay  
25 disparities between men and women and minorities and  
26 nonminorities and whose research has been used in  
27 efforts to promote the elimination of such disparities  
28 appointed by the director of the civil rights  
29 commission in consultation with the leadership of those  
30 institutions.
- 31 h. Four members of the general assembly serving  
32 as ex officio, nonvoting members, one representative  
33 to be appointed by the speaker of the house of  
34 representatives, one representative to be appointed by  
35 the minority leader of the house of representatives,

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- 1 one senator to be appointed by the majority leader of  
2 the senate, and one senator to be appointed by the  
3 minority leader of the senate.
- 4 2. The task force shall study all of the following:
- 5 a. The extent of wage disparities, both in the  
6 public and private sectors, between men and women and  
7 between minorities and nonminorities.
- 8 b. Factors that cause, or which tend to cause, such  
9 disparities, including segregation between women and  
10 men and between minorities and nonminorities across  
11 and within occupations, payment of lower wages for  
12 work in female-dominated occupations, child-rearing  
13 responsibilities, the number of women who are heads of  
14 households, education, hours worked, and years on the  
15 job.
- 16 c. The consequences of such disparities on the  
17 economy and affected families.
- 18 d. Actions likely to lead to the elimination and  
19 prevention of such disparities.
- 20 3. The civil rights commission shall provide  
21 staffing services for the task force.
- 22 4. The voting members shall elect a chairperson  
23 from the voting membership of the task force. A  
24 majority of the voting members of the task force

25 constitutes a quorum.

26 5. Voting members of the task force shall receive  
27 reimbursement for actual expenses incurred while  
28 serving in their official capacity only if they are not  
29 eligible for reimbursement by the organization that  
30 they represent. Legislative members shall be paid the  
31 per diem and expenses specified in section 2.10.

32 6. The task force shall submit a report regarding  
33 its findings and its recommendations regarding  
34 potential actions for the elimination and prevention  
35 of disparities in wages between men and women and

PAGE 6

1 minorities and nonminorities to the governor and the  
2 general assembly no later than December 22, 2017.

3 DIVISION \_\_\_\_

4 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION  
5 Sec. \_\_\_\_. ADDITIONAL UNFAIR OR DISCRIMINATORY  
6 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

7 1. As stated in chapter 216, the general assembly  
8 finds that the practice of discriminating against any  
9 employee because of the age, race, creed, color, sex,  
10 sexual orientation, gender identity, national origin,  
11 religion, or disability of such employee by paying  
12 wages to such employee at a rate less than the rate  
13 paid to other employees does all of the following:

- 14 a. Unjustly discriminates against the person  
15 receiving the lesser rate.
- 16 b. Leads to low employee morale, high turnover, and  
17 frequent labor unrest.
- 18 c. Discourages employees paid at lesser wage rates  
19 from training for higher level jobs.
- 20 d. Curtails employment opportunities, decreases  
21 employees' mobility, and increases labor costs.
- 22 e. Impairs purchasing power and threatens the  
23 maintenance of an adequate standard of living by such  
24 employees and their families.
- 25 f. Prevents optimum utilization of the state's  
26 available labor resources.
- 27 g. Threatens the well-being of citizens of this  
28 state and adversely affects the general welfare.

29 2. As stated in section 216.6A, it remains  
30 unfair or discriminatory practice for any employer  
31 or agent of any employer to discriminate against  
32 any employee because of the age, race, creed, color,  
33 sex, sexual orientation, gender identity, national  
34 origin, religion, or disability of such employee by  
35 paying wages to such employee at a rate less than the

PAGE 7

1 rate paid to other employees who are employed within  
 2 the same establishment for equal work on jobs, the  
 3 performance of which requires equal skill, effort, and  
 4 responsibility, and which are performed under similar  
 5 working conditions. As also stated in section 216.6A,  
 6 an employer or agent of an employer who is paying wages  
 7 to an employee at a rate less than the rate paid to  
 8 other employees in violation of this section shall not  
 9 remedy the violation by reducing the wage rate of any  
 10 employee.>  
 11 2. By renumbering as necessary.

FINKENAUER of Dubuque  
 ANDERSON of Polk  
 BENNETT of Linn  
 COHOON of Des Moines  
 DUNKEL of Dubuque  
 GAINES of Polk  
 HALL of Woodbury  
 HEDDENS of Story  
 ISENHART of Dubuque  
 KEARNS of Lee  
 KRESSIG of Black Hawk  
 LYKAM of Scott  
 McCONKEY of Pottawattamie  
 H. MILLER of Webster  
 OLSON of Polk  
 PRICHARD of Floyd  
 RUNNING-MARQUARDT of Linn  
 STAED of Linn  
 STUTSMAN of Johnson  
 THEDE of Scott  
 WINCKLER of Scott

ABDUL-SAMAD of Polk  
 BEARINGER of Fayette  
 BROWN-POWERS of Black Hawk  
 DAWSON of Woodbury  
 FORBES of Polk  
 GASKILL of Wapello  
 HANSON of Jefferson  
 HUNTER of Polk  
 JACOBY of Johnson  
 KELLEY of Jasper  
 LENSING of Johnson  
 MASCHER of Johnson  
 MEYER of Polk  
 OLDSOON of Polk  
 OURTH of Warren  
 RUFF of Clayton  
 SMITH of Marshall  
 STECKMAN of Cerro Gordo  
 T. TAYLOR of Linn  
 WESSEL-KROESCHELL of Story  
 WOLFE of Clinton

H-8225

1 Amend the amendment, H-8224, to House File 2455 as  
 2 follows:  
 3 1. By striking page 1, line 1, through page 6, line  
 4 2, and inserting:  
 5 <Amend House File 2455 as follows:  
 6 \_\_\_. Page 17, after line 10 by inserting:  
 7 DIVISION \_\_\_  
 8 MISCELLANEOUS PROVISIONS - EQUAL PAY TASK FORCE AND  
 9 REPORT  
 10 Sec. \_\_\_. EQUAL PAY.  
 11 1. An equal pay task force is created. The task  
 12 force shall consist of seven members appointed by the  
 13 governor.  
 14 2. The task force shall study wage discrepancies

15 within public and private employment and between public  
16 and private employers.

17 3. The task force shall submit a report regarding  
18 its findings and its recommendations regarding  
19 potential actions for the elimination and prevention  
20 of such discrepancies to the governor and the general  
21 assembly no later than December 22, 2017.

22 DIVISION \_\_\_\_  
23 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION  
24 Sec. \_\_\_\_ ADDITIONAL UNFAIR OR DISCRIMINATORY  
25 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

26 1. As stated in chapter 216, the general assembly  
27 finds that the practice of discriminating against any  
28 employee because of the age, race, creed, color, sex,  
29 sexual orientation, gender identity, national origin,  
30 religion, or disability of such employee by paying  
31 wages to such employee at a rate less than the rate  
32 paid to other employees does all of the following:  
33 a. Unjustly discriminates against the person  
34 receiving the lesser rate.  
35 b. Leads to low employee morale, high turnover, and

PAGE 2

1 frequent labor unrest.  
2 c. Discourages employees paid at lesser wage rates  
3 from training for higher level jobs.  
4 d. Curtails employment opportunities, decreases  
5 employees' mobility, and increases labor costs.  
6 e. Impairs purchasing power and threatens the  
7 maintenance of an adequate standard of living by such  
8 employees and their families.  
9 f. Prevents optimum utilization of the state's  
10 available labor resources.  
11 g. Threatens the well-being of citizens of this  
12 state and adversely affects the general welfare.  
13 2. As stated in section 216.6A, it remains  
14 unfair or discriminatory practice for any employer  
15 or agent of any employer to discriminate against  
16 any employee because of the age, race, creed, color,  
17 sex, sexual orientation, gender identity, national  
18 origin, religion, or disability of such employee by  
19 paying wages to such employee at a rate less than the  
20 rate paid to other employees who are employed within  
21 the same establishment for equal work on jobs, the  
22 performance of which requires equal skill, effort, and  
23 responsibility, and which are performed under similar  
24 working conditions. As also stated in section 216.6A,  
25 an employer or agent of an employer who is paying wages  
26 to an employee at a rate less than the rate paid to  
27 other employees in violation of this section shall not  
28 remedy the violation by reducing the wage rate of any

29 employee.>  
 30 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-8226

1 Amend House File 2460 as follows:  
 2 1. Page 112, after line 5 by inserting:  
 3 <DIVISION \_\_\_\_  
 4 FACILITY FOR ELDERLY PERSONS WITH AGGRESSIVE OR  
 5 PSYCHIATRIC BEHAVIORS  
 6 Sec. \_\_\_\_ FACILITY FOR ELDERLY PERSONS WITH  
 7 AGGRESSIVE OR PSYCHIATRIC BEHAVIORS — COMMITTEE —  
 8 REPORT.  
 9 1. The department of inspections and appeals, in  
 10 conjunction with the department of human services,  
 11 shall establish and facilitate a committee of  
 12 stakeholders to examine options for designating a  
 13 facility to provide care for elderly persons in this  
 14 state who are sexually aggressive, combative, or have  
 15 unmet geropsychiatric needs.  
 16 2. The membership of the committee shall include  
 17 but is not limited to the following:  
 18 a. Representatives of the departments of  
 19 inspections and appeals, human services, corrections,  
 20 public health, and aging, the state public defender,  
 21 the office of ombudsman, the office of long-term care  
 22 ombudsman, and the judicial branch.  
 23 b. Consumers of services provided by long-term care  
 24 facilities and family members of consumers.  
 25 c. Representatives from leadingage Iowa, the Iowa  
 26 health care association, and the Iowa association of  
 27 community providers.  
 28 d. Direct care workers employed by long-term care  
 29 facilities.  
 30 e. Representatives from Iowa legal aid.  
 31 f. Representatives from AARP Iowa.  
 32 g. Representatives from the Iowa civil liberties  
 33 union.  
 34 h. Other stakeholders as the department of  
 35 inspections and appeals and the department of human

PAGE 2

1 services deem appropriate.  
 2 3. The committee shall discuss whether a long-term  
 3 care facility, as defined in section 142D.2, should  
 4 have the ability to refuse admission to, or discharge,  
 5 residents who are sexually aggressive, combative, or  
 6 have unmet geropsychiatric needs. The committee shall  
 7 consider options for establishment of a facility to

8 provide care for persons who are sexually aggressive,  
 9 combative, or have unmet geropsychiatric needs. The  
 10 committee shall identify the characteristics of  
 11 residents for such a facility, options for creating  
 12 a new facility to house such residents, options for  
 13 the expansion of an existing facility to house such  
 14 residents, options for using any alternative facilities  
 15 for such residents, the workforce and training  
 16 necessary for the workforce in such facility, options  
 17 to qualify a facility for Medicaid reimbursement,  
 18 cost projections for any recommendations, and other  
 19 information deemed relevant by the department of  
 20 inspections and appeals.

21 4. The committee shall provide a report detailing  
 22 its findings and recommendations to the governor and  
 23 the general assembly by December 15, 2016.>

24 2. By renumbering as necessary.

H. MILLER of Webster

H-8227

1 Amend House File 2459 as follows:

2 1. By striking everything after the enacting clause  
 3 and inserting:

4 <DIVISION I  
 5 STANDING APPROPRIATIONS AND RELATED MATTERS

6 Section 1. 2015 Iowa Acts, chapter 138, is amended  
 7 by adding the following new section:

8 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.

9 1. The appropriations made pursuant to section  
 10 2.12 for the expenses of the general assembly and  
 11 legislative agencies for the fiscal year beginning July  
 12 1, 2016, and ending June 30, 2017, are reduced by the  
 13 following amount:

14 ..... \$ 5,850,000

15 2. The budgeted amounts for the general assembly  
 16 and legislative agencies for the fiscal year beginning  
 17 July 1, 2016, may be adjusted to reflect the unexpended  
 18 budgeted amounts from the previous fiscal year.

19 Sec. 2. 2015 Iowa Acts, chapter 138, is amended by  
 20 adding the following new section:

21 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
 22 is amended by adding the following new subsection:

23 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
 24 and in addition to the reduction applicable pursuant  
 25 to subsection 2, the state aid for area education  
 26 agencies and the portion of the combined district cost  
 27 calculated for these agencies for the fiscal year  
 28 beginning July 1, 2016, and ending June 30, 2017, shall  
 29 be reduced by the department of management by fifteen  
 30 million dollars. The reduction for each area education

31 agency shall be prorated based on the reduction that  
 32 the agency received in the fiscal year beginning July  
 33 1, 2003.  
 34 Sec. 3. Section 2.48, subsection 3, Code 2016, is  
 35 amended by adding the following new paragraph:

PAGE 2

1 NEW PARAGRAPH. *Of.* In 2016:  
 2 (1) The homestead tax credit under chapter 425.  
 3 (2) The elderly and disabled property tax credit  
 4 under chapter 425.  
 5 (3) The agricultural land tax credit under chapter  
 6 426.  
 7 (4) The military service tax credit under chapter  
 8 426A.  
 9 (5) The business property tax credit under chapter  
 10 426C.  
 11 (6) The commercial and industrial property tax  
 12 replacement claims under section 441.21A.  
 13 Sec. 4. Section 230.8, Code 2016, is amended to  
 14 read as follows:  
 15 **230.8 Transfers of persons with mental illness —**  
 16 **expenses.**  
 17 The transfer to any state hospitals or to the places  
 18 of their residence of persons with mental illness who  
 19 have no residence in this state or whose residence is  
 20 unknown and deemed to be a state case, shall be made  
 21 according to the directions of the administrator,  
 22 and when practicable by employees of the state  
 23 hospitals. The actual and necessary expenses of such  
 24 transfers shall be paid by the department on itemized  
 25 vouchers sworn to by the claimants and approved by  
 26 the administrator; ~~and the amount of the expenses is~~  
 27 ~~appropriated to the department from any funds in the~~  
 28 ~~state treasury not otherwise appropriated.~~  
 29 Sec. 5. Section 820.24, Code 2016, is amended to  
 30 read as follows:  
 31 **820.24 Expenses — how paid.**  
 32 When the punishment of the crime shall be the  
 33 confinement of the criminal in the penitentiary, the  
 34 expenses shall be paid ~~out of the state treasury, on~~  
 35 ~~the certificate of the governor and warrant of the~~

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1 ~~director of the department of administrative services~~  
 2 ~~by the department of corrections;~~ and in all other  
 3 cases they shall be paid out of the county treasury in  
 4 the county wherein the crime is alleged to have been  
 5 committed. The expenses shall be the fees paid to the  
 6 officers of the state on whose governor the requisition



7 is made, and all necessary and actual traveling  
8 expenses incurred in returning the prisoner.

9 DIVISION II

10 MISCELLANEOUS PROVISIONS

11 Sec. 6. WATER QUALITY — IOWA FINANCE

12 AUTHORITY. There is appropriated from the general fund  
13 of the state to the Iowa finance authority for the  
14 fiscal year beginning July 1, 2016, and ending June 30,  
15 2017, the following amount, or so much thereof as is  
16 necessary, to be used for the purpose designated:

17 For deposit in the water quality financial  
18 assistance fund created in section 16.134A, if enacted  
19 by 2016 Iowa Acts, House File 2451:

20 ..... \$ 2,000,000

21 Sec. 7. SALARY MODEL ADMINISTRATOR. The salary

22 model administrator shall work in conjunction with  
23 the legislative services agency to maintain the  
24 state’s salary model used for analyzing, comparing,  
25 and projecting state employee salary and benefit  
26 information, including information relating to  
27 employees of the state board of regents. The  
28 department of revenue, the department of administrative  
29 services, the five institutions under the jurisdiction  
30 of the state board of regents, the judicial district  
31 departments of correctional services, and the state  
32 department of transportation shall provide salary data  
33 to the department of management and the legislative  
34 services agency to operate the state’s salary  
35 model. The format and frequency of provision of the

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1 salary data shall be determined by the department of  
2 management and the legislative services agency. The  
3 information shall be used in collective bargaining  
4 processes under chapter 20 and in calculating the  
5 funding needs contained within the annual salary  
6 adjustment legislation. A state employee organization  
7 as defined in section 20.3, subsection 4, may request  
8 information produced by the model, but the information  
9 provided shall not contain information attributable to  
10 individual employees.

11 Sec. 8. Section 24.32, Code 2016, is amended to  
12 read as follows:

13 **24.32 Decision certified.**

14 After a hearing upon the appeal, the state board  
15 shall certify its decision to the county auditor and  
16 to the parties to the appeal as provided by rule, and  
17 the decision shall be final. The county auditor shall  
18 make up the records in accordance with the decision and  
19 the levying board shall make its levy in accordance  
20 with the decision. Upon receipt of the decision, the

21 certifying board shall correct its records accordingly,  
 22 if necessary. Final disposition of all appeals shall  
 23 be made by the state board ~~on or before April 30 of~~  
 24 ~~each year~~ within forty-five days after the date of the  
 25 appeal hearing.

26 Sec. 9. Section 418.12, subsection 5, Code 2016, is  
 27 amended to read as follows:

28 5. If the department of revenue determines that  
 29 the revenue accruing to the fund or accounts within  
 30 the fund exceeds thirty million dollars for a fiscal  
 31 year or exceeds the amount necessary for the purposes  
 32 of this chapter if the amount necessary is less than  
 33 thirty million dollars for a fiscal year, then those  
 34 excess moneys shall be credited by the department of  
 35 revenue for deposit in the general fund of the state.

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1 DIVISION III  
 2 CORRECTIVE PROVISIONS

3 Sec. 10. Section 229.13, subsection 7, paragraph a,  
 4 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
 5 File 2259, section 1, is amended to read as follows:

6 (1) The respondent's mental health professional  
 7 acting within the scope of the mental health  
 8 professional's practice shall notify the committing  
 9 court, with preference given to the committing judge,  
 10 if available, in the appropriate county ~~who~~ and the  
 11 court shall enter a written order directing that  
 12 the respondent be taken into immediate custody by  
 13 the appropriate sheriff or sheriff's deputy. The  
 14 appropriate sheriff or sheriff's deputy shall exercise  
 15 all due diligence in taking the respondent into  
 16 protective custody to a hospital or other suitable  
 17 facility.

18 Sec. 11. Section 272.25, subsection 3, Code 2016,  
 19 as amended by 2016 Iowa Acts, Senate File 2196, section  
 20 3, is amended to read as follows:

21 3. A requirement that the program include  
 22 instruction in skills and strategies to be used in  
 23 classroom management of individuals, and of small and  
 24 large groups, under varying conditions; skills for  
 25 communicating and working constructively with pupils,  
 26 teachers, administrators, and parents; preparation in  
 27 reading theory, knowledge, strategies, and approaches,  
 28 and for integrating literacy instruction ~~in~~ into  
 29 content areas in accordance with section 256.16; and  
 30 skills for understanding the role of the board of  
 31 education and the functions of other education agencies  
 32 in the state. The requirement shall be based upon  
 33 recommendations of the department of education after  
 34 consultation with teacher education faculty members in

35 colleges and universities.

PAGE 6

1 Sec. 12. Section 598C.102, subsection 8, paragraph  
2 b, if enacted by 2016 Iowa Acts, Senate File 2233,  
3 section 2, is amended to read as follows:

4 b. An individual who has custodial responsibility  
5 for a child under a law of this state other than this  
6 chapter.

7 Sec. 13. 2016 Iowa Acts, House File 2269, section  
8 20, subsection 1, is amended to read as follows:

9 1. It is amended, rescinded, or supplemented by the  
10 affirmative action of the executive ~~council~~ committee  
11 of the Iowa beef cattle producers association created  
12 in section 181.3, as amended in this Act.

13 Sec. 14. 2016 Iowa Acts, Senate File 378, section  
14 2, is amended to read as follows:

15 SEC 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
16 repealed.

17 Sec. 15. 2016 Iowa Acts, Senate File 2185, section  
18 2, if enacted, is amended by striking the section and  
19 inserting in lieu thereof the following:

20 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
21 amended to read as follows:

22 3. A person who violates this section commits a  
23 ~~serious~~ an aggravated misdemeanor.>

24 2. By renumbering as necessary.

HALL of Woodbury

H-8228

1 Amend House File 2460 as follows:

2 1. Page 85, after line 4 by inserting:

3 <REPORTING OF EXISTING DATA REQUIREMENTS, MINUTES, AND  
4 RECOMMENDATIONS>

5 2. Page 92, after line 18 by inserting:

6 <DIVISION \_\_  
7 MEDICAID MANAGED CARE — ADDITIONAL OVERSIGHT  
8 REQUIREMENTS

9 Sec. \_\_. LEGISLATIVE FINDINGS — GOALS AND INTENT.

10 1. The general assembly finds all of the following:

11 a. In the majority of states, Medicaid managed care  
12 has been introduced on an incremental basis, beginning  
13 with the enrollment of low-income children and parents  
14 and proceeding in stages to include nonelderly persons  
15 with disabilities and older individuals. Iowa, unlike  
16 the majority of states, is implementing Medicaid  
17 managed care simultaneously across a broad and diverse  
18 population that includes individuals with complex  
19 health care and long-term services and supports needs,

20 making these individuals especially vulnerable to  
21 receiving inappropriate, inadequate, or substandard  
22 services and supports.  
23 b. The success or failure of Medicaid managed  
24 care in Iowa depends on proper strategic planning and  
25 strong oversight, and the incorporation of the core  
26 values, principles, and goals of the strategic plan  
27 into Medicaid managed care contractual obligations.  
28 While Medicaid managed care techniques may create  
29 pathways and offer opportunities toward quality  
30 improvement and predictability in costs, if cost  
31 savings and administrative efficiencies are the  
32 primary goals, Medicaid managed care may instead erect  
33 new barriers and limit the care and support options  
34 available, especially to high-need, vulnerable Medicaid  
35 recipients. A well-designed strategic plan and

PAGE 2

1 effective oversight ensure that cost savings, improved  
2 health outcomes, and efficiencies are not achieved  
3 at the expense of diminished program integrity, a  
4 reduction in the quality or availability of services,  
5 or adverse consequences to the health and well-being of  
6 Medicaid recipients.  
7 c. Strategic planning should include all of the  
8 following:  
9 (1) Guidance in establishing and maintaining a  
10 robust and appropriate workforce and a provider network  
11 capable of addressing all of the diverse, distinct, and  
12 wide-ranging treatment and support needs of Medicaid  
13 recipients.  
14 (2) Developing a sound methodology for establishing  
15 and adjusting capitation rates to account for all  
16 essential costs involved in treating and supporting the  
17 entire spectrum of needs across recipient populations.  
18 (3) Addressing the sufficiency of information and  
19 data resources to enable review of factors such as  
20 utilization, service trends, system performance, and  
21 outcomes.  
22 (4) Building effective working relationships and  
23 developing strategies to support community-level  
24 integration that provides cross-system coordination  
25 and synchronization among the various service sectors,  
26 providers, agencies, and organizations to further  
27 holistic well-being and population health goals.  
28 d. While the contracts entered into between the  
29 state and managed care organizations function as a  
30 mechanism for enforcing requirements established by the  
31 federal and state governments and allow states to shift  
32 the financial risk associated with caring for Medicaid  
33 recipients to these contractors, the state ultimately

34 retains responsibility for the Medicaid program and  
35 the oversight of the performance of the program's

PAGE 3

1 contractors. Administration of the Medicaid program  
2 benefits by managed care organizations should not be  
3 viewed by state policymakers and state agencies as a  
4 means of divesting themselves of their constitutional  
5 and statutory responsibilities to ensure that  
6 recipients of publicly funded services and supports, as  
7 well as taxpayers in general, are effectively served.  
8 e. Overseeing the performance of Medicaid managed  
9 care contractors requires a different set of skills  
10 than those required for administering a fee-for-service  
11 program. In the absence of the in-house capacity of  
12 the department of human services to perform tasks  
13 specific to Medicaid managed care oversight, the state  
14 essentially cedes its responsibilities to private  
15 contractors and relinquishes its accountability to the  
16 public. In order to meet these responsibilities, state  
17 policymakers must ensure that the state, including the  
18 department of human services as the state Medicaid  
19 agency, has the authority and resources, including  
20 the adequate number of qualified personnel and the  
21 necessary tools, to carry out these responsibilities,  
22 provide effective administration, and ensure  
23 accountability and compliance.  
24 f. State policymakers must also ensure that  
25 Medicaid managed care contracts contain, at a minimum,  
26 clear, unambiguous performance standards, operating  
27 guidelines, data collection, maintenance, retention,  
28 and reporting requirements, and outcomes expectations  
29 so that contractors and subcontractors are held  
30 accountable to clear contract specifications.  
31 g. As with all system and program redesign efforts  
32 undertaken in the state to date, the assumption  
33 of the administration of Medicaid program benefits  
34 by managed care organizations must involve ongoing  
35 stakeholder input and earn the trust and support of

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1 these stakeholders. Medicaid recipients, providers,  
2 advocates, and other stakeholders have intimate  
3 knowledge of the people and processes involved in  
4 ensuring the health and safety of Medicaid recipients,  
5 and are able to offer valuable insight into the  
6 barriers likely to be encountered as well as propose  
7 solutions for overcoming these obstacles. Local  
8 communities and providers of services and supports  
9 have firsthand experience working with the Medicaid

10 recipients they serve and are able to identify factors  
 11 that must be considered to make a system successful.  
 12 Agencies and organizations that have specific expertise  
 13 and experience with the services and supports needs of  
 14 Medicaid recipients and their families are uniquely  
 15 placed to provide needed assistance in developing  
 16 the measures for and in evaluating the quality of the  
 17 program.

18 2. It is the intent of the general assembly that  
 19 the Medicaid program be implemented and administered,  
 20 including through Medicaid managed care policies  
 21 and contract provisions, in a manner that safeguards  
 22 the interests of Medicaid recipients, encourages the  
 23 participation of Medicaid providers, and protects  
 24 the interests of all taxpayers, while attaining the  
 25 goals of Medicaid modernization to improve quality and  
 26 access, promote accountability for outcomes, and create  
 27 a more predictable and sustainable Medicaid budget.

28 HEALTH POLICY OVERSIGHT COMMITTEE

29 Sec. \_\_\_\_ Section 2.45, subsection 6, Code 2016, is  
 30 amended to read as follows:

31 6. The legislative health policy oversight  
 32 committee, which shall be composed of ten members of  
 33 the general assembly, consisting of five members from  
 34 each house, to be appointed by the legislative council.  
 35 The legislative health policy oversight committee

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1 ~~shall receive updates and review data, public input and~~  
 2 ~~concerns, and make recommendations for improvements to~~  
 3 ~~and changes in law or rule regarding Medicaid managed~~  
 4 ~~care meet at least four times annually to evaluate~~  
 5 ~~state health policy and provide continuing oversight~~  
 6 ~~for publicly funded programs, including but not limited~~  
 7 ~~to all facets of the Medicaid and hawk-i programs~~  
 8 ~~to, at a minimum, ensure effective and efficient~~  
 9 ~~administration of these programs, address stakeholder~~  
 10 ~~concerns, monitor program costs and expenditures, and~~  
 11 ~~make recommendations relative to the programs.~~

12 Sec. \_\_\_\_ HEALTH POLICY OVERSIGHT COMMITTEE  
 13 — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE  
 14 INTERIM. During the 2016 legislative interim, the  
 15 health policy oversight committee created in section  
 16 2.45 shall, as part of the committee's evaluation  
 17 of state health policy and review of all facets of  
 18 the Medicaid and hawk-i programs, review and make  
 19 recommendations regarding, at a minimum, all of the  
 20 following:

21 1. The resources and duties of the office of  
 22 long-term care ombudsman relating to the provision of  
 23 assistance to and advocacy for Medicaid recipients

24 to determine the designation of duties and level of  
 25 resources necessary to appropriately address the needs  
 26 of such individuals. The committee shall consider the  
 27 health consumer ombudsman alliance report submitted to  
 28 the general assembly in December 2015, as well as input  
 29 from the office of long-term care ombudsman and other  
 30 entities in making recommendations.

31 2. The health benefits and health benefit  
 32 utilization management criteria for the Medicaid  
 33 and hawk-i programs to determine the sufficiency  
 34 and appropriateness of the benefits offered and the  
 35 utilization of these benefits.

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1 3. Prior authorization requirements relative  
 2 to benefits provided under the Medicaid and hawk-i  
 3 programs, including but not limited to pharmacy  
 4 benefits.

5 4. Consistency and uniformity in processes,  
 6 procedures, forms, and other activities across all  
 7 Medicaid and hawk-i program participating insurers and  
 8 managed care organizations, including but not limited  
 9 to cost and quality reporting, credentialing, billing,  
 10 prior authorization, and critical incident reporting.

11 5. Provider network adequacy including the use of  
 12 out-of-network and out-of-state providers.

13 6. The role and interplay of other advisory and  
 14 oversight entities, including but not limited to the  
 15 medical assistance advisory council and the hawk-i  
 16 board.

#### 17 REVIEW OF PROGRAM INTEGRITY DUTIES

18 Sec. \_\_\_. REVIEW OF PROGRAM INTEGRITY DUTIES —  
 19 WORKGROUP — REPORT.

20 1. The director of human services shall convene  
 21 a workgroup comprised of members including the  
 22 commissioner of insurance, the auditor of state, the  
 23 Medicaid director and bureau chiefs of the managed care  
 24 organization oversight and supports bureau, the Iowa  
 25 Medicaid enterprise support bureau, and the medical  
 26 and long-term services and supports bureau, and a  
 27 representative of the program integrity unit, or their  
 28 designees; and representatives of other appropriate  
 29 state agencies or other entities including but not  
 30 limited to the office of the attorney general, the  
 31 office of long-term care ombudsman, and the Medicaid  
 32 fraud control unit of the investigations division  
 33 of the department of inspections and appeals. The  
 34 workgroup shall do all of the following:

35 a. Review the duties of each entity with

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1 responsibilities relative to Medicaid program integrity  
2 and managed care organizations; review state and  
3 federal laws, regulations, requirements, guidance, and  
4 policies relating to Medicaid program integrity and  
5 managed care organizations; and review the laws of  
6 other states relating to Medicaid program integrity  
7 and managed care organizations. The workgroup shall  
8 determine areas of duplication, fragmentation,  
9 and gaps; shall identify possible integration,  
10 collaboration and coordination of duties; and shall  
11 determine whether existing general state Medicaid  
12 program and fee-for-service policies, laws, and  
13 rules are sufficient, or if changes or more specific  
14 policies, laws, and rules are required to provide  
15 for comprehensive and effective administration and  
16 oversight of the Medicaid program including under the  
17 fee-for-service and managed care methodologies.

18 b. Review historical uses of the Medicaid  
19 fraud fund created in section 249A.50 and make  
20 recommendations for future uses of the moneys in the  
21 fund and any changes in law necessary to adequately  
22 address program integrity.

23 c. Review medical loss ratio provisions relative  
24 to Medicaid managed care contracts and make  
25 recommendations regarding, at a minimum, requirements  
26 for the necessary collection, maintenance, retention,  
27 reporting, and sharing of data and information by  
28 Medicaid managed care organizations for effective  
29 determination of compliance, and to identify the  
30 costs and activities that should be included in the  
31 calculation of administrative costs, medical costs or  
32 benefit expenses, health quality improvement costs,  
33 and other costs and activities incidental to the  
34 determination of a medical loss ratio.

35 d. Review the capacity of state agencies, including

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1 the need for specialized training and expertise, to  
2 address Medicaid and managed care organization program  
3 integrity and provide recommendations for the provision  
4 of necessary resources and infrastructure, including  
5 annual budget projections.

6 e. Review the incentives and penalties applicable  
7 to violations of program integrity requirements to  
8 determine their adequacy in combating waste, fraud,  
9 abuse, and other violations that divert limited  
10 resources that would otherwise be expended to safeguard  
11 the health and welfare of Medicaid recipients, and make  
12 recommendations for necessary adjustments to improve



13 compliance.

14 f. Make recommendations regarding the quarterly and  
 15 annual auditing of financial reports required to be  
 16 performed for each Medicaid managed care organization  
 17 to ensure that the activities audited provide  
 18 sufficient information to the division of insurance  
 19 of the department of commerce and the department  
 20 of human services to ensure program integrity. The  
 21 recommendations shall also address the need for  
 22 additional audits or other reviews of managed care  
 23 organizations.

24 g. Review and make recommendations to prohibit  
 25 cost-shifting between state and local and public and  
 26 private funding sources for services and supports  
 27 provided to Medicaid recipients whether directly or  
 28 indirectly through the Medicaid program.

29 2. The department of human services shall submit  
 30 a report of the workgroup to the governor, the health  
 31 policy oversight committee created in section 2.45,  
 32 and the general assembly initially, on or before  
 33 November 15, 2016, and on or before November 15,  
 34 on an annual basis thereafter, to provide findings  
 35 and recommendations for a coordinated approach

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1 to comprehensive and effective administration and  
 2 oversight of the Medicaid program including under the  
 3 fee-for-service and managed care methodologies.

4 **MEDICAID REINVESTMENT FUND**

5 **Sec. \_\_\_\_.** NEW SECTION. **249A.4C Medicaid**  
 6 **reinvestment fund.**

7 1. A Medicaid reinvestment fund is created in the  
 8 state treasury under the authority of the department.  
 9 The department of human services shall collect an  
 10 initial contribution of five million dollars from each  
 11 of the managed care organizations contracting with the  
 12 state during the fiscal year beginning July 1, 2015,  
 13 for an aggregate amount of fifteen million dollars,  
 14 and shall deposit such amount in the fund to be used  
 15 for Medicaid ombudsman activities through the office  
 16 of long-term care ombudsman. Additionally, moneys  
 17 from savings realized from the movement of Medicaid  
 18 recipients from institutional settings to home and  
 19 community-based services, the portion of the capitation  
 20 rate withheld from and not returned to Medicaid managed  
 21 care organizations at the end of each fiscal year, any  
 22 recouped excess of capitation rates paid to Medicaid  
 23 managed care organizations, any overpayments recovered  
 24 under Medicaid managed care contracts, and any other  
 25 savings realized from Medicaid managed care or from  
 26 Medicaid program cost-containment efforts, with the

27 exception of the total amount attributable to the  
28 projected savings from Medicaid managed care based on  
29 the initial capitation rates established for the fiscal  
30 year beginning July 1, 2015, shall be credited to the  
31 Medicaid reinvestment fund.  
32 2. Notwithstanding section 8.33, moneys credited  
33 to the fund from any other account or fund shall  
34 not revert to the other account or fund. Moneys  
35 in the fund shall only be used as provided in

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1 appropriations from the fund for the Medicaid program  
2 and for health system transformation and integration,  
3 including but not limited to providing the necessary  
4 infrastructure and resources to protect the interests  
5 of Medicaid recipients, maintaining adequate provider  
6 participation, and ensuring program integrity. Such  
7 uses may include but are not limited to:  
8 a. Ensuring appropriate reimbursement of Medicaid  
9 providers to maintain the type and number of  
10 appropriately trained providers necessary to address  
11 the needs of Medicaid recipients.  
12 b. Providing home and community-based services  
13 as necessary to rebalance the long-term services and  
14 supports infrastructure and to reduce Medicaid home and  
15 community-based services waiver waiting lists.  
16 c. Ensuring that a fully functioning independent  
17 Medicaid ombudsman program through the office of  
18 long-term care ombudsman is available to provide  
19 advocacy services and assistance to eligible and  
20 potentially eligible Medicaid recipients.  
21 d. Ensuring adequate and appropriate capacity of  
22 the department of human services as the single state  
23 agency designated to administer and supervise the  
24 administration of the Medicaid program, to ensure  
25 compliance with state and federal law and program  
26 integrity requirements.  
27 e. Addressing workforce issues to ensure a  
28 competent, diverse, and sustainable health care  
29 workforce and to improve access to health care in  
30 underserved areas and among underserved populations,  
31 recognizing long-term services and supports as an  
32 essential component of the health care system.  
33 f. Supporting innovation, longer-term community  
34 investments, and the activities of local public health  
35 agencies, aging and disability resource centers and

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1 service agencies, mental health and disability services  
2 regions, social services, and child welfare entities

3 and other providers of and advocates for services and  
 4 supports to encourage health system transformation  
 5 and integration through a broad range of prevention  
 6 strategies and population-based approaches to meet the  
 7 holistic needs of the population as a whole.

8 3. The department shall establish a mechanism to  
 9 measure and certify the amount of savings resulting  
 10 from Medicaid managed care and Medicaid program  
 11 cost-containment activities and shall ensure that such  
 12 realized savings are credited to the fund and used as  
 13 provided in appropriations from the fund.

14 MEDICAID OMBUDSMAN

15 Sec. \_\_\_\_ Section 231.44, Code 2016, is amended to  
 16 read as follows:

17 **231.44 Utilization of resources — assistance and**  
 18 **advocacy related to long-term services and supports**  
 19 **under the Medicaid program.**

20 1. The office of long-term care ombudsman ~~may~~  
 21 shall utilize its available resources to provide  
 22 assistance and advocacy services to eligible recipients  
 23 of long-term services and supports, or individuals  
 24 seeking long-term services and supports, and the  
 25 families or legal representatives of such eligible  
 26 recipients, of long-term services and supports provided  
 27 through individuals under the Medicaid program. Such  
 28 assistance and advocacy shall include but is not  
 29 limited to all of the following:

30 a. Assisting recipients such individuals in  
 31 understanding the services, coverage, and access  
 32 provisions and their rights under Medicaid managed  
 33 care.

34 b. Developing procedures for the tracking and  
 35 reporting of the outcomes of individual requests for

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1 assistance, the obtaining of necessary services and  
 2 supports, and other aspects of the services provided to  
 3 eligible recipients such individuals.

4 c. Providing advice and assistance relating to the  
 5 preparation and filing of complaints, grievances, and  
 6 appeals of complaints or grievances, including through  
 7 processes available under managed care plans and the  
 8 state appeals process, relating to long-term services  
 9 and supports under the Medicaid program.

10 d. Accessing the results of a review of a level  
 11 of care assessment or reassessment by a managed care  
 12 organization in which the managed care organization  
 13 recommends denial or limited authorization of a  
 14 service, including the type or level of service, the  
 15 reduction, suspension, or termination of a previously  
 16 authorized service, or a change in level of care, upon

17 the request of an affected individual.  
18 e. Receiving notices of disenrollment or notices  
19 that would result in a change in level of care for  
20 affected individuals, including involuntary and  
21 voluntary discharges or transfers, from the department  
22 of human services or a managed care organization.  
23 2. A representative of the office of long-term care  
24 ombudsman providing assistance and advocacy services  
25 authorized under this section for an individual,  
26 shall be provided access to the individual, and shall  
27 be provided access to the individual's medical and  
28 social records as authorized by the individual or the  
29 individual's legal representative, as necessary to  
30 carry out the duties specified in this section.  
31 3. A representative of the office of long-term care  
32 ombudsman providing assistance and advocacy services  
33 authorized under this section for an individual, shall  
34 be provided access to administrative records related to  
35 the provision of the long-term services and supports to

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1 the individual, as necessary to carry out the duties  
2 specified in this section.  
3 4. The office of long-term care ombudsman and  
4 representatives of the office, when providing  
5 assistance and advocacy services under this section,  
6 shall be considered a health oversight agency as  
7 defined in 45 C.F.R. §164.501 for the purposes of  
8 health oversight activities as described in 45 C.F.R.  
9 §164.512(d) including access to the health records  
10 and other appropriate information of an individual,  
11 including from the department of human services or  
12 the applicable Medicaid managed care organization,  
13 as necessary to fulfill the duties specified under  
14 this section. The department of human services,  
15 in collaboration with the office of long-term care  
16 ombudsman, shall adopt rules to ensure compliance  
17 by affected entities with this subsection and to  
18 ensure recognition of the office of long-term care  
19 ombudsman as a duly authorized and identified agent or  
20 representative of the state.  
21 5. The department of human services and Medicaid  
22 managed care organizations shall inform eligible  
23 and potentially eligible Medicaid recipients of the  
24 advocacy services and assistance available through the  
25 office of long-term care ombudsman and shall provide  
26 contact and other information regarding the advocacy  
27 services and assistance to eligible and potentially  
28 eligible Medicaid recipients as directed by the office  
29 of long-term care ombudsman.  
30 6. When providing assistance and advocacy services

31 under this section, the office of long-term care  
 32 ombudsman shall act as an independent agency, and the  
 33 office of long-term care ombudsman and representatives  
 34 of the office shall be free of any undue influence that  
 35 restrains the ability of the office or the office's

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1 representatives from providing such services and  
 2 assistance.  
 3 7. The office of long-term care ombudsman shall, in  
 4 addition to other duties prescribed and at a minimum,  
 5 do all of the following in the furtherance of the  
 6 provision of advocacy services and assistance under  
 7 this section:  
 8 a. Represent the interests of eligible and  
 9 potentially eligible Medicaid recipients before  
 10 governmental agencies.  
 11 b. Analyze, comment on, and monitor the development  
 12 and implementation of federal, state, and local laws,  
 13 regulations, and other governmental policies and  
 14 actions, and recommend any changes in such laws,  
 15 regulations, policies, and actions as determined  
 16 appropriate by the office of long-term care ombudsman.  
 17 c. To maintain transparency and accountability for  
 18 activities performed under this section, including  
 19 for the purposes of claiming federal financial  
 20 participation for activities that are performed to  
 21 assist with administration of the Medicaid program:  
 22 (1) Have complete and direct responsibility for the  
 23 administration, operation, funding, fiscal management,  
 24 and budget related to such activities, and directly  
 25 employ, oversee, and supervise all paid and volunteer  
 26 staff associated with these activities.  
 27 (2) Establish separation-of-duties requirements,  
 28 provide limited access to work space and work  
 29 product for only necessary staff, and limit access to  
 30 documents and information as necessary to maintain the  
 31 confidentiality of the protected health information of  
 32 individuals served under this section.  
 33 (3) Collect and submit, annually, to the governor,  
 34 the health policy oversight committee created in  
 35 section 2.45, and the general assembly, all of the

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1 following with regard to those seeking advocacy  
 2 services or assistance under this section:  
 3 (a) The number of contacts by contact type and  
 4 geographic location.  
 5 (b) The type of assistance requested including the  
 6 name of the managed care organization involved, if

7 applicable.

8 (c) The time frame between the time of the initial  
9 contact and when an initial response was provided.

10 (d) The amount of time from the initial contact to  
11 resolution of the problem or concern.

12 (e) The actions taken in response to the request  
13 for advocacy or assistance.

14 (f) The outcomes of requests to address problems or  
15 concerns.

16 4. 8. For the purposes of this section:

17 a. *“Institutional setting”* includes a long-term care  
18 facility, an elder group home, or an assisted living  
19 program.

20 b. *“Long-term services and supports”* means the broad  
21 range of health, health-related, and personal care  
22 assistance services and supports, provided in both  
23 institutional settings and home and community-based  
24 settings, necessary for older individuals and persons  
25 with disabilities who experience limitations in their  
26 capacity for self-care due to a physical, cognitive, or  
27 mental disability or condition.

28 Sec. \_\_. **NEW SECTION. 231.44A Willful**  
29 **interference with duties related to long-term services**  
30 **and supports — penalty.**

31 Willful interference with a representative of the  
32 office of long-term care ombudsman in the performance  
33 of official duties in accordance with section 231.44  
34 is a violation of section 231.44, subject to a penalty  
35 prescribed by rule. The office of long-term care

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1 ombudsman shall adopt rules specifying the amount of a  
2 penalty imposed, consistent with the penalties imposed  
3 under section 231.42, subsection 8, and specifying  
4 procedures for notice and appeal of penalties imposed.  
5 Any moneys collected pursuant to this section shall be  
6 deposited in the Medicaid reinvestment fund created in  
7 section 249A.4C.

8 **MEDICAL ASSISTANCE ADVISORY COUNCIL**

9 Sec. \_\_. Section 249A.4B, Code 2016, is amended to  
10 read as follows:

11 **249A.4B Medical assistance advisory council.**

12 1. A medical assistance advisory council is  
13 created to comply with 42 C.F.R. §431.12 based on  
14 section 1902(a)(4) of the federal Social Security Act  
15 and to advise the director about health and medical  
16 care services under the ~~medical assistance~~ Medicaid  
17 program, participate in Medicaid policy development  
18 and program administration, and provide guidance on  
19 key issues related to the Medicaid program, whether  
20 administered under a fee-for-service, managed care, or

21 other methodology, including but not limited to access  
 22 to care, quality of care, and service delivery.

23 a. The council shall have the opportunity for  
 24 participation in policy development and program  
 25 administration, including furthering the participation  
 26 of recipients of the program, and without limiting this  
 27 general authority shall specifically do all of the  
 28 following:

29 (1) Formulate, review, evaluate, and recommend  
 30 policies, rules, agency initiatives, and legislation  
 31 pertaining to the Medicaid program. The council shall  
 32 have the opportunity to comment on proposed rules  
 33 prior to commencement of the rulemaking process and on  
 34 waivers and state plan amendment applications.

35 (2) Prior to the annual budget development process,

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1 engage in setting priorities, including consideration  
 2 of the scope and utilization management criteria  
 3 for benefits, beneficiary eligibility, provider and  
 4 services reimbursement rates, and other budgetary  
 5 issues.

6 (3) Provide oversight for and review of the  
 7 administration of the Medicaid program.

8 (4) Ensure that the membership of the council  
 9 effectively represents all relevant and concerned  
 10 viewpoints, particularly those of consumers, providers,  
 11 and the general public; create public understanding;  
 12 and ensure that the services provided under the  
 13 Medicaid program meet the needs of the people served.

14 b. The council shall meet no more than at least  
 15 quarterly, and prior to the next subsequent meeting  
 16 of the executive committee. The director of public  
 17 health The public member acting as a co-chairperson  
 18 of the executive committee and the professional or  
 19 business entity member acting as a co-chairperson of  
 20 the executive committee, shall serve as chairperson  
 21 co-chairpersons of the council.

22 2. The council shall include all of the following  
 23 voting members:

24 a. The president, or the president's  
 25 representative, of each of the following professional  
 26 or business entities, or a member of each of the  
 27 following professional or business entities, selected  
 28 by the entity:

29 (1) The Iowa medical society.

30 (2) The Iowa osteopathic medical association.

31 (3) The Iowa academy of family physicians.

32 (4) The Iowa chapter of the American academy of  
 33 pediatrics.

34 (5) The Iowa physical therapy association.

35 (6) The Iowa dental association.

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1 (7) The Iowa nurses association.  
 2 (8) The Iowa pharmacy association.  
 3 (9) The Iowa podiatric medical society.  
 4 (10) The Iowa optometric association.  
 5 (11) The Iowa association of community providers.  
 6 (12) The Iowa psychological association.  
 7 (13) The Iowa psychiatric society.  
 8 (14) The Iowa chapter of the national association  
 9 of social workers.  
 10 (15) The coalition for family and children's  
 11 services in Iowa.  
 12 (16) The Iowa hospital association.  
 13 (17) The Iowa association of rural health clinics.  
 14 (18) The Iowa primary care association.  
 15 (19) Free clinics of Iowa.  
 16 (20) The opticians' association of Iowa, inc.  
 17 (21) The Iowa association of hearing health  
 18 professionals.  
 19 (22) The Iowa speech and hearing association.  
 20 (23) The Iowa health care association.  
 21 (24) The Iowa association of area agencies on  
 22 aging.  
 23 (25) AARP.  
 24 (26) The Iowa caregivers association.  
 25 (27) The Iowa coalition of home and community-based  
 26 services for seniors.  
 27 (28) The Iowa adult day services association.  
 28 (29) Leading age Iowa.  
 29 (30) The Iowa association for home care.  
 30 (31) The Iowa council of health care centers.  
 31 (32) The Iowa physician assistant society.  
 32 (33) The Iowa association of nurse practitioners.  
 33 (34) The Iowa nurse practitioner society.  
 34 (35) The Iowa occupational therapy association.  
 35 (36) The ARC of Iowa, formerly known as the

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1 association for retarded citizens of Iowa.  
 2 (37) The national alliance for the mentally ill on  
 3 mental illness of Iowa.  
 4 (38) The Iowa state association of counties.  
 5 (39) The Iowa developmental disabilities council.  
 6 (40) The Iowa chiropractic society.  
 7 (41) The Iowa academy of nutrition and dietetics.  
 8 (42) The Iowa behavioral health association.  
 9 (43) The midwest association for medical equipment  
 10 services or an affiliated Iowa organization.



11 (44) The Iowa public health association.  
 12 (45) The epilepsy foundation.  
 13 *b.* Public representatives which may include members  
 14 of consumer groups, including recipients of medical  
 15 assistance or their families, consumer organizations,  
 16 and others, which shall be appointed by the governor  
 17 in equal number to the number of representatives of  
 18 the professional and business entities specifically  
 19 represented under paragraph "a", appointed by the  
 20 governor for staggered terms of two years each, none  
 21 of whom shall be members of, or practitioners of, or  
 22 have a pecuniary interest in any of the professional  
 23 or business entities specifically represented under  
 24 paragraph "a", and a majority of whom shall be current  
 25 or former recipients of medical assistance or members  
 26 of the families of current or former recipients.  
 27 3. The council shall include all of the following  
 28 nonvoting members:  
 29 *e. a.* The director of public health, or the  
 30 director's designee.  
 31 *d. b.* The director of the department on aging, or  
 32 the director's designee.  
 33 *c.* The state long-term care ombudsman, or the  
 34 ombudsman's designee.  
 35 *d.* The ombudsman appointed pursuant to section

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1 2C.3, or the ombudsman's designee.  
 2 *e.* The dean of Des Moines university — osteopathic  
 3 medical center, or the dean's designee.  
 4 *f.* The dean of the university of Iowa college of  
 5 medicine, or the dean's designee.  
 6 *g.* The following members of the general assembly,  
 7 each for a term of two years as provided in section  
 8 69.16B:  
 9 (1) Two members of the house of representatives,  
 10 one appointed by the speaker of the house of  
 11 representatives and one appointed by the minority  
 12 leader of the house of representatives from their  
 13 respective parties.  
 14 (2) Two members of the senate, one appointed by the  
 15 president of the senate after consultation with the  
 16 majority leader of the senate and one appointed by the  
 17 minority leader of the senate.  
 18 3. 4. a. An executive committee of the council is  
 19 created and shall consist of the following members of  
 20 the council:  
 21 (1) As voting members:  
 22 (a) Five of the professional or business entity  
 23 members designated pursuant to subsection 2, paragraph  
 24 "a", and selected by the members specified under that

25 paragraph.  
 26 ~~(2)~~ (b) Five of the public members appointed  
 27 pursuant to subsection 2, paragraph “b”, and selected  
 28 by the members specified under that paragraph. Of the  
 29 five public members, at least one member shall be a  
 30 recipient of medical assistance.  
 31 ~~(3)~~ (2) As nonvoting members:  
 32 (a) The director of public health, or the  
 33 director’s designee.  
 34 (b) The director of the department on aging, or the  
 35 director’s designee.

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1 (c) The state long-term care ombudsman, or the  
 2 ombudsman’s designee.  
 3 (d) The ombudsman appointed pursuant to section  
 4 2C.3, or the ombudsman’s designee.  
 5 b. The executive committee shall meet on a monthly  
 6 basis. ~~The director of public health~~ A public member  
 7 of the executive committee selected by the public  
 8 members appointed pursuant to subsection 2, paragraph  
 9 “b”, and a professional or business entity member of  
 10 the executive committee selected by the professional  
 11 or business entity members appointed pursuant to  
 12 subsection 2, paragraph “a”, shall serve as chairperson  
 13 co-chairpersons of the executive committee.  
 14 c. Based upon the deliberations of the council,  
 15 ~~and the executive committee, and the subcommittees,~~  
 16 ~~the executive committee, the council, and the~~  
 17 ~~subcommittees, respectively,~~ shall make recommendations  
 18 to the director, ~~to the health policy oversight~~  
 19 ~~committee created in section 2.45, to the general~~  
 20 ~~assembly’s joint appropriations subcommittee on health~~  
 21 ~~and human services, and to the general assembly’s~~  
 22 ~~standing committees on human resources~~ regarding the  
 23 budget, policy, and administration of the medical  
 24 assistance program.  
 25 5. a. The council shall create the following  
 26 subcommittees, and may create additional subcommittees  
 27 as necessary to address Medicaid program policies,  
 28 administration, budget, and other factors and issues:  
 29 (1) A stakeholder safeguards subcommittee, for  
 30 which the co-chairpersons shall be a public member  
 31 of the council appointed pursuant to subsection 2,  
 32 paragraph “b”, and selected by the public members of  
 33 the council, and a representative of a professional  
 34 or business entity appointed pursuant to subsection  
 35 2, paragraph “a”, and selected by the professional or

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1 business entity representatives of the council. The  
2 mission of the stakeholder safeguards subcommittee  
3 is to provide for ongoing stakeholder engagement and  
4 feedback on issues affecting Medicaid recipients,  
5 providers, and other stakeholders, including but not  
6 limited to benefits such as transportation, benefit  
7 utilization management, the inclusion of out-of-state  
8 and out-of-network providers and the use of single-case  
9 agreements, and reimbursement of providers and  
10 services.

11 (2) The long-term services and supports  
12 subcommittee which shall be chaired by the state  
13 long-term care ombudsman, or the ombudsman's designee.  
14 The mission of the long-term services and supports  
15 subcommittee is to be a resource and to provide advice  
16 on policy development and program administration  
17 relating to Medicaid long-term services and supports  
18 including but not limited to developing outcomes and  
19 performance measures for Medicaid managed care for the  
20 long-term services and supports population; addressing  
21 issues related to home and community-based services  
22 waivers and waiting lists; and reviewing the system of  
23 long-term services and supports to ensure provision of  
24 home and community-based services and the rebalancing  
25 of the health care infrastructure in accordance with  
26 state and federal law including but not limited to the  
27 principles established in Olmstead v. L.C., 527 U.S.  
28 581 (1999) and the federal Americans with Disabilities  
29 Act and in a manner that reflects a sustainable,  
30 person-centered approach to improve health and life  
31 outcomes, supports maximum independence, addresses  
32 medical and social needs in a coordinated, integrated  
33 manner, and provides for sufficient resources including  
34 a stable, well-qualified workforce. The subcommittee  
35 shall also address and make recommendations regarding

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1 the need for an ombudsman function for eligible and  
2 potentially eligible Medicaid recipients beyond the  
3 long-term services and supports population.  
4 (3) The transparency, data, and program evaluation  
5 subcommittee which shall be chaired by the director of  
6 the university of Iowa public policy center, or the  
7 director's designee. The mission of the transparency,  
8 data, and program evaluation subcommittee is to  
9 ensure Medicaid program transparency; ensure the  
10 collection, maintenance, retention, reporting, and  
11 analysis of sufficient and meaningful data to provide  
12 transparency and inform policy development and program

13 effectiveness; support development and administration  
14 of a consumer-friendly dashboard; and promote the  
15 ongoing evaluation of Medicaid stakeholder satisfaction  
16 with the Medicaid program.

17 (4) The program integrity subcommittee which shall  
18 be chaired by the Medicaid director, or the director's  
19 designee. The mission of the program integrity  
20 subcommittee is to ensure that a comprehensive system  
21 including specific policies, laws, and rules and  
22 adequate resources and measures are in place to  
23 effectively administer the program and to maintain  
24 compliance with federal and state program integrity  
25 requirements.

26 (5) A health workforce subcommittee, co-chaired  
27 by the bureau chief of the bureau of oral and health  
28 delivery systems of the department of public health,  
29 or the bureau chief's designee, and the director of  
30 the national alliance on mental illness of Iowa, or  
31 the director's designee. The mission of the health  
32 workforce subcommittee is to assess the sufficiency  
33 and proficiency of the current and projected health  
34 workforce; identify barriers to and gaps in health  
35 workforce development initiatives and health

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1 workforce data to provide foundational, evidence-based  
2 information to inform policymaking and resource  
3 allocation; evaluate the most efficient application  
4 and utilization of roles, functions, responsibilities,  
5 activities, and decision-making capacity of health  
6 care professionals and other allied and support  
7 personnel; and make recommendations for improvement  
8 in, and alternative modes of, health care delivery in  
9 order to provide a competent, diverse, and sustainable  
10 health workforce in the state. The subcommittee shall  
11 work in collaboration with the office of statewide  
12 clinical education programs of the university of Iowa  
13 Carver college of medicine, Des Moines university,  
14 Iowa workforce development, and other entities with  
15 interest or expertise in the health workforce in  
16 carrying out the subcommittee's duties and developing  
17 recommendations.

18 b. The co-chairpersons of the council shall  
19 appoint members to each subcommittee from the general  
20 membership of the council. Consideration in appointing  
21 subcommittee members shall include the individual's  
22 knowledge about, and interest or expertise in, matters  
23 that come before the subcommittee.

24 c. Subcommittees shall meet at the call of the  
25 co-chairpersons or chairperson of the subcommittee,  
26 or at the request of a majority of the members of the

27 subcommittee.  
 28 4. 6. For each council meeting, executive  
 29 committee meeting, or subcommittee meeting, a quorum  
 30 shall consist of fifty percent of the membership  
 31 qualified to vote. Where a quorum is present, a  
 32 position is carried by a majority of the members  
 33 qualified to vote.  
 34 7. For each council meeting, other than those  
 35 held during the time the general assembly is in

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1 session, each legislative member of the council shall  
 2 be reimbursed for actual travel and other necessary  
 3 expenses and shall receive a per diem as specified in  
 4 section 7E.6 for each day in attendance, as shall the  
 5 members of the council, ~~or the executive committee,~~  
 6 or a subcommittee, for each day in attendance at a  
 7 council, executive committee, or subcommittee meeting,  
 8 who are recipients or the family members of recipients  
 9 of medical assistance, regardless of whether the  
 10 general assembly is in session.  
 11 ~~5. 8.~~ The department shall provide staff support  
 12 and independent technical assistance to the council,  
 13 and the executive committee, and the subcommittees.  
 14 ~~6. 9.~~ The director shall ~~consider~~ comply with  
 15 the requirements of this section regarding the  
 16 duties of the council, and the deliberations and  
 17 recommendations offered by of the council, and the  
 18 executive committee, and the subcommittees shall be  
 19 reflected in the director's preparation of medical  
 20 assistance budget recommendations to the council  
 21 on human services pursuant to section 217.3, and in  
 22 implementation of medical assistance program policies,  
 23 and in administration of the Medicaid program.  
 24 10. The council, executive committee, and  
 25 subcommittees shall jointly submit quarterly reports  
 26 to the health policy oversight committee created in  
 27 section 2.45 and shall jointly submit a report to the  
 28 governor and the general assembly initially by January  
 29 1, 2017, and annually, therefore, summarizing the  
 30 outcomes and findings of their respective deliberations  
 31 and any recommendations including but not limited to  
 32 those for changes in law or policy.  
 33 11. The council, executive committee, and  
 34 subcommittees may enlist the services of persons who  
 35 are qualified by education, expertise, or experience

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1 to advise, consult with, or otherwise assist the  
 2 council, executive committee, or subcommittees in the

3 performance of their duties. The council, executive  
 4 committee, or subcommittees may specifically enlist  
 5 the assistance of entities such as the university of  
 6 Iowa public policy center to provide ongoing evaluation  
 7 of the Medicaid program and to make evidence-based  
 8 recommendations to improve the program. The council,  
 9 executive committee, and subcommittees shall enlist  
 10 input from the patient-centered health advisory council  
 11 created in section 135.159, the mental health and  
 12 disabilities services commission created in section  
 13 225C.5, the commission on aging created in section  
 14 231.11, the bureau of substance abuse of the department  
 15 of public health, the Iowa developmental disabilities  
 16 council, and other appropriate state and local entities  
 17 to provide advice to the council, executive committee,  
 18 and subcommittees.

19 12. The department, in accordance with 42 C.F.R.  
 20 §431.12, shall seek federal financial participation for  
 21 the activities of the council, the executive committee,  
 22 and the subcommittees.

#### 23 PATIENT-CENTERED HEALTH RESOURCES AND INFRASTRUCTURE

24 Sec. \_\_. Section 135.159, subsection 2, Code 2016,  
 25 is amended to read as follows:

26 2. a. The department shall establish a  
 27 patient-centered health advisory council which shall  
 28 include but is not limited to all of the following  
 29 members, selected by their respective organizations,  
 30 and any other members the department determines  
 31 necessary to assist in the ~~department's duties at~~  
 32 ~~various stages of~~ development of the medical home  
 33 system and in the transformation to a patient-centered  
 34 infrastructure that integrates and coordinates services  
 35 and supports to address social determinants of health

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- 1 and meet population health goals:  
 2 (1) The director of human services, or the  
 3 director's designee.  
 4 (2) The commissioner of insurance, or the  
 5 commissioner's designee.  
 6 (3) A representative of the federation of Iowa  
 7 insurers.  
 8 (4) A representative of the Iowa dental  
 9 association.  
 10 (5) A representative of the Iowa nurses  
 11 association.  
 12 (6) A physician and an osteopathic physician  
 13 licensed pursuant to chapter 148 who are family  
 14 physicians and members of the Iowa academy of family  
 15 physicians.  
 16 (7) A health care consumer.

17 (8) A representative of the Iowa collaborative  
18 safety net provider network established pursuant to  
19 section 135.153.

20 (9) A representative of the Iowa developmental  
21 disabilities council.

22 (10) A representative of the Iowa chapter of the  
23 American academy of pediatrics.

24 (11) A representative of the child and family  
25 policy center.

26 (12) A representative of the Iowa pharmacy  
27 association.

28 (13) A representative of the Iowa chiropractic  
29 society.

30 (14) A representative of the university of Iowa  
31 college of public health.

32 (15) A representative of the Iowa public health  
33 association.

34 (16) A representative of the area agencies on  
35 aging.

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1 (17) A representative of the mental health and  
2 disability services regions.

3 (18) A representative of early childhood Iowa.  
4 b. Public members of the patient-centered health  
5 advisory council shall receive reimbursement for  
6 actual expenses incurred while serving in their  
7 official capacity only if they are not eligible for  
8 reimbursement by the organization that they represent.

9 c. (1) Beginning July 1, 2016, the  
10 patient-centered health advisory council shall  
11 do all of the following:

12 (a) Review and make recommendations to the  
13 department and to the general assembly regarding  
14 the building of effective working relationships and  
15 strategies to support state-level and community-level  
16 integration, to provide cross-system coordination  
17 and synchronization, and to more appropriately align  
18 health delivery models and service sectors, including  
19 but not limited to public health, aging and disability  
20 services agencies, mental health and disability  
21 services regions, social services, child welfare, and  
22 other providers, agencies, organizations, and sectors  
23 to address social determinants of health, holistic  
24 well-being, and population health goals. Such review  
25 and recommendations shall include a review of funding  
26 streams and recommendations for blending and braiding  
27 funding to support these efforts.

28 (b) Assist in efforts to evaluate the health  
29 workforce to inform policymaking and resource  
30 allocation.

31 (2) The patient-centered health advisory council  
 32 shall submit a report to the department, the health  
 33 policy oversight committee created in section 2.45, and  
 34 the general assembly, initially, on or before December  
 35 15, 2016, and on or before December 15, annually,

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1 thereafter, including any findings or recommendations  
 2 resulting from the council's deliberations.

3 HAWK-I PROGRAM

4 Sec. \_\_\_\_ Section 514I.5, subsection 8, paragraph  
 5 d, Code 2016, is amended by adding the following new  
 6 subparagraph:

7 NEW SUBPARAGRAPH. (17) Occupational therapy.

8 Sec. \_\_\_\_ Section 514I.5, subsection 8, Code 2016,  
 9 is amended by adding the following new paragraph:  
 10 NEW PARAGRAPH. *m.* The definition of medically  
 11 necessary and the utilization management criteria under  
 12 the hawk-i program in order to ensure that benefits  
 13 are uniformly and consistently provided across all  
 14 participating insurers in the type and manner that  
 15 reflects and appropriately meets the needs, including  
 16 but not limited to the habilitative and rehabilitative  
 17 needs, of the child population including those children  
 18 with special health care needs.

19 MEDICAID PROGRAM POLICY IMPROVEMENT

20 Sec. \_\_\_\_ DIRECTIVES FOR MEDICAID PROGRAM POLICY  
 21 IMPROVEMENTS. In order to safeguard the interests  
 22 of Medicaid recipients, encourage the participation  
 23 of Medicaid providers, and protect the interests  
 24 of all taxpayers, the department of human services  
 25 shall comply with or ensure that the specified entity  
 26 complies with all of the following and shall amend  
 27 Medicaid managed care contract provisions as necessary  
 28 to reflect all of the following:

29 1. CONSUMER PROTECTIONS.

30 a. In accordance with 42 C.F.R. §438.420, a  
 31 Medicaid managed care organization shall continue a  
 32 recipient's benefits during an appeal process. If, as  
 33 allowed when final resolution of an appeal is adverse  
 34 to the Medicaid recipient, the Medicaid managed care  
 35 organization chooses to recover the costs of the

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1 services furnished to the recipient while an appeal is  
 2 pending, the Medicaid managed care organization shall  
 3 provide adequate prior notice of potential recovery  
 4 of costs to the recipient at the time the appeal is  
 5 filed, and any costs recovered shall be remitted to  
 6 the department of human services and deposited in the



7 Medicaid reinvestment fund created in section 249A.4C.  
8 b. Ensure that each Medicaid managed care  
9 organization provides, at a minimum, all the benefits  
10 and services deemed medically necessary that were  
11 covered, including to the extent and in the same manner  
12 and subject to the same prior authorization criteria,  
13 by the state program directly under fee for service  
14 prior to January 1, 2016. Benefits covered through  
15 Medicaid managed care shall comply with the specific  
16 requirements in state law applicable to the respective  
17 Medicaid recipient population under fee for service.  
18 c. Enhance monitoring of the reduction in or  
19 suspension or termination of services provided to  
20 Medicaid recipients, including reductions in the  
21 provision of home and community-based services waiver  
22 services or increases in home and community-based  
23 services waiver waiting lists. Medicaid managed care  
24 organizations shall provide data to the department  
25 as necessary for the department to compile periodic  
26 reports on the numbers of individuals transferred from  
27 state institutions and long-term care facilities to  
28 home and community-based services, and the associated  
29 savings. Any savings resulting from the transfers as  
30 certified by the department shall be deposited in the  
31 Medicaid reinvestment fund created in section 249A.4C.  
32 d. (1) Require each Medicaid managed care  
33 organization to adhere to reasonableness and service  
34 authorization standards that are appropriate for and  
35 do not disadvantage those individuals who have ongoing

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1 chronic conditions or who require long-term services  
2 and supports. Services and supports for individuals  
3 with ongoing chronic conditions or who require  
4 long-term services and supports shall be authorized in  
5 a manner that reflects the recipient's continuing need  
6 for such services and supports, and limits shall be  
7 consistent with a recipient's current needs assessment  
8 and person-centered service plan.  
9 (2) In addition to other provisions relating to  
10 community-based case management continuity of care  
11 requirements, Medicaid managed care contractors shall  
12 provide the option to the case manager of a Medicaid  
13 recipient who retained the case manager during the  
14 six months of transition to Medicaid managed care, if  
15 the recipient chooses to continue to retain that case  
16 manager beyond the six-month transition period and  
17 if the case manager is not otherwise a participating  
18 provider of the recipient's managed care organization  
19 provider network, to enter into a single case agreement  
20 to continue to provide case management services to the

21 Medicaid recipient.

22 e. Ensure that Medicaid recipients are provided  
23 care coordination and case management by appropriately  
24 trained professionals in a conflict-free manner. Care  
25 coordination and case management shall be provided  
26 in a patient-centered and family-centered manner  
27 that requires a knowledge of community supports, a  
28 reasonable ratio of care coordinators and case managers  
29 to Medicaid recipients, standards for frequency of  
30 contact with the Medicaid recipient, and specific and  
31 adequate reimbursement.

32 f. A Medicaid managed care contract shall include  
33 a provision for continuity and coordination of care  
34 for a consumer transitioning to Medicaid managed care,  
35 including maintaining existing provider-recipient

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1 relationships and honoring the amount, duration, and  
2 scope of a recipient's authorized services based on  
3 the recipient's medical history and needs. In the  
4 initial transition to Medicaid managed care, to ensure  
5 the least amount of disruption, Medicaid managed  
6 care organizations shall provide, at a minimum, a  
7 one-year transition of care period for all provider  
8 types, regardless of network status with an individual  
9 Medicaid managed care organization.

10 g. Ensure that a Medicaid managed care organization  
11 does not arbitrarily deny coverage for medically  
12 necessary services based solely on financial reasons  
13 and does not shift the responsibility for provision of  
14 services or payment of costs of services to another  
15 entity to avoid costs or attain savings.

16 h. Ensure that dental coverage, if not integrated  
17 into an overall Medicaid managed care contract, is  
18 part of the overall holistic, integrated coverage  
19 for physical, behavioral, and long-term services and  
20 supports provided to a Medicaid recipient.

21 i. Require each Medicaid managed care organization  
22 to verify the offering and actual utilization of  
23 services and supports and value-added services,  
24 an individual recipient's encounters and the costs  
25 associated with each encounter, and requests and  
26 associated approvals or denials of services.  
27 Verification of actual receipt of services and supports  
28 and value-added services shall, at a minimum, consist  
29 of comparing receipt of service against both what  
30 was authorized in the recipient's benefit or service  
31 plan and what was actually reimbursed. Value-added  
32 services shall not be reportable as allowable medical  
33 or administrative costs or factored into rate setting,  
34 and the costs of value-added services shall not be

35 passed on to recipients or providers.

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1 j. Provide periodic reports to the governor and  
2 the general assembly regarding changes in quality of  
3 care and health outcomes for Medicaid recipients under  
4 managed care compared to quality of care and health  
5 outcomes of the same populations of Medicaid recipients  
6 prior to January 1, 2016.

7 k. Require each Medicaid managed care organization  
8 to maintain records of complaints, grievances, and  
9 appeals, and report the number and types of complaints,  
10 grievances, and appeals filed, the resolution of each,  
11 and a description of any patterns or trends identified  
12 to the department of human services and the health  
13 policy oversight committee created in section 2.45,  
14 on a monthly basis. The department shall review and  
15 compile the data on a quarterly basis and make the  
16 compilations available to the public. Following review  
17 of reports submitted by the department, a Medicaid  
18 managed care organization shall take any corrective  
19 action required by the department and shall be subject  
20 to any applicable penalties.

21 l. Require Medicaid managed care organizations to  
22 survey Medicaid recipients, to collect satisfaction  
23 data using a uniform instrument, and to provide a  
24 detailed analysis of recipient satisfaction as well as  
25 various metrics regarding the volume of and timelines  
26 in responding to recipient complaints and grievances as  
27 directed by the department of human services.

28 m. Require managed care organizations to allow a  
29 recipient to request that the managed care organization  
30 enter into a single case agreement with a recipient's  
31 out-of-network provider, including a provider outside  
32 of the state, to provide for continuity of care when  
33 the recipient has an existing relationship with the  
34 provider to provide a covered benefit, or to ensure  
35 adequate or timely access to a provider of a covered

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1 benefit when the managed care organization provider  
2 network cannot ensure such adequate or timely access.

3 2. CHILDREN.

4 a. (1) The hawk-i board shall retain all authority  
5 specified under chapter 514I relative to the children  
6 eligible under section 514I.8 to participate in the  
7 hawk-i program, including but not limited to approving  
8 any contract entered into pursuant to chapter 514I;  
9 approving the benefit package design, reviewing the  
10 benefit package design, and making necessary changes

11 to reflect the results of the reviews; and adopting  
12 rules for the hawk-i program including those related  
13 to qualifying standards for selecting participating  
14 insurers for the program and the benefits to be  
15 included in a health plan.

16 (2) The hawk-i board shall review benefit plans  
17 and utilization review provisions and ensure that  
18 benefits provided to children under the hawk-i program,  
19 at a minimum, reflect those required by state law as  
20 specified in section 514I.5, include both habilitative  
21 and rehabilitative services, and are provided as  
22 medically necessary relative to the child population  
23 served and based on the needs of the program recipient  
24 and the program recipient's medical history.

25 (3) The hawk-i board shall work with the department  
26 of human services to coordinate coverage and care for  
27 the population of children in the state eligible for  
28 either Medicaid or hawk-i coverage so that, to the  
29 greatest extent possible, the two programs provide for  
30 continuity of care as children transition between the  
31 two programs or to private health care coverage. To  
32 this end, all contracts with participating insurers  
33 providing coverage under the hawk-i program and with  
34 all managed care organizations providing coverage for  
35 children eligible for Medicaid shall do all of the

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1 following:

2 (a) Specifically and appropriately address  
3 the unique needs of children and children's health  
4 delivery.

5 (b) Provide for the maintaining of child health  
6 panels that include representatives of child health,  
7 welfare, policy, and advocacy organizations in the  
8 state that address child health and child well-being.

9 (c) Address early intervention and prevention  
10 strategies, the provision of a child health care  
11 delivery infrastructure for children with special  
12 health care needs, utilization of current standards  
13 and guidelines for children's health care and  
14 pediatric-specific screening and assessment tools,  
15 the inclusion of pediatric specialty providers in  
16 the provider network, and the utilization of health  
17 homes for children and youth with special health  
18 care needs including intensive care coordination  
19 and family support and access to a professional  
20 family-to-family support system. Such contracts  
21 shall utilize pediatric-specific quality measures  
22 and assessment tools which shall align with existing  
23 pediatric-specific measures as determined in  
24 consultation with the child health panel and approved

25 by the hawk-i board.

26 (d) Provide special incentives for innovative  
27 and evidence-based preventive, behavioral, and  
28 developmental health care and mental health care  
29 for children's programs that improve the life course  
30 trajectory of these children.

31 (e) Provide that information collected from the  
32 pediatric-specific assessments be used to identify  
33 health risks and social determinants of health that  
34 impact health outcomes. Such data shall be used in  
35 care coordination and interventions to improve patient

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1 outcomes and to drive program designs that improve the  
2 health of the population. Aggregate assessment data  
3 shall be shared with affected providers on a routine  
4 basis.

5 b. In order to monitor the quality of and access  
6 to health care for children receiving coverage under  
7 the Medicaid program, each Medicaid managed care  
8 organization shall uniformly report, in a template  
9 format designated by the department of human services,  
10 the number of claims submitted by providers and  
11 percentage of claims approved by the Medicaid managed  
12 care organization for the early and periodic screening,  
13 diagnostic, and treatment (EPSDT) benefit based  
14 on the Iowa EPSDT care for kids health maintenance  
15 recommendations, including but not limited to  
16 physical exams, immunizations, the seven categories of  
17 developmental and behavioral screenings, vision and  
18 hearing screenings, and lead testing.

19 3. PROVIDER PARTICIPATION ENHANCEMENT.

20 a. Ensure that savings achieved through Medicaid  
21 managed care does not come at the expense of further  
22 reductions in provider rates. The department shall  
23 ensure that Medicaid managed care organizations use  
24 reasonable reimbursement standards for all provider  
25 types and compensate providers for covered services at  
26 not less than the minimum reimbursement established  
27 by state law applicable to fee for service for a  
28 respective provider, service, or product for a fiscal  
29 year and as determined in conjunction with actuarially  
30 sound rate setting procedures. Such reimbursement  
31 shall extend for the entire duration of a managed care  
32 contract.

33 b. To enhance continuity of care in the provision  
34 of pharmacy services, Medicaid managed care  
35 organizations shall utilize the same preferred drug

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1 list, recommended drug list, prior authorization  
2 criteria, and other utilization management strategies  
3 that apply to the state program directly under fee for  
4 service and shall apply other provisions of applicable  
5 state law including those relating to chemically unique  
6 mental health prescription drugs. Reimbursement rates  
7 established under Medicaid managed care contracts for  
8 ingredient cost reimbursement and dispensing fees shall  
9 be subject to and shall reflect provisions of state  
10 and federal law, including the minimum reimbursements  
11 established in state law for fee for service for a  
12 fiscal year.

13 c. Address rate setting and reimbursement of the  
14 entire scope of services provided under the Medicaid  
15 program to ensure the adequacy of the provider network  
16 and to ensure that providers that contribute to the  
17 holistic health of the Medicaid recipient, whether  
18 inside or outside of the provider network, are  
19 compensated for their services.

20 d. Managed care contractors shall submit financial  
21 documentation to the department of human services  
22 demonstrating payment of claims and expenses by  
23 provider type.

24 e. Participating Medicaid providers under a managed  
25 care contract shall be allowed to submit claims for up  
26 to 365 days following discharge of a Medicaid recipient  
27 from a hospital or following the date of service.

28 f. (1) A managed care contract entered into on  
29 or after July 1, 2015, shall, at a minimum, reflect  
30 all of the following provisions and requirements, and  
31 shall extend the following payment rates based on the  
32 specified payment floor, as applicable to the provider  
33 type:

34 (a) In calculating the rates for prospective  
35 payment system hospitals, the following base rates

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1 shall be used:

2 (i) The inpatient diagnostic related group base  
3 rates and certified unit per diem in effect on October  
4 1, 2015.

5 (ii) The outpatient ambulatory payment  
6 classification base rates in effect on July 1, 2015.

7 (iii) The inpatient psychiatric certified unit per  
8 diem in effect on October 1, 2015.

9 (iv) The inpatient physical rehabilitation  
10 certified unit per diem in effect on October 1, 2015.

11 (b) In calculating the critical access hospital  
12 payment rates, the following base rates shall be used:

- 13 (i) The inpatient diagnostic related group base  
 14 rates in effect on July 1, 2015.
- 15 (ii) The outpatient cost-to-charge ratio in effect  
 16 on July 1, 2015.
- 17 (iii) The swing bed per diem in effect on July 1,  
 18 2015.
- 19 (c) Critical access hospitals shall receive  
 20 cost-based reimbursement for one hundred percent of  
 21 the reasonable costs for the provision of services to  
 22 Medicaid recipients.
- 23 (d) Critical access hospitals shall submit annual  
 24 cost reports and managed care contractors shall submit  
 25 annual payment reports to the department of human  
 26 services. The department shall reconcile the critical  
 27 access hospital's reported costs with the managed care  
 28 contractor's reported payments. The department shall  
 29 require the managed care contractor to retroactively  
 30 reimburse a critical access hospital for underpayments.
- 31 (e) Community mental health centers shall receive  
 32 one hundred percent of the reasonable costs for the  
 33 provision of services to Medicaid recipients.
- 34 (f) Federally qualified health centers shall  
 35 receive cost-based reimbursement for one hundred

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- 1 percent of the reasonable costs for the provision of  
 2 services to Medicaid recipients.
- 3 (g) The reimbursement rates for substance-related  
 4 disorder treatment programs licensed under section  
 5 125.13, shall be no lower than the rates in effect for  
 6 the fiscal year beginning July 1, 2015.
- 7 (2) For managed care contract periods subsequent to  
 8 the initial contract period, base rates for prospective  
 9 payment system hospitals and critical access hospitals  
 10 shall be calculated using the base rate for the prior  
 11 contract period plus 3 percent. Prospective payment  
 12 system hospital and critical access hospital base rates  
 13 shall at no time be less than the previous contract  
 14 period's base rates.
- 15 (3) A managed care contract shall require  
 16 out-of-network prospective payment system hospital  
 17 and critical access hospital payment rates to meet or  
 18 exceed ninety-nine percent of the rates specified for  
 19 the respective in-network hospitals in accordance with  
 20 this paragraph "f".
- 21 g. If the department of human services collects  
 22 ownership and control information from Medicaid  
 23 providers pursuant to 42 C.F.R. §455.104, a managed  
 24 care organization under contract with the state shall  
 25 not also require submission of this information from  
 26 approved enrolled Medicaid providers.

27 h. (1) Ensure that a Medicaid managed care  
28 organization develops and maintains a provider network  
29 of qualified providers who meet state licensing,  
30 credentialing, and certification requirements, as  
31 applicable, which network shall be sufficient to  
32 provide adequate access to all services covered and for  
33 all populations served under the managed care contract.  
34 Medicaid managed care organizations shall incorporate  
35 existing and traditional providers, including but

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1 not limited to those providers that comprise the Iowa  
2 collaborative safety net provider network created in  
3 section 135.153, into their provider networks.  
4 (2) Ensure that respective Medicaid populations  
5 are managed at all times within funding limitations  
6 and contract terms. The department shall also  
7 monitor service delivery and utilization to ensure  
8 the responsibility for provision of services to  
9 Medicaid recipients is not shifted to non-Medicaid  
10 covered services to attain savings, and that such  
11 responsibility is not shifted to mental health and  
12 disability services regions, local public health  
13 agencies, aging and disability resource centers,  
14 or other entities unless agreement to provide, and  
15 provision for adequate compensation for, such services  
16 is agreed to between the affected entities in advance.  
17 i. Medicaid managed care organizations shall  
18 provide an enrolled Medicaid provider approved by the  
19 department of human services the opportunity to be a  
20 participating network provider.  
21 j. Medicaid managed care organizations shall  
22 include provider appeals and grievance procedures  
23 that in part allow a provider to file a grievance  
24 independently but on behalf of a Medicaid recipient  
25 and to appeal claims denials which, if determined to  
26 be based on claims for medically necessary services  
27 whether or not denied on an administrative basis, shall  
28 receive appropriate payment.  
29 k. (1) Medicaid managed care organizations  
30 shall include as primary care providers any provider  
31 designated by the state as a primary care provider,  
32 subject to a provider's respective state certification  
33 standards, including but not limited to all of the  
34 following:  
35 (a) A physician who is a family or general

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1 practitioner, a pediatrician, an internist, an  
2 obstetrician, or a gynecologist.



- 3 (b) An advanced registered nurse practitioner.
- 4 (c) A physician assistant.
- 5 (d) A chiropractor licensed pursuant to chapter
- 6 151.

7 (2) A Medicaid managed care organization shall not  
8 impose more restrictive, additional, or different scope  
9 of practice requirements or standards of practice on a  
10 primary care provider than those prescribed by state  
11 law as a prerequisite for participation in the managed  
12 care organization's provider network.

13 4. CAPITATION RATES AND MEDICAL LOSS RATIO.

14 a. Capitation rates shall be developed based on all  
15 reasonable, appropriate, and attainable costs. Costs  
16 that are not reasonable, appropriate, or attainable,  
17 including but not limited to improper payment  
18 recoveries, shall not be included in the development  
19 of capitated rates.

20 b. Capitation rates for Medicaid recipients falling  
21 within different rate cells shall not be expected to  
22 cross-subsidize one another and the data used to set  
23 capitation rates shall be relevant and timely and tied  
24 to the appropriate Medicaid population.

25 c. Any increase in capitation rates for managed  
26 care contractors is subject to prior statutory approval  
27 and shall not exceed three percent over the existing  
28 capitation rate in any one-year period or five percent  
29 over the existing capitation rate in any two-year  
30 period.

31 d. In addition to withholding two percent of a  
32 managed care organization's annual capitation payment  
33 as a pay-for-performance enforcement mechanism, the  
34 department of human services shall also withhold an  
35 additional two percent of a managed care organization's

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1 annual capitation payment until the department is able  
2 to ensure that the respective managed care organization  
3 has complied with all requirements relating to data,  
4 information, transparency, evaluation, and oversight  
5 specified by law, rule, contract, or other basis.

6 e. The department of human services shall collect  
7 an initial contribution of five million dollars from  
8 each of the managed care organizations contracting  
9 with the state during the fiscal year beginning July  
10 1, 2015, for an aggregate amount of fifteen million  
11 dollars, and shall deposit such amount in the Medicaid  
12 reinvestment fund, as provided in section 249A.4C, as  
13 enacted in this Act, to be used for Medicaid ombudsman  
14 activities through the office of long-term care  
15 ombudsman.

16 f. A managed care contract shall impose a minimum

17 Medicaid loss ratio of at least eighty-eight percent.  
18 In calculating the medical loss ratio, medical costs  
19 or benefit expenses shall include only those costs  
20 directly related to patient medical care and not  
21 ancillary expenses, including but not limited to any  
22 of the following:  
23 (1) Program integrity activities.  
24 (2) Utilization review activities.  
25 (3) Fraud prevention activities beyond the scope of  
26 those activities necessary to recover incurred claims.  
27 (4) Provider network development, education, or  
28 management activities.  
29 (5) Provider credentialing activities.  
30 (6) Marketing expenses.  
31 (7) Administrative costs associated with recipient  
32 incentives.  
33 (8) Clinical data collection activities.  
34 (9) Claims adjudication expenses.  
35 (10) Customer service or health care professional

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1 hotline services addressing nonclinical recipient  
2 questions.  
3 (11) Value-added or cost-containment services,  
4 wellness programs, disease management, and case  
5 management or care coordination programs.  
6 (12) Health quality improvement activities unless  
7 specifically approved as a medical cost by state law.  
8 Costs of health quality improvement activities included  
9 in determining the medical loss ratio shall be only  
10 those activities that are independent improvements  
11 measurable in individual patients.  
12 (13) Insurer claims review activities.  
13 (14) Information technology costs unless they  
14 directly and credibly improve the quality of health  
15 care and do not duplicate, conflict with, or fail to be  
16 compatible with similar health information technology  
17 efforts of providers.  
18 (15) Legal department costs including information  
19 technology costs, expenses incurred for review and  
20 denial of claims, legal costs related to defending  
21 claims, settlements for wrongly denied claims, and  
22 costs related to administrative claims handling  
23 including salaries of administrative personnel and  
24 legal costs.  
25 (16) Taxes unrelated to premiums or the provision  
26 of medical care. Only state and federal taxes and  
27 licensing or regulatory fees relevant to actual  
28 premiums collected, not including such taxes and fees  
29 as property taxes, taxes on investment income, taxes on  
30 investment property, and capital gains taxes, may be

31 included in determining the medical loss ratio.  
 32 g. (1) Provide enhanced guidance and criteria for  
 33 defining medical and administrative costs, recoveries,  
 34 and rebates including pharmacy rebates, and the  
 35 recording, reporting, and recoupment of such costs,

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1 recoveries, and rebates realized.  
 2 (2) Medicaid managed care organizations shall  
 3 offset recoveries, rebates, and refunds against  
 4 medical costs, include only allowable administrative  
 5 expenses in the determination of administrative costs,  
 6 report costs related to subcontractors properly, and  
 7 have complete systems checks and review processes to  
 8 identify overpayment possibilities.  
 9 (3) Medicaid managed care contractors shall submit  
 10 publicly available, comprehensive financial statements  
 11 to the department of human services to verify that the  
 12 minimum medical loss ratio is being met and shall be  
 13 subject to periodic audits.  
 14 5. DATA AND INFORMATION, EVALUATION, AND OVERSIGHT.  
 15 a. Develop and administer a clear, detailed policy  
 16 regarding the collection, storage, integration,  
 17 analysis, maintenance, retention, reporting, sharing,  
 18 and submission of data and information from the  
 19 Medicaid managed care organizations and shall require  
 20 each Medicaid managed care organization to have in  
 21 place a data and information system to ensure that  
 22 accurate and meaningful data is available. At a  
 23 minimum, the data shall allow the department to  
 24 effectively measure and monitor Medicaid managed care  
 25 organization performance, quality, outcomes including  
 26 recipient health outcomes, service utilization,  
 27 finances, program integrity, the appropriateness  
 28 of payments, and overall compliance with contract  
 29 requirements; perform risk adjustments and determine  
 30 actuarially sound capitation rates and appropriate  
 31 provider reimbursements; verify that the minimum  
 32 medical loss ratio is being met; ensure recipient  
 33 access to and use of services; create quality measures;  
 34 and provide for program transparency.  
 35 b. Medicaid managed care organizations shall

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1 directly capture and retain and shall report actual and  
 2 detailed medical claims costs and administrative cost  
 3 data to the department as specified by the department.  
 4 Medicaid managed care organizations shall allow the  
 5 department to thoroughly and accurately monitor the  
 6 medical claims costs and administrative costs data

7 Medicaid managed care organizations report to the  
8 department.

9 c. Any audit of Medicaid managed care contracts  
10 shall ensure compliance including with respect to  
11 appropriate medical costs, allowable administrative  
12 costs, the medical loss ratio, cost recoveries,  
13 rebates, overpayments, and with specific contract  
14 performance requirements.

15 d. The external quality review organization  
16 contracting with the department shall review the  
17 Medicaid managed care program to determine if the  
18 state has sufficient infrastructure and controls in  
19 place to effectively oversee the Medicaid managed care  
20 organizations and the Medicaid program in order to  
21 ensure, at a minimum, compliance with Medicaid managed  
22 care organization contracts and to prevent fraud,  
23 abuse, and overpayments. The results of any external  
24 quality review organization review shall be submitted  
25 to the governor, the general assembly, and the health  
26 policy oversight committee created in section 2.45.

27 e. Publish benchmark indicators based on Medicaid  
28 program outcomes from the fiscal year beginning July 1,  
29 2015, to be used to compare outcomes of the Medicaid  
30 program as administered by the state program prior  
31 to July 1, 2015, to those outcomes of the program  
32 under Medicaid managed care. The outcomes shall  
33 include a comparison of actual costs of the program  
34 as administered prior to and after implementation of  
35 Medicaid managed care. The data shall also include

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1 specific detail regarding the actual expenses incurred  
2 by each managed care organization by specific provider  
3 line of service.

4 f. Review and approve or deny approval of contract  
5 amendments on an ongoing basis to provide for  
6 continuous improvement in Medicaid managed care and  
7 to incorporate any changes based on changes in law or  
8 policy.

9 g. (1) Require managed care contractors to track  
10 and report on a monthly basis to the department of  
11 human services, at a minimum, all of the following:

12 (a) The number and details relating to prior  
13 authorization requests and denials.

14 (b) The ten most common reasons for claims denials.  
15 Information reported by a managed care contractor  
16 relative to claims shall also include the number  
17 of claims denied, appealed, and overturned based on  
18 provider type and service type.

19 (c) Utilization of health care services by  
20 diagnostic related group and ambulatory payment

21 classification as well as total claims volume.

22 (2) The department shall ensure the validity  
23 of all information submitted by a Medicaid managed  
24 care organization and shall make the monthly reports  
25 available to the public.

26 h. Medicaid managed care organizations shall  
27 maintain stakeholder panels comprised of an equal  
28 number of Medicaid recipients and providers. Medicaid  
29 managed care organizations shall provide for separate  
30 provider-specific panels to address detailed payment,  
31 claims, process, and other issues as well as grievance  
32 and appeals processes.

33 i. Medicaid managed care contracts shall align  
34 economic incentives, delivery system reforms, and  
35 performance and outcome metrics with those of the state

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1 innovation models initiatives and Medicaid accountable  
2 care organizations. The department of human services  
3 shall develop and utilize a common, uniform set of  
4 process, quality, and consumer satisfaction measures  
5 across all Medicaid payors and providers that align  
6 with those developed through the state innovation  
7 models initiative and shall ensure that such measures  
8 are expanded and adjusted to address additional  
9 populations and to meet population health objectives.  
10 Medicaid managed care contracts shall include long-term  
11 performance and outcomes goals that reward success in  
12 achieving population health goals such as improved  
13 community health metrics.

14 j. (1) Require consistency and uniformity of  
15 processes, procedures, and forms across all Medicaid  
16 managed care organizations to reduce the administrative  
17 burden to providers and consumers and to increase  
18 efficiencies in the program. Such requirements shall  
19 apply to but are not limited to areas of uniform cost  
20 and quality reporting, uniform prior authorization  
21 requirements and procedures, uniform utilization  
22 management criteria, centralized, uniform, and seamless  
23 credentialing requirements and procedures, and uniform  
24 critical incident reporting.

25 (2) The department of human services shall  
26 establish a comprehensive provider credentialing  
27 process to be recognized and utilized by all Medicaid  
28 managed care organization contractors. The process  
29 shall meet the national committee for quality assurance  
30 and other appropriate standards. The process shall  
31 ensure that credentialing is completed in a timely  
32 manner without disruption to provider billing  
33 processes.

34 k. Medicaid managed care organizations and any

35 entity with which a managed care organization contracts

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1 for the performance of services shall disclose at no  
 2 cost to the department all discounts, incentives,  
 3 rebates, fees, free goods, bundling arrangements, and  
 4 other agreements affecting the net cost of goods or  
 5 services provided under a managed care contract.  
 6 Sec. \_\_\_. RETROACTIVE APPLICABILITY. The section  
 7 of this division of this Act relating to directives  
 8 for Medicaid program policy improvements applies  
 9 retroactively to July 1, 2015.  
 10 Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This division  
 11 of this Act, being deemed of immediate importance,  
 12 takes effect upon enactment.>  
 13 3. By renumbering as necessary.

HEDDENS of Story

H-8229

1 Amend House File 2460 as follows:  
 2 1. Page 112, after line 5 by inserting:  
 3 <DIVISION \_\_  
 4 AUTISM SPECTRUM DISORDERS COVERAGE  
 5 Sec. \_\_\_. Section 225D.1, subsection 8, Code  
 6 2016, as otherwise amended by this Act, if enacted, is  
 7 amended to read as follows:  
 8 8. "*Eligible individual*" means a child less than  
 9 fourteen years of age who has been diagnosed with  
 10 autism based on a diagnostic assessment of autism,  
 11 is not otherwise eligible for coverage for applied  
 12 behavioral analysis treatment under the medical  
 13 assistance program, section ~~514C.28~~ 514C.31, or other  
 14 private insurance coverage, and whose household income  
 15 does not exceed five hundred percent of the federal  
 16 poverty level.  
 17 Sec. \_\_\_. Section 225D.2, subsection 2, paragraph  
 18 1, Code 2016, is amended to read as follows:  
 19 l. Proof of eligibility for the autism support  
 20 program that includes a written denial for coverage or  
 21 a benefits summary indicating that applied behavioral  
 22 analysis treatment is not a covered benefit for which  
 23 the applicant is eligible, under the Medicaid program,  
 24 section ~~514C.28~~ 514C.31, or other private insurance  
 25 coverage.  
 26 Sec. \_\_\_. Section 225D.2, subsection 3, Code 2016,  
 27 is amended to read as follows:  
 28 3. Moneys in the autism support fund created under  
 29 subsection 5 shall be expended only for eligible  
 30 individuals who are not eligible for coverage for

31 applied behavioral analysis treatment under the medical  
 32 assistance program, section ~~514C.28~~ 514C.31, or other  
 33 private insurance. Payment for applied behavioral  
 34 analysis treatment through the fund shall be limited  
 35 to only applied behavioral analysis treatment that is

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1 clinically relevant and only to the extent approved  
 2 under the guidelines established by rule of the  
 3 department.  
 4 Sec. \_\_. NEW SECTION. 514C.31 **Autism spectrum**  
 5 **disorders coverage.**  
 6 1. Notwithstanding the uniformity of treatment  
 7 requirements of section 514C.6, a group policy,  
 8 contract, or plan providing for third-party payment or  
 9 prepayment of health, medical, and surgical coverage  
 10 benefits shall provide coverage benefits to covered  
 11 individuals under twenty-two years of age for the  
 12 screening, diagnosis, and treatment of autism spectrum  
 13 disorders if the policy, contract, or plan is either  
 14 of the following:  
 15 a. A policy, contract, or plan issued by a carrier,  
 16 as defined in section 513B.2, or an organized delivery  
 17 system authorized under 1993 Iowa Acts, chapter 158,  
 18 to an employer who on at least fifty percent of the  
 19 employer's working days during the preceding calendar  
 20 year employed more than fifty full-time equivalent  
 21 employees. In determining the number of full-time  
 22 equivalent employees of an employer, employers who  
 23 are affiliated or who are able to file a consolidated  
 24 tax return for purposes of state taxation shall be  
 25 considered one employer.  
 26 b. A plan established pursuant to chapter 509A for  
 27 public employees.  
 28 2. As used in this section, unless the context  
 29 otherwise requires:  
 30 a. "*Applied behavior analysis*" means the design,  
 31 implementation, and evaluation of environmental  
 32 modifications, using behavioral stimuli and  
 33 consequences, to produce socially significant  
 34 improvement in human behavior or to prevent loss of  
 35 attained skill or function, including the use of direct

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1 observation, measurement, and functional analysis of  
 2 the relations between environment and behavior.  
 3 b. "*Autism spectrum disorder*" means any of  
 4 the pervasive developmental disorders including  
 5 autistic disorder, Asperger's disorder, and pervasive  
 6 developmental disorders not otherwise specified. The

7 commissioner, by rule, shall define “*autism spectrum*  
8 *disorder*” consistent with definitions provided in  
9 the most recent edition of the American psychiatric  
10 association’s diagnostic and statistical manual of  
11 mental disorders, as such definitions may be amended  
12 from time to time. The commissioner may adopt the  
13 definitions provided in such manual by reference.

14 c. “*Behavioral health treatment*” means counseling  
15 and treatment programs, including applied behavior  
16 analysis, that meet the following requirements:

17 (1) Are necessary to develop, maintain, or restore,  
18 to the maximum extent practicable, the functioning of  
19 an individual.

20 (2) Are provided or supervised by a behavior  
21 analyst certified by a nationally recognized board, or  
22 by a licensed psychologist, so long as the services are  
23 performed commensurate with the psychologist’s formal  
24 training and supervised experience.

25 d. “*Diagnosis of autism spectrum disorder*” means the  
26 use of medically necessary assessments, evaluations, or  
27 tests to diagnose whether an individual has an autism  
28 spectrum disorder.

29 e. “*Pharmacy care*” means medications prescribed by  
30 a licensed physician and any assessment, evaluation,  
31 or test prescribed or ordered by a licensed physician  
32 to determine the need for or effectiveness of such  
33 medications.

34 f. “*Psychiatric care*” means direct or consultative  
35 services provided by a licensed physician who

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1 specializes in psychiatry.

2 g. “*Psychological care*” means direct or consultative  
3 services provided by a licensed psychologist.

4 h. “*Therapeutic care*” means services provided by  
5 a licensed speech pathologist, licensed occupational  
6 therapist, or licensed physical therapist.

7 i. “*Treatment for autism spectrum disorder*” means  
8 evidence-based care and related equipment prescribed  
9 or ordered for an individual diagnosed with an autism  
10 spectrum disorder by a licensed physician or a licensed  
11 psychologist who determines that the treatment is  
12 medically necessary, including but not limited to the  
13 following:

14 (1) Behavioral health treatment.

15 (2) Pharmacy care.

16 (3) Psychiatric care.

17 (4) Psychological care.

18 (5) Therapeutic care.

19 j. “*Treatment plan*” means a plan for the treatment  
20 of an autism spectrum disorder developed by a licensed



21 physician or licensed psychologist pursuant to a  
22 comprehensive evaluation or reevaluation performed  
23 in a manner consistent with the most recent clinical  
24 report or recommendations of the American academy of  
25 pediatrics, as determined by the commissioner by rule.  
26 3. Coverage for applied behavior analysis is  
27 required pursuant to this section for a maximum  
28 benefit amount of thirty-six thousand dollars per year.  
29 Beginning in 2020, the commissioner shall, on or before  
30 July 1 of each calendar year, publish an adjustment for  
31 inflation to the maximum benefit required equal to the  
32 percentage change in the medical care component of the  
33 United States department of labor consumer price index  
34 for all urban consumers in the preceding year, and the  
35 published adjusted maximum benefit shall be applicable

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1 to group policies, contracts, or plans subject to  
2 this section that are delivered, issued for delivery,  
3 continued, or renewed on or after January 1 of the  
4 following calendar year. Payments made under a group  
5 policy, contract, or plan subject to this section on  
6 behalf of a covered individual for any treatment other  
7 than applied behavior analysis shall not be applied  
8 toward the maximum benefit established under this  
9 subsection.  
10 4. Coverage for applied behavior analysis shall  
11 include the services of persons working under the  
12 supervision of a behavior analyst certified by a  
13 nationally recognized board or under the supervision of  
14 a licensed psychologist, to provide applied behavior  
15 analysis.  
16 5. Coverage required pursuant to this section shall  
17 not be subject to any limits on the number of visits an  
18 individual may make for treatment of an autism spectrum  
19 disorder.  
20 6. Coverage required pursuant to this section  
21 shall not be subject to dollar limits, deductibles,  
22 copayments, or coinsurance provisions, or any other  
23 general exclusions or limitations of a group plan  
24 that are less favorable to an insured than the dollar  
25 limits, deductibles, copayments, or coinsurance  
26 provisions that apply to substantially all medical and  
27 surgical benefits under the policy, contract, or plan,  
28 except as provided in subsection 3.  
29 7. Coverage required by this section shall be  
30 provided in coordination with coverage required for the  
31 treatment of autistic disorders pursuant to section  
32 514C.22.  
33 8. This section shall not be construed to limit  
34 benefits which are otherwise available to an individual

35 under a group policy, contract, or plan.

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1 9. This section shall not be construed as affecting  
2 any obligation to provide services to an individual  
3 under an individualized family service plan, an  
4 individualized education program, or an individualized  
5 service plan.

6 10. Except for inpatient services, if an insured is  
7 receiving treatment for an autism spectrum disorder,  
8 an insurer is entitled to review the treatment plan  
9 annually, unless the insurer and the insured's treating  
10 physician or psychologist agree that a more frequent  
11 review is necessary. An agreement giving an insurer  
12 the right to review the treatment plan of an insured  
13 more frequently applies only to that insured and does  
14 not apply to other individuals being treated for autism  
15 spectrum disorders by a physician or psychologist. The  
16 cost of conducting a review of a treatment plan shall  
17 be borne by the insurer.

18 11. This section shall not apply to accident-only,  
19 specified disease, short-term hospital or medical,  
20 hospital confinement indemnity, credit, dental, vision,  
21 Medicare supplement, long-term care, basic hospital  
22 and medical-surgical expense coverage as defined  
23 by the commissioner, disability income insurance  
24 coverage, coverage issued as a supplement to liability  
25 insurance, workers' compensation or similar insurance,  
26 or automobile medical payment insurance, or individual  
27 accident and sickness policies issued to individuals or  
28 to individual members of a member association.

29 12. The commissioner shall adopt rules pursuant to  
30 chapter 17A to implement and administer this section.

31 13. An insurer shall not terminate coverage of an  
32 individual solely because the individual is diagnosed  
33 with or has received treatment for an autism spectrum  
34 disorder.

35 14. a. By February 1, 2018, and every February 1

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1 thereafter, the commissioner shall submit a report to  
2 the general assembly regarding implementation of the  
3 coverage required under this section. The report shall  
4 include information concerning but not limited to all  
5 of the following:

6 (1) The total number of insureds diagnosed with  
7 autism spectrum disorder in the immediately preceding  
8 calendar year.

9 (2) The total cost of all claims paid out in the  
10 immediately preceding calendar year for coverage

11 required under this section.  
 12 (3) The cost of such coverage per insured per  
 13 month.  
 14 (4) The average cost per insured per month for  
 15 coverage of applied behavior analysis required under  
 16 this section.  
 17 b. All third-party payment provider policies,  
 18 contracts, or plans, as specified in subsection 1,  
 19 and plans established pursuant to chapter 509A shall  
 20 provide the commissioner with data requested by the  
 21 commissioner for inclusion in the annual report.  
 22 15. If any provision of this section or its  
 23 application to any person or circumstance is held  
 24 invalid, the invalidity does not affect other  
 25 provisions or application of this section which can  
 26 be given effect without the invalid provision or  
 27 application, and to this end the provisions of this  
 28 section are severable.  
 29 16. This section applies to third-party payment  
 30 provider policies, contracts, or plans, as specified  
 31 in subsection 1, and to plans established pursuant to  
 32 chapter 509A, that are delivered, issued for delivery,  
 33 continued, or renewed in this state on or after January  
 34 1, 2017.  
 35 Sec. \_\_\_\_ REPEAL. Section 514C.28, Code 2016, is

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1 repealed.  
 2 Sec. \_\_\_\_ EFFECTIVE DATE. The following provisions  
 3 of this division of this Act take effect January 1,  
 4 2017:  
 5 1. The sections of this division of this Act  
 6 amending sections 225D.1 and 225D.2.  
 7 2. The section of this division of this Act  
 8 repealing section 514C.28.>  
 9 2. By renumbering as necessary.

HALL of Woodbury

H-8230

1 Amend the amendment, H-8223, to House File 2460 as  
 2 follows:  
 3 1. Page 1, after line 1 by inserting:  
 4 <\_\_. Page 3, line 25, by striking <1,276.783> and  
 5 inserting <1,626.783>  
 6 \_\_. Page 3, line 26, by striking <17.00> and  
 7 inserting <17.00 20.00>  
 8 \_\_. Page 3, after line 29 by inserting:  
 9 <\_\_. Of the funds appropriated in this section,  
 10 \$350,000 shall be used to provide additional long-term

11 care ombudsmen to provide assistance and advocacy  
 12 related to long-term services and supports under the  
 13 Medicaid program pursuant to section 231.44.>>  
 14 2. Page 2, after line 15 by inserting:  
 15 <\_\_. Page 33, line 23, by striking <1,315,246,446>  
 16 and inserting <1,317,895,751>  
 17 \_\_. Page 36, by striking lines 15 through 27 and  
 18 inserting:  
 <19 12. a. Of the funds appropriated in this section,  
 20 ~~\$2,041,939~~ \$2,649,305 is allocated for the state  
 21 match for a disproportionate share hospital payment of  
 22 ~~\$4,544,712~~ \$6,059,710 to hospitals that meet both of  
 23 the conditions specified in subparagraphs (1) and (2).  
 24 In addition, the hospitals that meet the conditions  
 25 specified shall either certify public expenditures  
 26 or transfer to the medical assistance program an  
 27 amount equal to provide the nonfederal share for a  
 28 disproportionate share hospital payment of ~~\$8,772,003~~  
 29 \$20,573,720. The hospitals that meet the conditions  
 30 specified shall receive and retain 100 percent of  
 31 the total disproportionate share hospital payment of  
 32 ~~\$13,316,715~~ \$26,633,430.>>  
 33 3. Page 3, after line 19 by inserting:  
 34 <\_\_. Page 48, line 1, by striking <~~88,944,956~~> and  
 35 inserting <85,945,651>

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1 4. Page 5, after line 19 by inserting:  
 2 <\_\_. Page 72, by striking lines 19 through 25 and  
 3 inserting:  
 4 <~~1. For distribution to any mental health and~~  
 5 ~~disability services region where 25 percent of the~~  
 6 ~~region's projected expenditures exceeds the region's~~  
 7 ~~projected fund balance:~~  
 8 ..... \$ ~~480,000~~>>  
 9 5. Page 5, line 21, by striking <~~3,880,918~~> and  
 10 inserting <6,880,223>  
 11 6. Page 6, after line 13 by inserting:  
 12 <\_\_. By striking page 80, line 11, through page  
 13 82, line 1.>  
 14 7. By renumbering as necessary.

WESSEL-KROESCHELL of Story

H-8231

1 Amend House File 2460 as follows:  
 2 1. Page 95, after line 32 by inserting:  
 3 <Sec. \_\_. Section 135.190, subsection 1, as  
 4 enacted by 2016 Iowa Acts, Senate File 2218, section 1,  
 5 is amended by adding the following new paragraph:

- 6 NEW PARAGRAPH. *Oa. "Licensed health care*  
 7 *professional"* means the same as defined in section  
 8 280.16.
- 9 Sec. \_\_\_\_\_. Section 135.190, subsection 1, as enacted  
 10 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 11 amended by adding the following new subsection:  
 12 NEW SUBSECTION. 1A. Notwithstanding any other  
 13 provision of law to the contrary, a licensed health  
 14 care professional may prescribe an opioid antagonist to  
 15 a person in a position to assist.
- 16 Sec. \_\_\_\_\_. Section 135.190, subsection 3, as enacted  
 17 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 18 amended to read as follows:
- 19 3. A person in a position to assist or a prescriber  
 20 of an opioid antagonist who has acted reasonably and in  
 21 good faith shall not be liable for any injury arising  
 22 from the provision, administration, or assistance in  
 23 the administration of an opioid antagonist as provided  
 24 in this section.>
- 25 2. Page 96, after line 10 by inserting:  
 26 <Sec. \_\_\_\_\_. 2016 Iowa Acts, Senate File 2218,  
 27 as enacted, is amended by adding the following new  
 28 section:  
 29 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 30 being deemed of immediate importance, takes effect upon  
 31 enactment.>
- 32 3. By renumbering as necessary.

ISENHART of Dubuque  
 ABDUL-SAMAD of Polk

H-8232

- 1 Amend House File 2460 as follows:  
 2 1. By striking page 95, line 31, through page 96,  
 3 line 10.  
 4 2. By renumbering as necessary.

KLEIN of Washington

H-8233

- 1 Amend House File 2459 as follows:  
 2 1. Page 1, by striking lines 3 through 8.  
 3 2. By renumbering as necessary.

PETTENGILL of Benton

H-8234

- 1 Amend House File 2460 as follows:  
 2 1. Page 66, after line 33 by inserting:

3 < \_\_\_\_\_. For the fiscal year beginning July 1, 2016,  
 4 the reimbursement rates for providers of supported  
 5 employment under the Medicaid program shall be adjusted  
 6 to increase the rates to the extent possible within  
 7 the \$154,300 of state funding appropriated for this  
 8 purpose.>

9 2. By renumbering as necessary.

JONES of Clay

H-8235

1 Amend House File 2459 as follows:

2 1. Page 6, after line 30 by inserting:

3 <DIVISION \_\_

4 STATE AND COUNTY MEDICAL EXAMINERS

5 Sec. \_\_\_\_\_. Section 331.802, subsection 2, paragraph  
 6 c, Code 2016, is amended to read as follows:

7 c. (1) The fee and expenses of the county medical  
 8 examiner who performs an autopsy or conducts an  
 9 investigation of a any of the following persons shall  
 10 be paid by the state:

11 (a) A person who dies after being brought into this  
 12 state for emergency medical treatment by or at the  
 13 direction of an out-of-state law enforcement officer or  
 14 public authority shall be paid by the state.

15 (b) A person to whom subparagraph division (a) does  
 16 not apply, who dies after entering the state and who is  
 17 an out-of-state resident.

18 (2) A claim for payment under this paragraph "c"  
 19 shall be filed with the state appeal board and, if  
 20 the claim filed meets the criterion of involvement of  
 21 a person specified in subparagraph (1), subparagraph  
 22 division (a) or (b), the claim shall be authorized  
 23 by the board, shall be and paid out of moneys in the  
 24 general fund of the state not otherwise appropriated.

25 (3) A claim for payment under this paragraph "c"  
 26 shall not affect or delay payment of the state medical  
 27 examiner or other personnel of the office of the state  
 28 medical examiner or of the county medical examiner or  
 29 other personnel of the office of the county medical  
 30 examiner, as otherwise prescribed by rule.

31 (4) For the purposes of this paragraph "c":

32 (a) "County medical examiner" includes the state  
 33 medical examiner, deputy state medical examiner,  
 34 associate state medical examiner, or deputy county  
 35 medical examiner when acting as the county medical

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1 examiner, or a county medical examiner investigator.

2 (b) "Out-of-state resident" means an individual who

3 is not a resident of the state of Iowa and includes an  
 4 individual who is not a citizen of the United States  
 5 nor lawfully admitted into the United States for  
 6 permanent residence by the United States immigration  
 7 and naturalization service.

8 Sec. \_\_\_\_. ADOPTION OF RULES. The state medical  
 9 examiner, subject to the approval of the director  
 10 of public health pursuant to section 691.6, shall  
 11 adopt administrative rules pursuant to chapter 17A to  
 12 implement this division of this Act.>

13 2. By renumbering as necessary.

HEDDENS of Story

H-8236

1 Amend House File 2459 as follows:

2 1. Page 5, after line 13 by inserting:

3 <Sec. \_\_\_\_. Section 915.25, subsection 3, as enacted  
 4 by 2016 Iowa Acts, Senate File 2288, section 16, is  
 5 amended to read as follows:

6 3. Notwithstanding the provisions of sections  
 7 232.147, 232.149, and 232.149A, an intake or juvenile  
 8 court officer shall disclose to the alleged victim  
 9 of a delinquent act, upon the request of the victim,  
 10 the complaint, the name and address of the child  
 11 who allegedly committed the delinquent act, and  
 12 the disposition of the complaint. If the alleged  
 13 delinquent act would be a foreible felony serious  
 14 misdemeanor, aggravated misdemeanor, or felony offense  
 15 if committed by an adult, the intake or juvenile court  
 16 officer shall provide notification to the victim of the  
 17 delinquent act as required by section 915.24.>

18 2. Page 5, after line 15 by inserting:

19 <Sec. \_\_\_\_. Section 29C.24, subsection 3, paragraph  
 20 a, subparagraphs (3) and (6), if enacted by 2016 Iowa  
 21 Acts, Senate File 2306, section 2, are amended to read  
 22 as follows:

23 (3) The imposition of income taxes under chapter  
 24 422, divisions II and III, including the requirement  
 25 to file tax returns under sections 422.13 through  
 26 422.15 or section 422.36, as applicable, and  
 27 including the requirement to withhold and remit  
 28 income tax from out-of-state employees under section  
 29 422.16. In addition, the performance of disaster or  
 30 emergency-related work during a disaster response  
 31 period by an out-of-state business or out-of-state  
 32 employee shall not require an out-of-state business  
 33 to be included in a consolidated return under section  
 34 422.37, and shall not increase the amount of net income  
 35 of the out-of-state business allocated and apportioned

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1 to the state under ~~sections~~ section 422.8 or 422.33, as  
2 applicable.

3 (6) The assessment of property taxes by the  
4 department of revenue under sections 428.24 through  
5 428.26, 428.28, and 428.29, or chapters 433, 434,  
6 435, and 437 through 438, or by a local assessor  
7 under another provision of law, on property brought  
8 into the state to aid in the performance of disaster  
9 or emergency-related work during a disaster response  
10 period if such property does not remain in the state  
11 after the conclusion of the disaster response period.

12 Sec. \_\_. Section 29C.24, subsection 4, if enacted  
13 by 2016 Iowa Acts, Senate File 2306, section 2, is  
14 amended to read as follows:

15 4. *Business and employee status after a disaster*  
16 *response period.* An out-of-state business or  
17 out-of-state employee that remains in the state after  
18 the conclusion of the disaster response period ~~for~~  
19 during which the disaster or emergency-related work  
20 was performed shall be fully subject to the state's  
21 standards for establishing presence, residency, or  
22 doing business as otherwise provided by law, and  
23 shall be responsible for any resulting taxes, fees,  
24 licensing, registration, filing, or other requirements.

25 Sec. \_\_. Section 155A.13, subsection 3, paragraph  
26 d, if enacted by 2016 Iowa Acts, Senate File 453,  
27 section 3, is amended to read as follows:

28 d. An applicant seeking a special or limited-use  
29 pharmacy ~~licensed~~ license for a proposed telepharmacy  
30 site that does not meet the mileage requirement  
31 established in paragraph "c" and is not statutorily  
32 exempt from the mileage requirement may apply to the  
33 board for a waiver of the mileage requirement. A  
34 waiver request shall only be granted if the applicant  
35 can demonstrate to the board that the proposed

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1 telepharmacy site is located in an area where there is  
2 limited access to pharmacy services and can establish  
3 the existence of compelling circumstances that justify  
4 waiving the mileage requirement. The board's decision  
5 to grant or deny a waiver request shall be a proposed  
6 decision subject to mandatory review by the director  
7 ~~of the department~~ of public health. The director  
8 shall review a proposed decision and shall have the  
9 power to approve, modify, or veto a proposed decision.  
10 The director's decision on a waiver request shall be  
11 considered final agency action subject to judicial  
12 review under chapter 17A.>



- 13 3. By renumbering as necessary.

RIZER of Linn

H-8237

- 1 Amend House File 2459 as follows:  
 2 1. Page 6, after line 30 by inserting:  
 3 <DIVISION \_\_\_\_  
 4 AREA EDUCATION AGENCY FUNDING  
 5 Sec. \_\_\_\_ SPECIAL EDUCATION SUPPORT SERVICES  
 6 FUNDING. Notwithstanding the provisions of section  
 7 257.35, subsection 11, and section 257.37, subsection  
 8 6, for the budget year beginning July 1, 2016, an area  
 9 education agency shall use the total amount determined  
 10 to be available to the area education agency under  
 11 section 257.35 and any unreserved fund balances for  
 12 media services or education services that exceed  
 13 an amount equal to 5 percent of the area education  
 14 agency's budget for media services and education  
 15 services for that budget year, and including funds  
 16 that exceed the payment for special education support  
 17 services pursuant to section 257.35, in a manner to  
 18 best maintain the level of required area education  
 19 agency special education support services.  
 20 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This division  
 21 of this Act, being deemed of immediate importance,  
 22 takes effect upon enactment.>  
 23 2. Title page, line 2, by striking <and>  
 24 3. Title page, line 3, by striking <and> and  
 25 inserting <and>, and including effective date  
 26 provisions>  
 27 4. By renumbering, redesignating, and correcting  
 28 internal references as necessary.

RIZER of Linn

H-8238

- 1 Amend House File 2459 as follows:  
 2 1. Page 5, by striking line 10 and inserting  
 3 <medical clinics at the university of Iowa that is paid  
 4 by moneys from the general fund of the state through  
 5 the state appeal board shall be reimbursed by>

RIZER of Linn

H-8239

- 1 Amend House File 2460 as follows:  
 2 1. Page 22, after line 2 by inserting:  
 3 <\_\_\_\_. The Iowa veterans home shall expand the

4 annual discharge report to also include applicant  
5 information and to provide for the collection of  
6 demographic information including but not limited to  
7 the number of individuals applying for admission and  
8 admitted or denied admittance and the basis for the  
9 admission or denial; the age, gender, and race of such  
10 individuals; and the level of care for which such  
11 individuals applied for admission including residential  
12 or nursing level of care.>  
13 2. By renumbering as necessary.

SMITH of Marshall

H-8240

1 Amend House File 2460 as follows:  
2 1. By striking page 105, line 4, through page 109,  
3 line 19, and inserting:  
4 <DIVISION \_\_\_\_  
5 HOSPITAL DISCHARGE PLANNING  
6 Sec. \_\_\_\_ HOSPITAL DISCHARGE PLANNING. A hospital  
7 licensed pursuant to chapter 135B shall comply with  
8 the conditions for participation relating to discharge  
9 planning specified in 42 C.F.R. §482.43 as follows:  
10 The hospital must have in effect a discharge  
11 planning process that applies to all patients. The  
12 hospital's policies and procedures must be specified in  
13 writing, and include or incorporate as standards the  
14 following:  
15 1. Standard: Identification of patients in need  
16 of discharge planning. The hospital must identify at  
17 an early stage of hospitalization all patients who  
18 are likely to suffer adverse health consequences upon  
19 discharge if there is no adequate discharge planning.  
20 2. Standard: Discharge planning evaluation.  
21 a. The hospital must provide a discharge planning  
22 evaluation to the patients identified in subsection 1,  
23 and to other patients upon the patient's request, the  
24 request of a person acting on the patient's behalf, or  
25 the request of the physician.  
26 b. A registered nurse, social worker, or other  
27 appropriately qualified personnel must develop, or  
28 supervise the development of, the evaluation.  
29 c. The discharge planning evaluation must include  
30 an evaluation of the likelihood of a patient needing  
31 post-hospital services and of the availability of the  
32 services.  
33 d. The discharge planning evaluation must include  
34 an evaluation of the likelihood of a patient's capacity  
35 for self-care or of the possibility of the patient

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1 being cared for in the environment from which he or she  
2 entered the hospital.

3 e. The hospital personnel must complete the  
4 evaluation on a timely basis so that appropriate  
5 arrangements for post-hospital care are made before  
6 discharge, and to avoid unnecessary delays in  
7 discharge.

8 f. The hospital must include the discharge planning  
9 evaluation in the patient's medical record for use in  
10 establishing an appropriate discharge plan and must  
11 discuss the results of the evaluation with the patient  
12 or individual acting on his or her behalf.

13 3. Standard: Discharge plan.

14 a. A registered nurse, social worker, or other  
15 appropriately qualified personnel must develop, or  
16 supervise the development of, a discharge plan if the  
17 discharge planning evaluation indicates a need for a  
18 discharge plan.

19 b. In the absence of a finding by the hospital  
20 that a patient needs a discharge plan, the patient's  
21 physician may request a discharge plan. In such a  
22 case, the hospital must develop a discharge plan for  
23 the patient.

24 c. The hospital must arrange for the initial  
25 implementation of the patient's discharge plan.

26 d. The hospital must reassess the patient's  
27 discharge plan if there are factors that may affect  
28 continuing care needs or the appropriateness of the  
29 discharge plan.

30 e. As needed, the patient and family members or  
31 interested persons must be counseled to prepare them  
32 for post-hospital care.

33 f. The hospital must include in the discharge plan  
34 a list of home health agencies or skilled nursing  
35 facilities that are available to the patient, that are

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1 participating in the Medicare program, and that serve  
2 the geographic area, as defined by the home health  
3 agency, in which the patient resides, or in the case  
4 of a skilled nursing facility, in the geographic area  
5 requested by the patient. Home health agencies must  
6 request to be listed by the hospital as available.

7 (1) This list must only be presented to patients  
8 for whom home health care or post-hospital extended  
9 care services are indicated and appropriate as  
10 determined by the discharge planning evaluation.

11 (2) For patients enrolled in managed care  
12 organizations, the hospital must indicate the

13 availability of home health and post-hospital extended  
 14 care services through individuals and entities that  
 15 have a contract with the managed care organizations.  
 16 (3) The hospital must document in the patient's  
 17 medical record that the list was presented to the  
 18 patient or to the individual acting on the patient's  
 19 behalf.  
 20 g. The hospital, as part of the discharge planning  
 21 process, must inform the patient or the patient's  
 22 family of their freedom to choose among participating  
 23 Medicare providers of post-hospital care services  
 24 and must, when possible, respect patient and family  
 25 preferences when they are expressed. The hospital must  
 26 not specify or otherwise limit the qualified providers  
 27 that are available to the patient.  
 28 h. The discharge plan must identify any home health  
 29 agency or skilled nursing facility to which the patient  
 30 is referred in which the hospital has a disclosable  
 31 financial interest, as specified by the secretary of  
 32 health and human services, and any home health agency  
 33 or skilled nursing facility that has a disclosable  
 34 financial interest in a hospital under Medicare.  
 35 Financial interests that are disclosable under Medicare

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1 are determined in accordance with the provisions of 42  
 2 C.F.R. pt. 420, subpt. C.  
 3 4. Standard: Transfer or referral. The hospital  
 4 must transfer or refer patients, along with necessary  
 5 medical information, to appropriate facilities,  
 6 agencies, or outpatient services, as needed, for  
 7 follow-up or ancillary care.  
 8 5. Standard: Reassessment. The hospital must  
 9 reassess its discharge planning process on an ongoing  
 10 basis. The reassessment must include a review of  
 11 discharge plans to ensure that they are responsive to  
 12 discharge needs.>  
 13 2. By renumbering as necessary.

BYRNES of Mitchell

H-8241

1 Amend House File 2459 as follows:  
 2 1. Page 4, after line 19 by inserting:  
 3 <Sec. \_\_\_\_. Section 135.190, subsection 1, as  
 4 enacted by 2016 Iowa Acts, Senate File 2218, section 1,  
 5 is amended by adding the following new paragraph:  
 6 **NEW PARAGRAPH.** *0a. "Licensed health care*  
 7 *professional" means the same as defined in section*  
 8 *280.16.*

9 Sec. \_\_\_\_ Section 135.190, subsection 1, as enacted  
 10 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 11 amended by adding the following new subsection:  
 12 NEW SUBSECTION. 1A. Notwithstanding any other  
 13 provision of law to the contrary, a licensed health  
 14 care professional may prescribe an opioid antagonist to  
 15 a person in a position to assist.

16 Sec. \_\_\_\_ Section 135.190, subsection 3, as enacted  
 17 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 18 amended to read as follows:

19 3. A person in a position to assist or a prescriber  
 20 of an opioid antagonist who has acted reasonably and in  
 21 good faith shall not be liable for any injury arising  
 22 from the provision, administration, or assistance in  
 23 the administration of an opioid antagonist as provided  
 24 in this section.>

25 2. Page 5, after line 13 by inserting:

26 <Sec. \_\_\_\_ 2016 Iowa Acts, Senate File 2218,  
 27 as enacted, is amended by adding the following new  
 28 section:

29 NEW SECTION. SEC. \_\_\_\_ EFFECTIVE UPON ENACTMENT.  
 30 This Act, being deemed of immediate importance, takes  
 31 effect upon enactment.

32 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. The following  
 33 provision or provisions of this division of this Act,  
 34 being deemed of immediate importance, takes effect upon  
 35 enactment:

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1 1. The sections of this division of this Act  
 2 amending section 135.190.

3 2. The section of this division of this Act  
 4 amending 2016 Iowa Acts, Senate File 2218.

5 Sec. \_\_\_\_ RETROACTIVE APPLICABILITY. The following  
 6 provision or provisions of this division of this Act  
 7 apply retroactively to April 6, 2016:

8 1. The sections of this division of this Act  
 9 amending section 135.190.

10 2. The section of this division of this Act  
 11 amending 2016 Iowa Acts, Senate File 2218.>

12 3. Title page, line 3, after <atters> by inserting  
 13 <, and including effective date and retroactive  
 14 applicability date provisions>

15 4. By renumbering as necessary.

ISENHART of Dubuque

H-8242

1 Amend House File 2459 as follows:

2 1. Page 6, after line 30 by inserting:

3 <DIVISION \_\_\_\_  
 4 SCHOOL DISTRICT FUNDING  
 5 Sec. \_\_\_\_ Section 257.2, subsection 2, Code 2016,  
 6 is amended by striking the subsection.  
 7 Sec. \_\_\_\_ NEW SECTION. **257.14A District cost per**  
 8 **pupil equity — budget adjustment.**  
 9 1. The board of directors of a school district  
 10 with a regular program district cost per pupil that is  
 11 less than the highest regular program district cost  
 12 per pupil among all school districts in the state for  
 13 the same budget year that wishes to receive the budget  
 14 adjustment under this section may adopt a resolution  
 15 by May 15 preceding the budget year and shall notify  
 16 the department of management of the adoption of the  
 17 resolution and the amount of the budget adjustment  
 18 to be received. The resolution adopted by the board  
 19 of directors shall specify the board's intent to use  
 20 such funds authorized under subsection 2, paragraph  
 21 "b", without any corresponding increase to the school  
 22 district's cash reserve levy or other property tax levy  
 23 of the school district for the current budget year or  
 24 any future budget year to replenish such amounts.  
 25 2. a. For budget years beginning on or after July  
 26 1, 2016, but before July 1, 2019, each school district  
 27 that satisfies the requirements of subsection 1 shall  
 28 be eligible for a budget adjustment for that budget  
 29 year in an amount not to exceed the difference between  
 30 the school district's regular program district cost  
 31 per pupil and the highest regular program district  
 32 cost per pupil among all school districts in the state  
 33 multiplied by the district's budget enrollment. The  
 34 resolution adopted under subsection 1 may specify a  
 35 budget adjustment amount that is less than the maximum

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1 amount authorized under this paragraph "a".  
 2 b. The school district shall fund the budget  
 3 adjustment either by using moneys from its unexpended  
 4 fund balance or by using cash reserve moneys.  
 5 3. A budget adjustment received under this section  
 6 shall not affect the eligibility for or amount of any  
 7 other budget adjustment authorized by law for the same  
 8 budget year. In addition, a budget adjustment under  
 9 this section shall be limited to the budget year for  
 10 which the adjustment was authorized and shall not be  
 11 included in any computation of a school district's cost  
 12 for any future budget year.  
 13 Sec. \_\_\_\_ Section 257.34, Code 2016, is amended to  
 14 read as follows:  
 15 **257.34 Cash reserve information.**  
 16 1. If a school district receives less state school

17 foundation aid under section 257.1 than is due under  
 18 that section for a base year and the school district  
 19 uses funds from its cash reserve during the base year  
 20 to make up for the amount of state aid not paid, the  
 21 board of directors of the school district shall include  
 22 in its general fund budget document information about  
 23 the amount of the cash reserve used to replace state  
 24 school foundation aid not paid.

25 2. If a school district uses funds from its  
 26 cash reserve during the base year to fund a budget  
 27 adjustment under section 257.14A, the board of  
 28 directors of the school district shall include in its  
 29 general fund budget document information about the  
 30 amount of the cash reserve used for such purpose.

31 Sec. \_\_. IMPLEMENTATION. Notwithstanding the  
 32 deadline for adopting a resolution to approve the  
 33 budget adjustment in section 257.14A, subsection 1,  
 34 for the school budget year beginning July 1, 2016,  
 35 the resolution of the board of directors of a school

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1 district shall be approved not later than June 10,  
 2 2016.

3 Sec. \_\_. EFFECTIVE UPON ENACTMENT. This division  
 4 of this Act, being deemed of immediate importance,  
 5 takes effect upon enactment.>

6 2. Title page, line 2, by striking <and>

7 3. Title page, line 3, after <atters> by inserting  
 8 <, and including effective date provisions>

9 4. By renumbering as necessary.

THEDE of Scott  
 WINCKLER of Scott  
 LYKAM of Scott

H-8243

1 Amend House File 2460 as follows:

2 1. Page 95, after line 32 by inserting:

3 <Sec. \_\_. Section 135.190, subsection 1, as  
 4 enacted by 2016 Iowa Acts, Senate File 2218, section 1,  
 5 is amended by adding the following new paragraph:  
 6 NEW PARAGRAPH. 0a. "Licensed health care  
 7 professional" means the same as defined in section  
 8 280.16.

9 Sec. \_\_. Section 135.190, subsection 1, as enacted  
 10 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 11 amended by adding the following new subsection:  
 12 NEW SUBSECTION. 1A. Notwithstanding any other  
 13 provision of law to the contrary, a licensed health  
 14 care professional may prescribe an opioid antagonist to  
 15 a person in a position to assist.

16 Sec. \_\_\_\_ Section 135.190, subsection 3, as enacted  
 17 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 18 amended to read as follows:

19 3. A person in a position to assist or a prescriber  
 20 of an opioid antagonist who has acted reasonably and in  
 21 good faith shall not be liable for any injury arising  
 22 from the provision, administration, or assistance in  
 23 the administration of an opioid antagonist as provided  
 24 in this section.>

25 2. Page 96, after line 10 by inserting:

26 <Sec. \_\_\_\_ 2016 Iowa Acts, Senate File 2218,  
 27 as enacted, is amended by adding the following new  
 28 section:

29 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This Act,  
 30 being deemed of immediate importance, takes effect upon  
 31 enactment.

32 Sec. \_\_\_\_ EFFECTIVE DATE. This division of this  
 33 Act, being deemed of immediate importance, takes effect  
 34 upon enactment.

35 Sec. \_\_\_\_ RETROACTIVE APPLICABILITY. This division

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1 of this Act applies retroactively to April 6, 2016.>

2 3. By renumbering as necessary.

ISENHART of Dubuque  
 ABDUL-SAMAD of Polk

H-8244

1 Amend House File 2454, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. Page 20, after line 20 by inserting:

4 <DIVISION \_\_\_\_

5 FUNDS UNDER THE CONTROL OF THE ECONOMIC DEVELOPMENT  
 6 AUTHORITY SPECIAL AUTHORITY GRANTED TO THE DIRECTOR TO  
 7 ALLOCATE MONEYS FOR FY 2016-2017

8 Sec. \_\_\_\_ KEEP IOWA BEAUTIFUL INITIATIVE. The  
 9 director of the economic development authority created  
 10 in section 15.105 may allocate moneys in one or more  
 11 funds established in section 15.106A, subsection 1,  
 12 paragraph "o", for the fiscal year beginning July 1,  
 13 2016, and ending June 30, 2017, for the purpose of  
 14 supporting a keep Iowa beautiful initiative in order  
 15 to assist communities in developing and implementing  
 16 beautification and community development plans.>

17 2. By renumbering as necessary.

SENATE AMENDMENT



H-8245

1 Amend the amendment, H-8227, to House File 2459, as  
2 follows:

3 1. By striking page 1, line 1, through page 6, line  
4 24, and inserting:

5 <Amend House File 2459 as follows:

6 1. By striking everything after the enacting clause  
7 and inserting:

8 <DIVISION I

9 STANDING APPROPRIATIONS AND RELATED MATTERS

10 Section 1. 2015 Iowa Acts, chapter 138, is amended  
11 by adding the following new section:

12 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.

13 1. The appropriations made pursuant to section  
14 2.12 for the expenses of the general assembly and  
15 legislative agencies for the fiscal year beginning July  
16 1, 2016, and ending June 30, 2017, are reduced by the  
17 following amount:

18 ..... \$ 5,850,000

19 2. The budgeted amounts for the general assembly  
20 and legislative agencies for the fiscal year beginning  
21 July 1, 2016, may be adjusted to reflect the unexpended  
22 budgeted amounts from the previous fiscal year.

23 Sec. 2. 2015 Iowa Acts, chapter 138, is amended by  
24 adding the following new section:

25 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
26 is amended by adding the following new subsection:

27 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
28 and in addition to the reduction applicable pursuant  
29 to subsection 2, the state aid for area education  
30 agencies and the portion of the combined district cost  
31 calculated for these agencies for the fiscal year  
32 beginning July 1, 2016, and ending June 30, 2017, shall  
33 be reduced by the department of management by fifteen  
34 million dollars. The reduction for each area education  
35 agency shall be prorated based on the reduction that

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1 the agency received in the fiscal year beginning July  
2 1, 2003.

3 Sec. 3. Section 2.48, subsection 3, Code 2016, is  
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *of.* In 2016:

6 (1) The homestead tax credit under chapter 425.

7 (2) The elderly and disabled property tax credit  
8 under chapter 425.

9 (3) The agricultural land tax credit under chapter  
10 426.

11 (4) The military service tax credit under chapter  
12 426A.

13 (5) The business property tax credit under chapter  
14 426C.

15 (6) The commercial and industrial property tax  
16 replacement claims under section 441.21A.

17 Sec. 4. Section 230.8, Code 2016, is amended to  
18 read as follows:

19 **230.8 Transfers of persons with mental illness —**  
20 **expenses.**

21 The transfer to any state hospitals or to the places  
22 of their residence of persons with mental illness who  
23 have no residence in this state or whose residence is  
24 unknown and deemed to be a state case, shall be made  
25 according to the directions of the administrator,  
26 and when practicable by employees of the state  
27 hospitals. The actual and necessary expenses of such  
28 transfers shall be paid by the department on itemized  
29 vouchers sworn to by the claimants and approved by  
30 the administrator, ~~and the amount of the expenses is~~  
31 ~~appropriated to the department from any funds in the~~  
32 ~~state treasury not otherwise appropriated.~~

33 Sec. 5. Section 820.24, Code 2016, is amended to  
34 read as follows:

35 **820.24 Expenses — how paid.**

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1 When the punishment of the crime shall be the  
2 confinement of the criminal in the penitentiary, the  
3 expenses shall be paid ~~out of the state treasury, on~~  
4 ~~the certificate of the governor and warrant of the~~  
5 ~~director of the department of administrative services~~  
6 by the department of corrections; and in all other  
7 cases they shall be paid out of the county treasury in  
8 the county wherein the crime is alleged to have been  
9 committed. The expenses shall be the fees paid to the  
10 officers of the state on whose governor the requisition  
11 is made, and all necessary and actual traveling  
12 expenses incurred in returning the prisoner.

13 DIVISION II

14 MISCELLANEOUS PROVISIONS

15 Sec. 6. MISCELLANEOUS APPROPRIATIONS.

16 1. If, following the close of the fiscal year  
17 ending June 30, 2016, moneys are transferred to the  
18 general fund of the state pursuant to section 8.55,  
19 subsection 2, paragraph "b", in an amount that exceeds  
20 \$60,000,000, there is appropriated from the general  
21 fund of the state to the following departments and  
22 agencies for the fiscal year beginning July 1, 2016,  
23 and ending July 1, 2017, the following amounts, or  
24 so much thereof as is necessary, to be used for the  
25 purposes designated:

26 a. COLLEGE STUDENT AID COMMISSION

27 For purposes of providing skilled workforce shortage  
 28 tuition grants in accordance with section 261.130:  
 29 ..... \$ 2,500,000  
 30 b. DEPARTMENT OF EDUCATION  
 31 For deposit in the gap tuition assistance fund  
 32 established pursuant to section 260I.2:  
 33 ..... \$ 1,000,000  
 34 c. DEPARTMENT OF HUMAN SERVICES  
 35 For an Iowa food bank association selected by the

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1 department of human services for the purchase of food  
 2 on behalf of an Iowa emergency feeding organization or  
 3 for the distribution of moneys to the Iowa emergency  
 4 feeding organizations for the purchase of food:  
 5 ..... \$ 100,000  
 6 d. DEPARTMENT OF PUBLIC HEALTH  
 7 For an association dedicated to supporting persons  
 8 suffering from Alzheimer’s disease:  
 9 ..... \$ 100,000

10 2. Notwithstanding section 8.33, moneys  
 11 appropriated in this section that remain unencumbered  
 12 or unobligated at the close of the fiscal year shall  
 13 not revert but shall remain available for expenditure  
 14 for the purposes designated until the close of the  
 15 fiscal year ending June 30, 2018.

16 Sec. 7. WATER QUALITY — IOWA FINANCE  
 17 AUTHORITY. There is appropriated from the general fund  
 18 of the state to the Iowa finance authority for the  
 19 fiscal year beginning July 1, 2016, and ending June 30,  
 20 2017, the following amount, or so much thereof as is  
 21 necessary, to be used for the purpose designated:  
 22 For deposit in the water quality financial  
 23 assistance fund created in section 16.134A, if enacted  
 24 by 2016 Iowa Acts, House File 2451:

25 ..... \$ 2,000,000

26 Sec. 8. WATER QUALITY INTERIM STUDY COMMITTEE. The  
 27 legislative council is requested to appoint an interim  
 28 study committee to examine issues and funding related  
 29 to water quality in the state. The committee shall  
 30 submit a report to the general assembly by January 1,  
 31 2017.

32 Sec. 9. INDEPENDENT STUDY OF STUDENT DEBT —  
 33 APPROPRIATION.

34 1. There is appropriated from the general fund of  
 35 the state to the college student aid commission for the

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1 fiscal year beginning July 1, 2016, and ending June 30,  
 2 2017, the following amount, or so much thereof as is

3 necessary, to be used for purposes of commissioning the  
4 study of student debt in accordance with this section:  
5 ..... \$ 100,000  
6 2. The college student aid commission, in  
7 collaboration with the state board of regents, the  
8 department of education, and the economic development  
9 authority, shall use funds appropriated pursuant  
10 to this section to commission an independent study  
11 of student debt at Iowa’s public postsecondary  
12 institutions and of the impact of student debt on  
13 Iowa’s citizens and economy.  
14 3. The study shall include but not be limited to  
15 the following matters:  
16 a. The reasons average student loan debt at Iowa’s  
17 public postsecondary institutions is generally higher  
18 than the national average.  
19 b. The lifetime impact of student debt on the  
20 individual’s assets and net worth and the impact on  
21 family finances in general.  
22 c. The economic impact of student debt on the  
23 economy of the state and on Iowa families, workforce,  
24 communities, housing market, and business climate.  
25 d. Measures to reduce student debt levels, increase  
26 the affordability and attainment of a postsecondary  
27 education, and to improve financial aid practices  
28 and financial aid funding at the state’s public  
29 postsecondary institutions.  
30 e. Measures to increase consumer education and  
31 provide financial counseling to students considering  
32 education loans, along with measures to provide  
33 academic support for students at risk of dropping out.  
34 f. Measures to relieve the financial burden of  
35 student debt on an individual.

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1 g. Measures to encourage recent college graduates  
2 to remain in Iowa.  
3 h. The demographic characteristics of student  
4 borrowers and the impact family income has on the  
5 amount of student debt incurred by college graduates.  
6 i. Any issues deemed relevant by the entity  
7 conducting the study in order to fully examine the  
8 socioeconomic impact of student debt in Iowa.  
9 4. The state board of regents and its universities,  
10 the department of education and the community colleges,  
11 and the economic development authority shall cooperate  
12 with the commission and with the entity conducting  
13 the study and shall provide to the entity any data  
14 requested by the entity except as limited by chapter  
15 22 and by the federal Family Educational Rights and  
16 Privacy Act, 20 U.S.C. §1232g.

17 5. The commission shall submit a report of the  
 18 findings of the study along with recommendations,  
 19 if any, of the entity conducting the study, and  
 20 recommendations, if any, of the commission, the state  
 21 board of regents, the department of education, and the  
 22 economic development authority, in a report to the  
 23 general assembly by January 14, 2017.

24 Sec. 10. SALARY MODEL ADMINISTRATOR. The salary  
 25 model administrator shall work in conjunction with  
 26 the legislative services agency to maintain the  
 27 state's salary model used for analyzing, comparing,  
 28 and projecting state employee salary and benefit  
 29 information, including information relating to  
 30 employees of the state board of regents. The  
 31 department of revenue, the department of administrative  
 32 services, the five institutions under the jurisdiction  
 33 of the state board of regents, the judicial district  
 34 departments of correctional services, and the state  
 35 department of transportation shall provide salary data

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1 to the department of management and the legislative  
 2 services agency to operate the state's salary  
 3 model. The format and frequency of provision of the  
 4 salary data shall be determined by the department of  
 5 management and the legislative services agency. The  
 6 information shall be used in collective bargaining  
 7 processes under chapter 20 and in calculating the  
 8 funding needs contained within the annual salary  
 9 adjustment legislation. A state employee organization  
 10 as defined in section 20.3, subsection 4, may request  
 11 information produced by the model, but the information  
 12 provided shall not contain information attributable to  
 13 individual employees.

14 Sec. 11. Section 24.32, Code 2016, is amended to  
 15 read as follows:

16 **24.32 Decision certified.**

17 After a hearing upon the appeal, the state board  
 18 shall certify its decision to the county auditor and  
 19 to the parties to the appeal as provided by rule, and  
 20 the decision shall be final. The county auditor shall  
 21 make up the records in accordance with the decision and  
 22 the levying board shall make its levy in accordance  
 23 with the decision. Upon receipt of the decision, the  
 24 certifying board shall correct its records accordingly,  
 25 if necessary. Final disposition of all appeals shall  
 26 be made by the state board ~~on or before April 30 of~~  
 27 each year within forty-five days after the date of the  
 28 appeal hearing.

29 Sec. 12. Section 418.12, subsection 5, Code 2016,  
 30 is amended to read as follows:

31 5. If the department of revenue determines that  
32 the revenue accruing to the fund or accounts within  
33 the fund exceeds thirty million dollars for a fiscal  
34 year or exceeds the amount necessary for the purposes  
35 of this chapter if the amount necessary is less than

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1 thirty million dollars for a fiscal year, then those  
2 excess moneys shall be credited by the department of  
3 revenue for deposit in the general fund of the state.  
4 Sec. 13. NEW SECTION. 915.46 Sexual assault kit  
5 reporting.  
6 If a statewide secure web-based sexual assault kit  
7 tracking system is implemented, by January 31, of each  
8 year the division shall submit an annual report to the  
9 general assembly regarding the status of sexual assault  
10 kits. The report shall include but not be limited to  
11 all of the following:  
12 1. The total number of kits statewide and by  
13 judicial district.  
14 2. The average and median length of time for kits  
15 to be submitted for forensic analysis after being added  
16 to the system.  
17 3. The average and median length of time for  
18 forensic analysis to be completed on kits after being  
19 submitted.  
20 4. The total number of kits destroyed or removed  
21 from the system.  
22 5. The total number of kits that have not been  
23 analyzed after six months of being added to the system.  
24 6. The total number of kits that have not been  
25 analyzed after one year or longer of being added to the  
26 system.  
27 Sec. 14. 2016 Iowa Acts, House File 2420, section  
28 1, subsection 5, is amended by adding the following new  
29 paragraph:  
30 NEW PARAGRAPH. c. The report shall also include  
31 details of a plan that provides for the issuance  
32 of a request for proposals for the operation of a  
33 statewide secure web-based sexual assault kit tracking  
34 system. The plan shall include provisions to protect  
35 the identity of the victims. The plan may include

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1 contracting with public and private entities. The plan  
2 must include all of the following:  
3 (1) Allowing for the tracking of location and  
4 status of sexual assault kits throughout the criminal  
5 justice process.  
6 (2) A method for the following entities to access

- 7 the system to update and track the status of kits:  
 8 (a) Medical facilities that perform the sexual  
 9 assault forensic examinations.  
 10 (b) Law enforcement agencies and prosecutors.  
 11 (c) The division of criminal investigation of the  
 12 department of public safety.  
 13 (d) The crime victim assistance division of the  
 14 department of justice.  
 15 (3) A method to address allowing victims of sexual  
 16 assault to anonymously track or receive updates  
 17 regarding the status of their kit.  
 18 (4) A method for phasing in the plan if necessary.

19 DIVISION III

20 CORRECTIVE PROVISIONS

21 Sec. 15. Section 229.13, subsection 7, paragraph a,  
 22 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
 23 File 2259, section 1, is amended to read as follows:

24 (1) The respondent's mental health professional  
 25 acting within the scope of the mental health  
 26 professional's practice shall notify the committing  
 27 court, with preference given to the committing judge,  
 28 if available, in the appropriate county ~~who~~ and the  
 29 court shall enter a written order directing that  
 30 the respondent be taken into immediate custody by  
 31 the appropriate sheriff or sheriff's deputy. The  
 32 appropriate sheriff or sheriff's deputy shall exercise  
 33 all due diligence in taking the respondent into  
 34 protective custody to a hospital or other suitable  
 35 facility.

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1 Sec. 16. Section 272.25, subsection 3, Code 2016,  
 2 as amended by 2016 Iowa Acts, Senate File 2196, section  
 3 3, is amended to read as follows:

4 3. A requirement that the program include  
 5 instruction in skills and strategies to be used in  
 6 classroom management of individuals, and of small and  
 7 large groups, under varying conditions; skills for  
 8 communicating and working constructively with pupils,  
 9 teachers, administrators, and parents; preparation in  
 10 reading theory, knowledge, strategies, and approaches,  
 11 and for integrating literacy instruction ~~in~~ into  
 12 content areas in accordance with section 256.16; and  
 13 skills for understanding the role of the board of  
 14 education and the functions of other education agencies  
 15 in the state. The requirement shall be based upon  
 16 recommendations of the department of education after  
 17 consultation with teacher education faculty members in  
 18 colleges and universities.

19 Sec. 17. Section 598C.102, subsection 8, paragraph  
 20 b, if enacted by 2016 Iowa Acts, Senate File 2233,

21 section 2, is amended to read as follows:

22 *b.* An individual who has custodial responsibility  
23 for a child under a law of this state other than this  
24 chapter.

25 Sec. 18. 2016 Iowa Acts, House File 2269, section  
26 20, subsection 1, is amended to read as follows:

27 1. It is amended, rescinded, or supplemented by the  
28 affirmative action of the executive ~~council~~ committee  
29 of the Iowa beef cattle producers association created  
30 in section 181.3, as amended in this Act.

31 Sec. 19. 2016 Iowa Acts, Senate File 378, section  
32 2, is amended to read as follows:

33 SEC. 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
34 repealed.

35 Sec. 20. 2016 Iowa Acts, Senate File 2185, section

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1 2, if enacted, is amended by striking the section and  
2 inserting in lieu thereof the following:

3 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
4 amended to read as follows:

5 3. A person who violates this section commits a  
6 ~~serious~~ an aggravated misdemeanor.

#### 7 DIVISION IV

#### 8 SERVICE CONTRACT RECIPIENTS

9 Sec. 21. Section 8F.3, subsection 1, paragraphs b  
10 and d, Code 2016, are amended to read as follows:

11 *b.* Information regarding the training and education  
12 received by the members of the governing body of  
13 the recipient entity relating to the duties and  
14 legal responsibilities of the governing body. The  
15 information shall also include certification that  
16 the members of the governing body have completed a  
17 training program established pursuant to section 19B.7,  
18 subsection 3.

19 *d.* Information regarding any policies adopted  
20 by the governing body of the recipient entity that  
21 prohibit taking adverse employment action against  
22 employees of the recipient entity who disclose  
23 information about a service contract, to include  
24 information about the pay and benefits received by  
25 an employee of a recipient entity, to the oversight  
26 agency, the auditor of state, the office of the  
27 attorney general, or the office of ombudsman and  
28 that state whether those policies are substantially  
29 similar to the protection provided to state employees  
30 under section 70A.28. The information provided shall  
31 state whether employees of the recipient entity are  
32 informed on a regular basis of their rights to disclose  
33 information to the oversight agency, the office of  
34 ombudsman, the auditor of state, or the office of the



35 attorney general and the telephone numbers of those

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1 organizations.

2 Sec. 22. Section 19B.7, Code 2016, is amended by  
3 adding the following new subsection:

4 NEW SUBSECTION. 3. The department of  
5 administrative services, in coordination with  
6 the Iowa civil rights commission, shall establish a  
7 training program for prospective recipient entities, as  
8 defined in section 8F.2, concerning the requirements  
9 of this section, and chapter 216, relative to the  
10 administration and promotion of equal opportunity and  
11 the prohibition of discriminatory and unfair practices  
12 within any program receiving or benefiting from state  
13 financial assistance. The program shall specifically  
14 include guidance relative to unfair employment  
15 practices as described in section 216.6, and wage  
16 discrimination in employment prohibitions as described  
17 in section 216.6A.

18 DIVISION V

19 WAGE DISCRIMINATION IN EMPLOYMENT

20 Sec. 23. Section 216.6A, Code 2016, is amended by  
21 adding the following new subsection:

22 NEW SUBSECTION. 2A. It shall be an unfair or  
23 discriminatory practice for any employer or agent of  
24 any employer to do any of the following:

25 a. Require, as a condition of employment, that  
26 an employee refrain from disclosing, discussing,  
27 or sharing information about the amount of the  
28 employee's wages, benefits, or other compensation or  
29 from inquiring, discussing, or sharing information  
30 about any other employee's wages, benefits, or other  
31 compensation.

32 b. Require, as a condition of employment, that an  
33 employee sign a waiver or other document that requires  
34 an employee to refrain from engaging in any of the  
35 activities permitted under paragraph "a".

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1 c. Discriminate or retaliate against an employee  
2 for engaging in any of the activities permitted under  
3 paragraph "a".

4 d. Seek salary history information, including  
5 but not limited to information on compensation and  
6 benefits, from a potential employee as a condition of a  
7 job interview or employment. This paragraph shall not  
8 be construed to prohibit a prospective employer from  
9 asking a prospective employee what salary level the  
10 prospective employee would require in order to accept

- 11 a job.
- 12 e. Release the salary history, including but  
13 not limited to information on compensation and  
14 benefits, of any current or former employee to any  
15 prospective employer in response to a request as part  
16 of an interview or hiring process without written  
17 authorization from such current or former employee.
- 18 f. Publish, list, or post within the employer's  
19 organization, with any employment agency, job-listing  
20 service, or internet site, or in any other public  
21 manner, an advertisement to recruit candidates for hire  
22 or independent contractors to fill a position within  
23 the employer's organization without including the  
24 minimum rate of pay of the position. The rate of pay  
25 may be by the hour, shift, day, week, salary, piece,  
26 commission, or other applicable rate. The rate of pay  
27 shall include overtime and allowances, if any, claimed  
28 as part of the minimum wage, including but not limited  
29 to tipped wages.
- 30 g. Pay a newly hired employee at less than the  
31 rate of pay advertised for the employee's position as  
32 required under paragraph "f".

## DIVISION VI

- 34 WAGE DISCRIMINATION — EQUAL PAY TASK FORCE AND REPORT  
35 Sec. 24. EQUAL PAY TASK FORCE AND REPORT.

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- 1 1. An equal pay task force is created. The task  
2 force shall consist of the following members:
- 3 a. The director of the civil rights commission, or  
4 the director's designee.
- 5 b. The director of the department of human rights,  
6 or the director's designee.
- 7 c. An employee of the labor market information  
8 division of the department of workforce development  
9 designated by the director of the department.
- 10 d. A representative of the association of business  
11 and industry, appointed by the president of the  
12 association.
- 13 e. A member of a statewide labor organization  
14 designated by the legislative council, appointed by the  
15 president of the organization.
- 16 f. Two representatives of organizations whose  
17 objectives include the elimination of pay disparities  
18 between men and women and minorities and nonminorities  
19 and that have undertaken advocacy, educational, or  
20 legislative initiatives in pursuit of such objectives  
21 appointed by the director of the civil rights  
22 commission in consultation with the leadership of those  
23 organizations.
- 24 g. Two representatives of postsecondary education

25 institutions who have experience and expertise in  
26 the collection and analysis of data concerning pay  
27 disparities between men and women and minorities and  
28 nonminorities and whose research has been used in  
29 efforts to promote the elimination of such disparities  
30 appointed by the director of the civil rights  
31 commission in consultation with the leadership of those  
32 institutions.  
33 h. Four members of the general assembly serving  
34 as ex officio, nonvoting members, one representative  
35 to be appointed by the speaker of the house of

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1 representatives, one representative to be appointed by  
2 the minority leader of the house of representatives,  
3 one senator to be appointed by the majority leader of  
4 the senate, and one senator to be appointed by the  
5 minority leader of the senate.  
6 2. The task force shall study all of the following:  
7 a. The extent of wage disparities, both in the  
8 public and private sectors, between men and women and  
9 between minorities and nonminorities.  
10 b. Factors that cause, or which tend to cause, such  
11 disparities, including segregation between women and  
12 men and between minorities and nonminorities across  
13 and within occupations, payment of lower wages for  
14 work in female-dominated occupations, child-rearing  
15 responsibilities, the number of women who are heads of  
16 households, education, hours worked, and years on the  
17 job.  
18 c. The consequences of such disparities on the  
19 economy and affected families.  
20 d. Actions likely to lead to the elimination and  
21 prevention of such disparities.  
22 3. The civil rights commission shall provide  
23 staffing services for the task force.  
24 4. The voting members shall elect a chairperson  
25 from the voting membership of the task force. A  
26 majority of the voting members of the task force  
27 constitutes a quorum.  
28 5. Voting members of the task force shall receive  
29 reimbursement for actual expenses incurred while  
30 serving in their official capacity only if they are not  
31 eligible for reimbursement by the organization that  
32 they represent. Legislative members shall be paid the  
33 per diem and expenses specified in section 2.10.  
34 6. The task force shall submit a report regarding  
35 its findings and its recommendations regarding

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1 potential actions for the elimination and prevention  
 2 of disparities in wages between men and women and  
 3 minorities and nonminorities to the governor and the  
 4 general assembly no later than December 22, 2017.>  
 5 2. By renumbering as necessary.>

HALL of Woodbury

H-8246

1 Amend House File 2439, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 4, by striking lines 9 through 15 and  
 4 inserting:  
 5 ~~<f. g.(1) If moneys remain in the fund after~~  
 6 ~~fully paying all obligations under paragraphs "a",~~  
 7 ~~"b", "c", "d", and "e", and "f", the remainder may~~  
 8 ~~be accumulated in the fund as a carryover operating~~  
 9 ~~surplus. an amount of up to four million four hundred~~  
 10 ~~thousand dollars shall, for the fiscal year beginning~~  
 11 ~~July 1, 2016, and ending June 30, 2017, be expended and~~  
 12 ~~distributed in the following priority order:~~  
 13 (a) (i) ~~The director, in consultation with the~~  
 14 ~~program manager and the E911 communications council,~~  
 15 ~~may provide grants to any public safety answering point~~  
 16 ~~agreeing to consolidate.>~~  
 17 2. Page 4, by striking lines 30 and 31 and  
 18 inserting:  
 19 ~~< (ii) Grants provided under this subparagraph may,~~  
 20 ~~subject to available funding, be provided until June~~  
 21 ~~30, 2022.>~~  
 22 3. Page 5, by striking lines 12 through 16 and  
 23 inserting:  
 24 ~~< (c) The remaining surplus shall be used to fund~~  
 25 ~~future network and public safety answering point~~  
 26 ~~improvements for program manager shall allocate an~~  
 27 ~~equal amount of moneys to each public safety answering~~  
 28 ~~point for the following costs:>~~

SENATE AMENDMENT

H-8247

1 Amend House File 2460 as follows:  
 2 1. Page 41, line 14, by striking ~~<17,045,964>~~ and  
 3 inserting ~~<19,119,864>~~  
 4 2. Page 43, after line 3 by inserting:  
 5 ~~< . Of the funds appropriated in this section,~~  
 6 ~~\$2,073,900 shall be used for the purposes of additional~~  
 7 ~~Medicaid managed care oversight requirements as~~

8 otherwise specified in this Act, \$360,000 of which  
 9 shall be transferred to the appropriation in this Act  
 10 for the office of long-term care ombudsman to be used  
 11 for the purposes specified in section 231.44.

12 3. Page 85, after line 4 by inserting:

13 <REPORTING OF EXISTING DATA REQUIREMENTS, MINUTES, AND  
 14 RECOMMENDATIONS>

15 4. Page 92, after line 18 by inserting:

16 <DIVISION \_\_\_\_  
 17 MEDICAID MANAGED CARE — ADDITIONAL OVERSIGHT  
 18 REQUIREMENTS

19 Sec. \_\_\_\_ LEGISLATIVE FINDINGS — GOALS AND INTENT.

20 1. The general assembly finds all of the following:

21 a. In the majority of states, Medicaid managed care  
 22 has been introduced on an incremental basis, beginning  
 23 with the enrollment of low-income children and parents  
 24 and proceeding in stages to include nonelderly persons  
 25 with disabilities and older individuals. Iowa, unlike  
 26 the majority of states, is implementing Medicaid  
 27 managed care simultaneously across a broad and diverse  
 28 population that includes individuals with complex  
 29 health care and long-term services and supports needs,  
 30 making these individuals especially vulnerable to  
 31 receiving inappropriate, inadequate, or substandard  
 32 services and supports.

33 b. The success or failure of Medicaid managed  
 34 care in Iowa depends on proper strategic planning and  
 35 strong oversight, and the incorporation of the core

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1 values, principles, and goals of the strategic plan  
 2 into Medicaid managed care contractual obligations.  
 3 While Medicaid managed care techniques may create  
 4 pathways and offer opportunities toward quality  
 5 improvement and predictability in costs, if cost  
 6 savings and administrative efficiencies are the  
 7 primary goals, Medicaid managed care may instead erect  
 8 new barriers and limit the care and support options  
 9 available, especially to high-need, vulnerable Medicaid  
 10 recipients. A well-designed strategic plan and  
 11 effective oversight ensure that cost savings, improved  
 12 health outcomes, and efficiencies are not achieved  
 13 at the expense of diminished program integrity, a  
 14 reduction in the quality or availability of services,  
 15 or adverse consequences to the health and well-being of  
 16 Medicaid recipients.

17 c. Strategic planning should include all of the  
 18 following:

19 (1) Guidance in establishing and maintaining a  
 20 robust and appropriate workforce and a provider network  
 21 capable of addressing all of the diverse, distinct, and

22 wide-ranging treatment and support needs of Medicaid  
23 recipients.

24 (2) Developing a sound methodology for establishing  
25 and adjusting capitation rates to account for all  
26 essential costs involved in treating and supporting the  
27 entire spectrum of needs across recipient populations.

28 (3) Addressing the sufficiency of information and  
29 data resources to enable review of factors such as  
30 utilization, service trends, system performance, and  
31 outcomes.

32 (4) Building effective working relationships and  
33 developing strategies to support community-level  
34 integration that provides cross-system coordination  
35 and synchronization among the various service sectors,

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1 providers, agencies, and organizations to further  
2 holistic well-being and population health goals.  
3 d. While the contracts entered into between the  
4 state and managed care organizations function as a  
5 mechanism for enforcing requirements established by the  
6 federal and state governments and allow states to shift  
7 the financial risk associated with caring for Medicaid  
8 recipients to these contractors, the state ultimately  
9 retains responsibility for the Medicaid program and  
10 the oversight of the performance of the program's  
11 contractors. Administration of the Medicaid program  
12 benefits by managed care organizations should not be  
13 viewed by state policymakers and state agencies as a  
14 means of divesting themselves of their constitutional  
15 and statutory responsibilities to ensure that  
16 recipients of publicly funded services and supports, as  
17 well as taxpayers in general, are effectively served.

18 e. Overseeing the performance of Medicaid managed  
19 care contractors requires a different set of skills  
20 than those required for administering a fee-for-service  
21 program. In the absence of the in-house capacity of  
22 the department of human services to perform tasks  
23 specific to Medicaid managed care oversight, the state  
24 essentially cedes its responsibilities to private  
25 contractors and relinquishes its accountability to the  
26 public. In order to meet these responsibilities, state  
27 policymakers must ensure that the state, including the  
28 department of human services as the state Medicaid  
29 agency, has the authority and resources, including  
30 the adequate number of qualified personnel and the  
31 necessary tools, to carry out these responsibilities,  
32 provide effective administration, and ensure  
33 accountability and compliance.

34 f. State policymakers must also ensure that  
35 Medicaid managed care contracts contain, at a minimum,

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1 clear, unambiguous performance standards, operating  
 2 guidelines, data collection, maintenance, retention,  
 3 and reporting requirements, and outcomes expectations  
 4 so that contractors and subcontractors are held  
 5 accountable to clear contract specifications.

6 g. As with all system and program redesign efforts  
 7 undertaken in the state to date, the assumption  
 8 of the administration of Medicaid program benefits  
 9 by managed care organizations must involve ongoing  
 10 stakeholder input and earn the trust and support of  
 11 these stakeholders. Medicaid recipients, providers,  
 12 advocates, and other stakeholders have intimate  
 13 knowledge of the people and processes involved in  
 14 ensuring the health and safety of Medicaid recipients,  
 15 and are able to offer valuable insight into the  
 16 barriers likely to be encountered as well as propose  
 17 solutions for overcoming these obstacles. Local  
 18 communities and providers of services and supports  
 19 have firsthand experience working with the Medicaid  
 20 recipients they serve and are able to identify factors  
 21 that must be considered to make a system successful.  
 22 Agencies and organizations that have specific expertise  
 23 and experience with the services and supports needs of  
 24 Medicaid recipients and their families are uniquely  
 25 placed to provide needed assistance in developing  
 26 the measures for and in evaluating the quality of the  
 27 program.

28 2. It is the intent of the general assembly that  
 29 the Medicaid program be implemented and administered,  
 30 including through Medicaid managed care policies  
 31 and contract provisions, in a manner that safeguards  
 32 the interests of Medicaid recipients, encourages the  
 33 participation of Medicaid providers, and protects  
 34 the interests of all taxpayers, while attaining the  
 35 goals of Medicaid modernization to improve quality and

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1 access, promote accountability for outcomes, and create  
 2 a more predictable and sustainable Medicaid budget.

3 HEALTH POLICY OVERSIGHT COMMITTEE  
 4 Sec. \_\_\_\_ Section 2.45, subsection 6, Code 2016, is  
 5 amended to read as follows:

6 6. The legislative health policy oversight  
 7 committee, which shall be composed of ten members of  
 8 the general assembly, consisting of five members from  
 9 each house, to be appointed by the legislative council.  
 10 The legislative health policy oversight committee  
 11 shall ~~receive updates and review data, public input and~~  
 12 ~~concerns, and make recommendations for improvements to~~

13 and changes in law or rule regarding Medicaid managed  
 14 care meet at least four times annually to evaluate  
 15 state health policy and provide continuing oversight  
 16 for publicly funded programs, including but not limited  
 17 to all facets of the Medicaid and hawk-i programs  
 18 to, at a minimum, ensure effective and efficient  
 19 administration of these programs, address stakeholder  
 20 concerns, monitor program costs and expenditures, and  
 21 make recommendations relative to the programs.  
 22 Sec. \_\_. HEALTH POLICY OVERSIGHT COMMITTEE  
 23 — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE  
 24 INTERIM. During the 2016 legislative interim, the  
 25 health policy oversight committee created in section  
 26 2.45 shall, as part of the committee's evaluation  
 27 of state health policy and review of all facets of  
 28 the Medicaid and hawk-i programs, review and make  
 29 recommendations regarding, at a minimum, all of the  
 30 following:  
 31 1. The resources and duties of the office of  
 32 long-term care ombudsman relating to the provision of  
 33 assistance to and advocacy for Medicaid recipients  
 34 to determine the designation of duties and level of  
 35 resources necessary to appropriately address the needs

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1 of such individuals. The committee shall consider the  
 2 health consumer ombudsman alliance report submitted to  
 3 the general assembly in December 2015, as well as input  
 4 from the office of long-term care ombudsman and other  
 5 entities in making recommendations.  
 6 2. The health benefits and health benefit  
 7 utilization management criteria for the Medicaid  
 8 and hawk-i programs to determine the sufficiency  
 9 and appropriateness of the benefits offered and the  
 10 utilization of these benefits.  
 11 3. Prior authorization requirements relative  
 12 to benefits provided under the Medicaid and hawk-i  
 13 programs, including but not limited to pharmacy  
 14 benefits.  
 15 4. Consistency and uniformity in processes,  
 16 procedures, forms, and other activities across all  
 17 Medicaid and hawk-i program participating insurers and  
 18 managed care organizations, including but not limited  
 19 to cost and quality reporting, credentialing, billing,  
 20 prior authorization, and critical incident reporting.  
 21 5. Provider network adequacy including the use of  
 22 out-of-network and out-of-state providers.  
 23 6. The role and interplay of other advisory and  
 24 oversight entities, including but not limited to the  
 25 medical assistance advisory council and the hawk-i  
 26 board.



27 REVIEW OF PROGRAM INTEGRITY DUTIES  
 28 Sec. \_\_\_\_ REVIEW OF PROGRAM INTEGRITY DUTIES —  
 29 WORKGROUP — REPORT.  
 30 1. The director of human services shall convene  
 31 a workgroup comprised of members including the  
 32 commissioner of insurance, the auditor of state, the  
 33 Medicaid director and bureau chiefs of the managed care  
 34 organization oversight and supports bureau, the Iowa  
 35 Medicaid enterprise support bureau, and the medical

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1 and long-term services and supports bureau, and a  
 2 representative of the program integrity unit, or their  
 3 designees; and representatives of other appropriate  
 4 state agencies or other entities including but not  
 5 limited to the office of the attorney general, the  
 6 office of long-term care ombudsman, and the Medicaid  
 7 fraud control unit of the investigations division  
 8 of the department of inspections and appeals. The  
 9 workgroup shall do all of the following:  
 10 a. Review the duties of each entity with  
 11 responsibilities relative to Medicaid program integrity  
 12 and managed care organizations; review state and  
 13 federal laws, regulations, requirements, guidance, and  
 14 policies relating to Medicaid program integrity and  
 15 managed care organizations; and review the laws of  
 16 other states relating to Medicaid program integrity  
 17 and managed care organizations. The workgroup shall  
 18 determine areas of duplication, fragmentation,  
 19 and gaps; shall identify possible integration,  
 20 collaboration and coordination of duties; and shall  
 21 determine whether existing general state Medicaid  
 22 program and fee-for-service policies, laws, and  
 23 rules are sufficient, or if changes or more specific  
 24 policies, laws, and rules are required to provide  
 25 for comprehensive and effective administration and  
 26 oversight of the Medicaid program including under the  
 27 fee-for-service and managed care methodologies.  
 28 b. Review historical uses of the Medicaid  
 29 fraud fund created in section 249A.50 and make  
 30 recommendations for future uses of the moneys in the  
 31 fund and any changes in law necessary to adequately  
 32 address program integrity.  
 33 c. Review medical loss ratio provisions relative  
 34 to Medicaid managed care contracts and make  
 35 recommendations regarding, at a minimum, requirements

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1 for the necessary collection, maintenance, retention,  
 2 reporting, and sharing of data and information by

3 Medicaid managed care organizations for effective  
4 determination of compliance, and to identify the  
5 costs and activities that should be included in the  
6 calculation of administrative costs, medical costs or  
7 benefit expenses, health quality improvement costs,  
8 and other costs and activities incidental to the  
9 determination of a medical loss ratio.

10 d. Review the capacity of state agencies, including  
11 the need for specialized training and expertise, to  
12 address Medicaid and managed care organization program  
13 integrity and provide recommendations for the provision  
14 of necessary resources and infrastructure, including  
15 annual budget projections.

16 e. Review the incentives and penalties applicable  
17 to violations of program integrity requirements to  
18 determine their adequacy in combating waste, fraud,  
19 abuse, and other violations that divert limited  
20 resources that would otherwise be expended to safeguard  
21 the health and welfare of Medicaid recipients, and make  
22 recommendations for necessary adjustments to improve  
23 compliance.

24 f. Make recommendations regarding the quarterly and  
25 annual auditing of financial reports required to be  
26 performed for each Medicaid managed care organization  
27 to ensure that the activities audited provide  
28 sufficient information to the division of insurance  
29 of the department of commerce and the department  
30 of human services to ensure program integrity. The  
31 recommendations shall also address the need for  
32 additional audits or other reviews of managed care  
33 organizations.

34 g. Review and make recommendations to prohibit  
35 cost-shifting between state and local and public and

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1 private funding sources for services and supports  
2 provided to Medicaid recipients whether directly or  
3 indirectly through the Medicaid program.

4 2. The department of human services shall submit  
5 a report of the workgroup to the governor, the health  
6 policy oversight committee created in section 2.45,  
7 and the general assembly initially, on or before  
8 November 15, 2016, and on or before November 15,  
9 on an annual basis thereafter, to provide findings  
10 and recommendations for a coordinated approach  
11 to comprehensive and effective administration and  
12 oversight of the Medicaid program including under the  
13 fee-for-service and managed care methodologies.

14 MEDICAID OMBUDSMAN

15 Sec. \_\_\_\_ Section 231.44, Code 2016, is amended to  
16 read as follows:

17 **231.44 Utilization of resources — assistance and**  
 18 **advocacy related to long-term services and supports**  
 19 **under the Medicaid program.**

20 1. The office of long-term care ombudsman ~~may~~  
 21 shall utilize its available resources to provide  
 22 assistance and advocacy services to eligible recipients  
 23 of long-term services and supports, or individuals  
 24 seeking long-term services and supports, and the  
 25 families or legal representatives of such eligible  
 26 recipients, of long-term services and supports provided  
 27 through individuals under the Medicaid program. Such  
 28 assistance and advocacy shall include but is not  
 29 limited to all of the following:  
 30 a. Assisting recipients such individuals in  
 31 understanding the services, coverage, and access  
 32 provisions and their rights under Medicaid managed  
 33 care.  
 34 b. Developing procedures for the tracking and  
 35 reporting of the outcomes of individual requests for

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1 assistance, the obtaining of necessary services and  
 2 supports, and other aspects of the services provided to  
 3 ~~eligible recipients such individuals.~~  
 4 c. Providing advice and assistance relating to the  
 5 preparation and filing of complaints, grievances, and  
 6 appeals of complaints or grievances, including through  
 7 processes available under managed care plans and the  
 8 state appeals process, relating to long-term services  
 9 and supports under the Medicaid program.  
 10 d. Accessing the results of a review of a level  
 11 of care assessment or reassessment by a managed care  
 12 organization in which the managed care organization  
 13 recommends denial or limited authorization of a  
 14 service, including the type or level of service, the  
 15 reduction, suspension, or termination of a previously  
 16 authorized service, or a change in level of care, upon  
 17 the request of an affected individual.  
 18 e. Receiving notices of disenrollment or notices  
 19 that would result in a change in level of care for  
 20 affected individuals, including involuntary and  
 21 voluntary discharges or transfers, from the department  
 22 of human services or a managed care organization.  
 23 2. A representative of the office of long-term care  
 24 ombudsman providing assistance and advocacy services  
 25 authorized under this section for an individual,  
 26 shall be provided access to the individual, and shall  
 27 be provided access to the individual's medical and  
 28 social records as authorized by the individual or the  
 29 individual's legal representative, as necessary to  
 30 carry out the duties specified in this section.

31 3. A representative of the office of long-term care  
32 ombudsman providing assistance and advocacy services  
33 authorized under this section for an individual, shall  
34 be provided access to administrative records related to  
35 the provision of the long-term services and supports to

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1 the individual, as necessary to carry out the duties  
2 specified in this section.  
3 4. The office of long-term care ombudsman and  
4 representatives of the office, when providing  
5 assistance and advocacy services under this section,  
6 shall be considered a health oversight agency as  
7 defined in 45 C.F.R. §164.501 for the purposes of  
8 health oversight activities as described in 45 C.F.R.  
9 §164.512(d) including access to the health records  
10 and other appropriate information of an individual,  
11 including from the department of human services or  
12 the applicable Medicaid managed care organization,  
13 as necessary to fulfill the duties specified under  
14 this section. The department of human services,  
15 in collaboration with the office of long-term care  
16 ombudsman, shall adopt rules to ensure compliance  
17 by affected entities with this subsection and to  
18 ensure recognition of the office of long-term care  
19 ombudsman as a duly authorized and identified agent or  
20 representative of the state.  
21 5. The department of human services and Medicaid  
22 managed care organizations shall inform eligible  
23 and potentially eligible Medicaid recipients of the  
24 advocacy services and assistance available through the  
25 office of long-term care ombudsman and shall provide  
26 contact and other information regarding the advocacy  
27 services and assistance to eligible and potentially  
28 eligible Medicaid recipients as directed by the office  
29 of long-term care ombudsman.  
30 6. When providing assistance and advocacy services  
31 under this section, the office of long-term care  
32 ombudsman shall act as an independent agency, and the  
33 office of long-term care ombudsman and representatives  
34 of the office shall be free of any undue influence that  
35 restrains the ability of the office or the office's

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1 representatives from providing such services and  
2 assistance.  
3 7. The office of long-term care ombudsman shall, in  
4 addition to other duties prescribed and at a minimum,  
5 do all of the following in the furtherance of the  
6 provision of advocacy services and assistance under

7 this section:

- 8 a. Represent the interests of eligible and  
 9 potentially eligible Medicaid recipients before  
 10 governmental agencies.  
 11 b. Analyze, comment on, and monitor the development  
 12 and implementation of federal, state, and local laws,  
 13 regulations, and other governmental policies and  
 14 actions, and recommend any changes in such laws,  
 15 regulations, policies, and actions as determined  
 16 appropriate by the office of long-term care ombudsman.  
 17 c. To maintain transparency and accountability for  
 18 activities performed under this section, including  
 19 for the purposes of claiming federal financial  
 20 participation for activities that are performed to  
 21 assist with administration of the Medicaid program:  
 22 (1) Have complete and direct responsibility for the  
 23 administration, operation, funding, fiscal management,  
 24 and budget related to such activities, and directly  
 25 employ, oversee, and supervise all paid and volunteer  
 26 staff associated with these activities.  
 27 (2) Establish separation-of-duties requirements,  
 28 provide limited access to work space and work  
 29 product for only necessary staff, and limit access to  
 30 documents and information as necessary to maintain the  
 31 confidentiality of the protected health information of  
 32 individuals served under this section.  
 33 (3) Collect and submit, annually, to the governor,  
 34 the health policy oversight committee created in  
 35 section 2.45, and the general assembly, all of the

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- 1 following with regard to those seeking advocacy  
 2 services or assistance under this section:  
 3 (a) The number of contacts by contact type and  
 4 geographic location.  
 5 (b) The type of assistance requested including the  
 6 name of the managed care organization involved, if  
 7 applicable.  
 8 (c) The time frame between the time of the initial  
 9 contact and when an initial response was provided.  
 10 (d) The amount of time from the initial contact to  
 11 resolution of the problem or concern.  
 12 (e) The actions taken in response to the request  
 13 for advocacy or assistance.  
 14 (f) The outcomes of requests to address problems or  
 15 concerns.  
 16 4. 8. For the purposes of this section:  
 17 a. "Institutional setting" includes a long-term care  
 18 facility, an elder group home, or an assisted living  
 19 program.  
 20 b. "Long-term services and supports" means the broad

21 range of health, health-related, and personal care  
 22 assistance services and supports, provided in both  
 23 institutional settings and home and community-based  
 24 settings, necessary for older individuals and persons  
 25 with disabilities who experience limitations in their  
 26 capacity for self-care due to a physical, cognitive, or  
 27 mental disability or condition.

28 Sec. \_\_\_\_ NEW SECTION. **231.44A Willful**  
 29 **interference with duties related to long-term services**  
 30 **and supports — penalty.**

31 Willful interference with a representative of the  
 32 office of long-term care ombudsman in the performance  
 33 of official duties in accordance with section 231.44  
 34 is a violation of section 231.44, subject to a penalty  
 35 prescribed by rule. The office of long-term care

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1 ombudsman shall adopt rules specifying the amount of a  
 2 penalty imposed, consistent with the penalties imposed  
 3 under section 231.42, subsection 8, and specifying  
 4 procedures for notice and appeal of penalties imposed.

5 **MEDICAL ASSISTANCE ADVISORY COUNCIL**

6 Sec. \_\_\_\_ Section 249A.4B, Code 2016, is amended to  
 7 read as follows:

8 **249A.4B Medical assistance advisory council.**

9 1. A medical assistance advisory council is  
 10 created to comply with 42 C.F.R. §431.12 based on  
 11 section 1902(a)(4) of the federal Social Security Act

12 and to advise the director about health and medical  
 13 care services under the ~~medical assistance~~ Medicaid  
 14 program, participate in Medicaid policy development  
 15 and program administration, and provide guidance on  
 16 key issues related to the Medicaid program, whether  
 17 administered under a fee-for-service, managed care, or  
 18 other methodology, including but not limited to access  
 19 to care, quality of care, and service delivery.

20 a. The council shall have the opportunity for  
 21 participation in policy development and program  
 22 administration, including furthering the participation  
 23 of recipients of the program, and without limiting this  
 24 general authority shall specifically do all of the  
 25 following:

26 (1) Formulate, review, evaluate, and recommend  
 27 policies, rules, agency initiatives, and legislation  
 28 pertaining to the Medicaid program. The council shall  
 29 have the opportunity to comment on proposed rules  
 30 prior to commencement of the rulemaking process and on  
 31 waivers and state plan amendment applications.

32 (2) Prior to the annual budget development process,  
 33 engage in setting priorities, including consideration

34 of the scope and utilization management criteria  
 35 for benefits, beneficiary eligibility, provider and

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1 services reimbursement rates, and other budgetary  
 2 issues.  
 3 (3) Provide oversight for and review of the  
 4 administration of the Medicaid program.  
 5 (4) Ensure that the membership of the council  
 6 effectively represents all relevant and concerned  
 7 viewpoints, particularly those of consumers, providers,  
 8 and the general public; create public understanding;  
 9 and ensure that the services provided under the  
 10 Medicaid program meet the needs of the people served.  
 11 b. The council shall meet ~~no more than~~ at least  
 12 quarterly, and prior to the next subsequent meeting  
 13 of the executive committee. ~~The director of public~~  
 14 health ~~The public member acting as a co-chairperson~~  
 15 of the executive committee and the professional or  
 16 business entity member acting as a co-chairperson of  
 17 the executive committee, shall serve as ~~chairperson~~  
 18 co-chairpersons of the council.  
 19 2. The council shall include all of the following  
 20 voting members:  
 21 a. The president, or the president's  
 22 representative, of each of the following professional  
 23 or business entities, or a member of each of the  
 24 following professional or business entities, selected  
 25 by the entity:  
 26 (1) The Iowa medical society.  
 27 (2) The Iowa osteopathic medical association.  
 28 (3) The Iowa academy of family physicians.  
 29 (4) The Iowa chapter of the American academy of  
 30 pediatrics.  
 31 (5) The Iowa physical therapy association.  
 32 (6) The Iowa dental association.  
 33 (7) The Iowa nurses association.  
 34 (8) The Iowa pharmacy association.  
 35 (9) The Iowa podiatric medical society.

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1 (10) The Iowa optometric association.  
 2 (11) The Iowa association of community providers.  
 3 (12) The Iowa psychological association.  
 4 (13) The Iowa psychiatric society.  
 5 (14) The Iowa chapter of the national association  
 6 of social workers.  
 7 (15) The coalition for family and children's  
 8 services in Iowa.  
 9 (16) The Iowa hospital association.

- 10 (17) The Iowa association of rural health clinics.  
 11 (18) The Iowa primary care association.  
 12 (19) Free clinics of Iowa.  
 13 (20) The opticians' association of Iowa, inc.  
 14 (21) The Iowa association of hearing health  
 15 professionals.  
 16 (22) The Iowa speech and hearing association.  
 17 (23) The Iowa health care association.  
 18 (24) The Iowa association of area agencies on  
 19 aging.  
 20 (25) AARP.  
 21 (26) The Iowa caregivers association.  
 22 (27) The Iowa coalition of home and community-based  
 23 services for seniors.  
 24 (28) The Iowa adult day services association.  
 25 (29) Leading age Iowa.  
 26 (30) The Iowa association for home care.  
 27 (31) The Iowa council of health care centers.  
 28 (32) The Iowa physician assistant society.  
 29 (33) The Iowa association of nurse practitioners.  
 30 (34) The Iowa nurse practitioner society.  
 31 (35) The Iowa occupational therapy association.  
 32 (36) The ARC of Iowa, formerly known as the  
 33 association for retarded citizens of Iowa.  
 34 (37) The national alliance for the mentally ill on  
 35 mental illness of Iowa.

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- 1 (38) The Iowa state association of counties.  
 2 (39) The Iowa developmental disabilities council.  
 3 (40) The Iowa chiropractic society.  
 4 (41) The Iowa academy of nutrition and dietetics.  
 5 (42) The Iowa behavioral health association.  
 6 (43) The midwest association for medical equipment  
 7 services or an affiliated Iowa organization.  
 8 (44) The Iowa public health association.  
 9 (45) The epilepsy foundation.  
 10 b. Public representatives which may include members  
 11 of consumer groups, including recipients of medical  
 12 assistance or their families, consumer organizations,  
 13 and others, which shall be appointed by the governor  
 14 in equal in a number to the number of representatives of  
 15 the professional and business entities specifically  
 16 represented under paragraph "a", appointed by the  
 17 governor for staggered terms of two years each, none  
 18 of whom shall be members of, or practitioners of, or  
 19 have a pecuniary interest in any of the professional  
 20 or business entities specifically represented under  
 21 paragraph "a", and a majority of whom shall be current  
 22 or former recipients of medical assistance or members  
 23 of the families of current or former recipients.



24 3. The council shall include all of the following  
 25 nonvoting members:  
 26 ~~e.~~ a. The director of public health, or the  
 27 director's designee.  
 28 ~~d.~~ b. The director of the department on aging, or  
 29 the director's designee.  
 30 c. The state long-term care ombudsman, or the  
 31 ombudsman's designee.  
 32 d. The ombudsman appointed pursuant to section  
 33 2C.3, or the ombudsman's designee.  
 34 e. The dean of Des Moines university — osteopathic  
 35 medical center, or the dean's designee.

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1 f. The dean of the university of Iowa college of  
 2 medicine, or the dean's designee.  
 3 g. The following members of the general assembly,  
 4 each for a term of two years as provided in section  
 5 69.16B:  
 6 (1) Two members of the house of representatives,  
 7 one appointed by the speaker of the house of  
 8 representatives and one appointed by the minority  
 9 leader of the house of representatives from their  
 10 respective parties.  
 11 (2) Two members of the senate, one appointed by the  
 12 president of the senate after consultation with the  
 13 majority leader of the senate and one appointed by the  
 14 minority leader of the senate.  
 15 ~~3.~~ 4. a. An executive committee of the council is  
 16 created and shall consist of the following members of  
 17 the council:  
 18 (1) As voting members:  
 19 (a) Five of the professional or business entity  
 20 members designated pursuant to subsection 2, paragraph  
 21 "a", and selected by the members specified under that  
 22 paragraph.  
 23 ~~(2)~~ (b) Five of the public members appointed  
 24 pursuant to subsection 2, paragraph "b", and selected  
 25 by the members specified under that paragraph. Of the  
 26 five public members, at least one member shall be a  
 27 recipient of medical assistance.  
 28 ~~(3)~~ (2) As nonvoting members:  
 29 (a) The director of public health, or the  
 30 director's designee.  
 31 (b) The director of the department on aging, or the  
 32 director's designee.  
 33 (c) The state long-term care ombudsman, or the  
 34 ombudsman's designee.  
 35 (d) The ombudsman appointed pursuant to section

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1 2C.3, or the ombudsman's designee.  
 2 b. The executive committee shall meet on a monthly  
 3 basis. ~~The director of public health~~ A public member  
 4 of the executive committee selected by the public  
 5 members appointed pursuant to subsection 2, paragraph  
 6 "b", and a professional or business entity member of  
 7 the executive committee selected by the professional  
 8 or business entity members appointed pursuant to  
 9 subsection 2, paragraph "a", shall serve as chairperson  
 10 co-chairpersons of the executive committee.  
 11 c. Based upon the deliberations of the council,  
 12 and the executive committee, and the subcommittees,  
 13 the executive committee, the council, and the  
 14 subcommittees, respectively, shall make recommendations  
 15 to the director, to the health policy oversight  
 16 committee created in section 2.45, to the general  
 17 assembly's joint appropriations subcommittee on health  
 18 and human services, and to the general assembly's  
 19 standing committees on human resources regarding the  
 20 budget, policy, and administration of the medical  
 21 assistance program.  
 22 5. a. The council shall create the following  
 23 subcommittees, and may create additional subcommittees  
 24 as necessary to address Medicaid program policies,  
 25 administration, budget, and other factors and issues:  
 26 (1) A stakeholder safeguards subcommittee, for  
 27 which the co-chairpersons shall be a public member  
 28 of the council appointed pursuant to subsection 2,  
 29 paragraph "b", and selected by the public members of  
 30 the council, and a representative of a professional  
 31 or business entity appointed pursuant to subsection  
 32 2, paragraph "a", and selected by the professional or  
 33 business entity representatives of the council. The  
 34 mission of the stakeholder safeguards subcommittee  
 35 is to provide for ongoing stakeholder engagement and

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1 feedback on issues affecting Medicaid recipients,  
 2 providers, and other stakeholders, including but not  
 3 limited to benefits such as transportation, benefit  
 4 utilization management, the inclusion of out-of-state  
 5 and out-of-network providers and the use of single-case  
 6 agreements, and reimbursement of providers and  
 7 services.  
 8 (2) The long-term services and supports  
 9 subcommittee which shall be chaired by the state  
 10 long-term care ombudsman, or the ombudsman's designee.  
 11 The mission of the long-term services and supports  
 12 subcommittee is to be a resource and to provide advice

13 on policy development and program administration  
14 relating to Medicaid long-term services and supports  
15 including but not limited to developing outcomes and  
16 performance measures for Medicaid managed care for the  
17 long-term services and supports population; addressing  
18 issues related to home and community-based services  
19 waivers and waiting lists; and reviewing the system of  
20 long-term services and supports to ensure provision of  
21 home and community-based services and the rebalancing  
22 of the health care infrastructure in accordance with  
23 state and federal law including but not limited to the  
24 principles established in *Olmstead v. L.C.*, 527 U.S.  
25 581 (1999) and the federal Americans with Disabilities  
26 Act and in a manner that reflects a sustainable,  
27 person-centered approach to improve health and life  
28 outcomes, supports maximum independence, addresses  
29 medical and social needs in a coordinated, integrated  
30 manner, and provides for sufficient resources including  
31 a stable, well-qualified workforce. The subcommittee  
32 shall also address and make recommendations regarding  
33 the need for an ombudsman function for eligible and  
34 potentially eligible Medicaid recipients beyond the  
35 long-term services and supports population.

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1 (3) The transparency, data, and program evaluation  
2 subcommittee which shall be chaired by the director of  
3 the university of Iowa public policy center, or the  
4 director's designee. The mission of the transparency,  
5 data, and program evaluation subcommittee is to  
6 ensure Medicaid program transparency; ensure the  
7 collection, maintenance, retention, reporting, and  
8 analysis of sufficient and meaningful data to provide  
9 transparency and inform policy development and program  
10 effectiveness; support development and administration  
11 of a consumer-friendly dashboard; and promote the  
12 ongoing evaluation of Medicaid stakeholder satisfaction  
13 with the Medicaid program.

14 (4) The program integrity subcommittee which shall  
15 be chaired by the Medicaid director, or the director's  
16 designee. The mission of the program integrity  
17 subcommittee is to ensure that a comprehensive system  
18 including specific policies, laws, and rules and  
19 adequate resources and measures are in place to  
20 effectively administer the program and to maintain  
21 compliance with federal and state program integrity  
22 requirements.

23 (5) A health workforce subcommittee, co-chaired  
24 by the bureau chief of the bureau of oral and health  
25 delivery systems of the department of public health,  
26 or the bureau chief's designee, and the director of

27 the national alliance on mental illness of Iowa, or  
 28 the director's designee. The mission of the health  
 29 workforce subcommittee is to assess the sufficiency  
 30 and proficiency of the current and projected health  
 31 workforce; identify barriers to and gaps in health  
 32 workforce development initiatives and health  
 33 workforce data to provide foundational, evidence-based  
 34 information to inform policymaking and resource  
 35 allocation; evaluate the most efficient application

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1 and utilization of roles, functions, responsibilities,  
 2 activities, and decision-making capacity of health  
 3 care professionals and other allied and support  
 4 personnel; and make recommendations for improvement  
 5 in, and alternative modes of, health care delivery in  
 6 order to provide a competent, diverse, and sustainable  
 7 health workforce in the state. The subcommittee shall  
 8 work in collaboration with the office of statewide  
 9 clinical education programs of the university of Iowa  
 10 Carver college of medicine, Des Moines university,  
 11 Iowa workforce development, and other entities with  
 12 interest or expertise in the health workforce in  
 13 carrying out the subcommittee's duties and developing  
 14 recommendations.

15 b. The co-chairpersons of the council shall  
 16 appoint members to each subcommittee from the general  
 17 membership of the council. Consideration in appointing  
 18 subcommittee members shall include the individual's  
 19 knowledge about, and interest or expertise in, matters  
 20 that come before the subcommittee.

21 c. Subcommittees shall meet at the call of the  
 22 co-chairpersons or chairperson of the subcommittee,  
 23 or at the request of a majority of the members of the  
 24 subcommittee.

25 4. 6. For each council meeting, executive  
 26 committee meeting, or subcommittee meeting, a quorum  
 27 shall consist of fifty percent of the membership  
 28 qualified to vote. Where a quorum is present, a  
 29 position is carried by a majority of the members  
 30 qualified to vote.

31 7. For each council meeting, other than those  
 32 held during the time the general assembly is in  
 33 session, each legislative member of the council shall  
 34 be reimbursed for actual travel and other necessary  
 35 expenses and shall receive a per diem as specified in

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1 section 7E.6 for each day in attendance, as shall the  
 2 members of the council, ~~or~~ the executive committee,

3 or a subcommittee, for each day in attendance at a  
 4 council, executive committee, or subcommittee meeting,  
 5 who are recipients or the family members of recipients  
 6 of medical assistance, regardless of whether the  
 7 general assembly is in session.  
 8 5. 8. The department shall provide staff support  
 9 and independent technical assistance to the council,  
 10 and the executive committee, and the subcommittees.  
 11 6. 9. The director shall ~~consider~~ comply with  
 12 the requirements of this section regarding the  
 13 duties of the council, and the deliberations and  
 14 recommendations offered by of the council, and the  
 15 executive committee, and the subcommittees shall be  
 16 reflected in the director's preparation of medical  
 17 assistance budget recommendations to the council  
 18 on human services pursuant to section 217.3, and in  
 19 implementation of medical assistance program policies,  
 20 and in administration of the Medicaid program.  
 21 10. The council, executive committee, and  
 22 subcommittees shall jointly submit quarterly reports  
 23 to the health policy oversight committee created in  
 24 section 2.45 and shall jointly submit a report to the  
 25 governor and the general assembly initially by January  
 26 1, 2017, and annually, therefore, summarizing the  
 27 outcomes and findings of their respective deliberations  
 28 and any recommendations including but not limited to  
 29 those for changes in law or policy.  
 30 11. The council, executive committee, and  
 31 subcommittees may enlist the services of persons who  
 32 are qualified by education, expertise, or experience  
 33 to advise, consult with, or otherwise assist the  
 34 council, executive committee, or subcommittees in the  
 35 performance of their duties. The council, executive

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1 committee, or subcommittees may specifically enlist  
 2 the assistance of entities such as the university of  
 3 Iowa public policy center to provide ongoing evaluation  
 4 of the Medicaid program and to make evidence-based  
 5 recommendations to improve the program. The council,  
 6 executive committee, and subcommittees shall enlist  
 7 input from the patient-centered health advisory council  
 8 created in section 135.159, the mental health and  
 9 disabilities services commission created in section  
 10 225C.5, the commission on aging created in section  
 11 231.11, the bureau of substance abuse of the department  
 12 of public health, the Iowa developmental disabilities  
 13 council, and other appropriate state and local entities  
 14 to provide advice to the council, executive committee,  
 15 and subcommittees.  
 16 12. The department, in accordance with 42 C.F.R.

17 §431.12, shall seek federal financial participation for  
18 the activities of the council, the executive committee,  
19 and the subcommittees.

20 PATIENT-CENTERED HEALTH RESOURCES AND INFRASTRUCTURE

21 Sec. \_\_\_\_ Section 135.159, subsection 2, Code 2016,  
22 is amended to read as follows:

23 2. a. The department shall establish a  
24 patient-centered health advisory council which shall  
25 include but is not limited to all of the following  
26 members, selected by their respective organizations,  
27 and any other members the department determines  
28 necessary to assist in the ~~department's duties at~~  
29 ~~various stages of~~ development of the medical home  
30 system and in the transformation to a patient-centered  
31 infrastructure that integrates and coordinates services  
32 and supports to address social determinants of health  
33 and meet population health goals:

34 (1) The director of human services, or the  
35 director's designee.

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1 (2) The commissioner of insurance, or the  
2 commissioner's designee.

3 (3) A representative of the federation of Iowa  
4 insurers.

5 (4) A representative of the Iowa dental  
6 association.

7 (5) A representative of the Iowa nurses  
8 association.

9 (6) A physician and an osteopathic physician  
10 licensed pursuant to chapter 148 who are family  
11 physicians and members of the Iowa academy of family  
12 physicians.

13 (7) A health care consumer.

14 (8) A representative of the Iowa collaborative  
15 safety net provider network established pursuant to  
16 section 135.153.

17 (9) A representative of the Iowa developmental  
18 disabilities council.

19 (10) A representative of the Iowa chapter of the  
20 American academy of pediatrics.

21 (11) A representative of the child and family  
22 policy center.

23 (12) A representative of the Iowa pharmacy  
24 association.

25 (13) A representative of the Iowa chiropractic  
26 society.

27 (14) A representative of the university of Iowa  
28 college of public health.

29 (15) A representative of the Iowa public health  
30 association.

- 31 (16) A representative of the area agencies on  
 32 aging.  
 33 (17) A representative of the mental health and  
 34 disability services regions.  
 35 (18) A representative of early childhood Iowa.

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- 1 b. Public members of the patient-centered health  
 2 advisory council shall receive reimbursement for  
 3 actual expenses incurred while serving in their  
 4 official capacity only if they are not eligible for  
 5 reimbursement by the organization that they represent.  
 6 c. (1) Beginning July 1, 2016, the  
 7 patient-centered health advisory council shall  
 8 do all of the following:  
 9 (a) Review and make recommendations to the  
 10 department and to the general assembly regarding  
 11 the building of effective working relationships and  
 12 strategies to support state-level and community-level  
 13 integration, to provide cross-system coordination  
 14 and synchronization, and to more appropriately align  
 15 health delivery models and service sectors, including  
 16 but not limited to public health, aging and disability  
 17 services agencies, mental health and disability  
 18 services regions, social services, child welfare, and  
 19 other providers, agencies, organizations, and sectors  
 20 to address social determinants of health, holistic  
 21 well-being, and population health goals. Such review  
 22 and recommendations shall include a review of funding  
 23 streams and recommendations for blending and braiding  
 24 funding to support these efforts.  
 25 (b) Assist in efforts to evaluate the health  
 26 workforce to inform policymaking and resource  
 27 allocation.  
 28 (2) The patient-centered health advisory council  
 29 shall submit a report to the department, the health  
 30 policy oversight committee created in section 2.45, and  
 31 the general assembly, initially, on or before December  
 32 15, 2016, and on or before December 15, annually,  
 33 thereafter, including any findings or recommendations  
 34 resulting from the council's deliberations.  
 35 HAWK-I PROGRAM

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- 1 Sec. \_\_\_\_. Section 514I.5, subsection 8, paragraph  
 2 d, Code 2016, is amended by adding the following new  
 3 subparagraph:  
 4 NEW SUBPARAGRAPH. (17) Occupational therapy.  
 5 Sec. \_\_\_\_. Section 514I.5, subsection 8, Code 2016,  
 6 is amended by adding the following new paragraph:

7 NEW PARAGRAPH. *m.* The definition of medically  
8 necessary and the utilization management criteria under  
9 the hawk-i program in order to ensure that benefits  
10 are uniformly and consistently provided across all  
11 participating insurers in the type and manner that  
12 reflects and appropriately meets the needs, including  
13 but not limited to the habilitative and rehabilitative  
14 needs, of the child population including those children  
15 with special health care needs.

16 MEDICAID PROGRAM POLICY IMPROVEMENT

17 Sec. \_\_\_\_ DIRECTIVES FOR MEDICAID PROGRAM POLICY  
18 IMPROVEMENTS. In order to safeguard the interests  
19 of Medicaid recipients, encourage the participation  
20 of Medicaid providers, and protect the interests  
21 of all taxpayers, the department of human services  
22 shall comply with or ensure that the specified entity  
23 complies with all of the following and shall amend  
24 Medicaid managed care contract provisions as necessary  
25 to reflect all of the following:

26 1. CONSUMER PROTECTIONS.

27 a. In accordance with 42 C.F.R. §438.420, a  
28 Medicaid managed care organization shall continue a  
29 recipient's benefits during an appeal process. If, as  
30 allowed when final resolution of an appeal is adverse  
31 to the Medicaid recipient, the Medicaid managed care  
32 organization chooses to recover the costs of the  
33 services furnished to the recipient while an appeal is  
34 pending, the Medicaid managed care organization shall  
35 provide adequate prior notice of potential recovery

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1 of costs to the recipient at the time the appeal is  
2 filed, and any costs recovered shall be remitted to the  
3 department of human services.

4 b. Ensure that each Medicaid managed care  
5 organization provides, at a minimum, all the benefits  
6 and services deemed medically necessary that were  
7 covered, including to the extent and in the same manner  
8 and subject to the same prior authorization criteria,  
9 by the state program directly under fee for service  
10 prior to January 1, 2016. Benefits covered through  
11 Medicaid managed care shall comply with the specific  
12 requirements in state law applicable to the respective  
13 Medicaid recipient population under fee for service.

14 c. Enhance monitoring of the reduction in or  
15 suspension or termination of services provided to  
16 Medicaid recipients, including reductions in the  
17 provision of home and community-based services waiver  
18 services or increases in home and community-based  
19 services waiver waiting lists. Medicaid managed care  
20 organizations shall provide data to the department



21 as necessary for the department to compile periodic  
22 reports on the numbers of individuals transferred from  
23 state institutions and long-term care facilities to  
24 home and community-based services, and the associated  
25 savings. Any savings resulting from the transfers as  
26 certified by the department shall be remitted to the  
27 department of human services.

28 d. (1) Require each Medicaid managed care  
29 organization to adhere to reasonableness and service  
30 authorization standards that are appropriate for and  
31 do not disadvantage those individuals who have ongoing  
32 chronic conditions or who require long-term services  
33 and supports. Services and supports for individuals  
34 with ongoing chronic conditions or who require  
35 long-term services and supports shall be authorized in

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1 a manner that reflects the recipient's continuing need  
2 for such services and supports, and limits shall be  
3 consistent with a recipient's current needs assessment  
4 and person-centered service plan.

5 (2) In addition to other provisions relating to  
6 community-based case management continuity of care  
7 requirements, Medicaid managed care contractors shall  
8 provide the option to the case manager of a Medicaid  
9 recipient who retained the case manager during the  
10 six months of transition to Medicaid managed care, if  
11 the recipient chooses to continue to retain that case  
12 manager beyond the six-month transition period and  
13 if the case manager is not otherwise a participating  
14 provider of the recipient's managed care organization  
15 provider network, to enter into a single case agreement  
16 to continue to provide case management services to the  
17 Medicaid recipient.

18 e. Ensure that Medicaid recipients are provided  
19 care coordination and case management by appropriately  
20 trained professionals in a conflict-free manner. Care  
21 coordination and case management shall be provided  
22 in a patient-centered and family-centered manner  
23 that requires a knowledge of community supports, a  
24 reasonable ratio of care coordinators and case managers  
25 to Medicaid recipients, standards for frequency of  
26 contact with the Medicaid recipient, and specific and  
27 adequate reimbursement.

28 f. A Medicaid managed care contract shall include  
29 a provision for continuity and coordination of care  
30 for a consumer transitioning to Medicaid managed care,  
31 including maintaining existing provider-recipient  
32 relationships and honoring the amount, duration, and  
33 scope of a recipient's authorized services based on  
34 the recipient's medical history and needs. In the

35 initial transition to Medicaid managed care, to ensure

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1 the least amount of disruption, Medicaid managed  
2 care organizations shall provide, at a minimum, a  
3 one-year transition of care period for all provider  
4 types, regardless of network status with an individual  
5 Medicaid managed care organization.  
6 g. Ensure that a Medicaid managed care organization  
7 does not arbitrarily deny coverage for medically  
8 necessary services based solely on financial reasons  
9 and does not shift the responsibility for provision of  
10 services or payment of costs of services to another  
11 entity to avoid costs or attain savings.  
12 h. Ensure that dental coverage, if not integrated  
13 into an overall Medicaid managed care contract, is  
14 part of the overall holistic, integrated coverage  
15 for physical, behavioral, and long-term services and  
16 supports provided to a Medicaid recipient.  
17 i. Require each Medicaid managed care organization  
18 to verify the offering and actual utilization of  
19 services and supports and value-added services,  
20 an individual recipient's encounters and the costs  
21 associated with each encounter, and requests and  
22 associated approvals or denials of services.  
23 Verification of actual receipt of services and supports  
24 and value-added services shall, at a minimum, consist  
25 of comparing receipt of service against both what  
26 was authorized in the recipient's benefit or service  
27 plan and what was actually reimbursed. Value-added  
28 services shall not be reportable as allowable medical  
29 or administrative costs or factored into rate setting,  
30 and the costs of value-added services shall not be  
31 passed on to recipients or providers.  
32 j. Provide periodic reports to the governor and  
33 the general assembly regarding changes in quality of  
34 care and health outcomes for Medicaid recipients under  
35 managed care compared to quality of care and health

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1 outcomes of the same populations of Medicaid recipients  
2 prior to January 1, 2016.  
3 k. Require each Medicaid managed care organization  
4 to maintain records of complaints, grievances, and  
5 appeals, and report the number and types of complaints,  
6 grievances, and appeals filed, the resolution of each,  
7 and a description of any patterns or trends identified  
8 to the department of human services and the health  
9 policy oversight committee created in section 2.45,  
10 on a monthly basis. The department shall review and

11 compile the data on a quarterly basis and make the  
12 compilations available to the public. Following review  
13 of reports submitted by the department, a Medicaid  
14 managed care organization shall take any corrective  
15 action required by the department and shall be subject  
16 to any applicable penalties.

17 1. Require Medicaid managed care organizations to  
18 survey Medicaid recipients, to collect satisfaction  
19 data using a uniform instrument, and to provide a  
20 detailed analysis of recipient satisfaction as well as  
21 various metrics regarding the volume of and timelines  
22 in responding to recipient complaints and grievances as  
23 directed by the department of human services.

24 m. Require managed care organizations to allow a  
25 recipient to request that the managed care organization  
26 enter into a single case agreement with a recipient's  
27 out-of-network provider, including a provider outside  
28 of the state, to provide for continuity of care when  
29 the recipient has an existing relationship with the  
30 provider to provide a covered benefit, or to ensure  
31 adequate or timely access to a provider of a covered  
32 benefit when the managed care organization provider  
33 network cannot ensure such adequate or timely access.

34 2. CHILDREN.

35 a. (1) The hawk-i board shall retain all authority

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1 specified under chapter 514I relative to the children  
2 eligible under section 514I.8 to participate in the  
3 hawk-i program, including but not limited to approving  
4 any contract entered into pursuant to chapter 514I;  
5 approving the benefit package design, reviewing the  
6 benefit package design, and making necessary changes  
7 to reflect the results of the reviews; and adopting  
8 rules for the hawk-i program including those related  
9 to qualifying standards for selecting participating  
10 insurers for the program and the benefits to be  
11 included in a health plan.

12 (2) The hawk-i board shall review benefit plans  
13 and utilization review provisions and ensure that  
14 benefits provided to children under the hawk-i program,  
15 at a minimum, reflect those required by state law as  
16 specified in section 514I.5, include both habilitative  
17 and rehabilitative services, and are provided as  
18 medically necessary relative to the child population  
19 served and based on the needs of the program recipient  
20 and the program recipient's medical history.

21 (3) The hawk-i board shall work with the department  
22 of human services to coordinate coverage and care for  
23 the population of children in the state eligible for  
24 either Medicaid or hawk-i coverage so that, to the

25 greatest extent possible, the two programs provide for  
26 continuity of care as children transition between the  
27 two programs or to private health care coverage. To  
28 this end, all contracts with participating insurers  
29 providing coverage under the hawk-i program and with  
30 all managed care organizations providing coverage for  
31 children eligible for Medicaid shall do all of the  
32 following:  
33 (a) Specifically and appropriately address  
34 the unique needs of children and children's health  
35 delivery.

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1 (b) Provide for the maintaining of child health  
2 panels that include representatives of child health,  
3 welfare, policy, and advocacy organizations in the  
4 state that address child health and child well-being.  
5 (c) Address early intervention and prevention  
6 strategies, the provision of a child health care  
7 delivery infrastructure for children with special  
8 health care needs, utilization of current standards  
9 and guidelines for children's health care and  
10 pediatric-specific screening and assessment tools,  
11 the inclusion of pediatric specialty providers in  
12 the provider network, and the utilization of health  
13 homes for children and youth with special health  
14 care needs including intensive care coordination  
15 and family support and access to a professional  
16 family-to-family support system. Such contracts  
17 shall utilize pediatric-specific quality measures  
18 and assessment tools which shall align with existing  
19 pediatric-specific measures as determined in  
20 consultation with the child health panel and approved  
21 by the hawk-i board.  
22 (d) Provide special incentives for innovative  
23 and evidence-based preventive, behavioral, and  
24 developmental health care and mental health care  
25 for children's programs that improve the life course  
26 trajectory of these children.  
27 (e) Provide that information collected from the  
28 pediatric-specific assessments be used to identify  
29 health risks and social determinants of health that  
30 impact health outcomes. Such data shall be used in  
31 care coordination and interventions to improve patient  
32 outcomes and to drive program designs that improve the  
33 health of the population. Aggregate assessment data  
34 shall be shared with affected providers on a routine  
35 basis.

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1 b. In order to monitor the quality of and access  
2 to health care for children receiving coverage under  
3 the Medicaid program, each Medicaid managed care  
4 organization shall uniformly report, in a template  
5 format designated by the department of human services,  
6 the number of claims submitted by providers and the  
7 percentage of claims approved by the Medicaid managed  
8 care organization for the early and periodic screening,  
9 diagnostic, and treatment (EPSDT) benefit based  
10 on the Iowa EPSDT care for kids health maintenance  
11 recommendations, including but not limited to  
12 physical exams, immunizations, the seven categories of  
13 developmental and behavioral screenings, vision and  
14 hearing screenings, and lead testing.

15 3. PROVIDER PARTICIPATION ENHANCEMENT.

16 a. Ensure that savings achieved through Medicaid  
17 managed care does not come at the expense of further  
18 reductions in provider rates. The department shall  
19 ensure that Medicaid managed care organizations use  
20 reasonable reimbursement standards for all provider  
21 types and compensate providers for covered services at  
22 not less than the minimum reimbursement established  
23 by state law applicable to fee for service for a  
24 respective provider, service, or product for a fiscal  
25 year and as determined in conjunction with actuarially  
26 sound rate setting procedures. Such reimbursement  
27 shall extend for the entire duration of a managed care  
28 contract.

29 b. To enhance continuity of care in the provision  
30 of pharmacy services, Medicaid managed care  
31 organizations shall utilize the same preferred drug  
32 list, recommended drug list, prior authorization  
33 criteria, and other utilization management strategies  
34 that apply to the state program directly under fee for  
35 service and shall apply other provisions of applicable

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1 state law including those relating to chemically unique  
2 mental health prescription drugs. Reimbursement rates  
3 established under Medicaid managed care contracts for  
4 ingredient cost reimbursement and dispensing fees shall  
5 be subject to and shall reflect provisions of state  
6 and federal law, including the minimum reimbursements  
7 established in state law for fee for service for a  
8 fiscal year.

9 c. Address rate setting and reimbursement of the  
10 entire scope of services provided under the Medicaid  
11 program to ensure the adequacy of the provider network  
12 and to ensure that providers that contribute to the

13 holistic health of the Medicaid recipient, whether  
14 inside or outside of the provider network, are  
15 compensated for their services.

16 d. Managed care contractors shall submit financial  
17 documentation to the department of human services  
18 demonstrating payment of claims and expenses by  
19 provider type.

20 e. Participating Medicaid providers under a managed  
21 care contract shall be allowed to submit claims for up  
22 to 365 days following discharge of a Medicaid recipient  
23 from a hospital or following the date of service.

24 f. If the department of human services collects  
25 ownership and control information from Medicaid  
26 providers pursuant to 42 C.F.R. §455.104, a managed  
27 care organization under contract with the state shall  
28 not also require submission of this information from  
29 approved enrolled Medicaid providers.

30 g. (1) Ensure that a Medicaid managed care  
31 organization develops and maintains a provider network  
32 of qualified providers who meet state licensing,  
33 credentialing, and certification requirements, as  
34 applicable, which network shall be sufficient to  
35 provide adequate access to all services covered and for

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1 all populations served under the managed care contract.  
2 Medicaid managed care organizations shall incorporate  
3 existing and traditional providers, including but  
4 not limited to those providers that comprise the Iowa  
5 collaborative safety net provider network created in  
6 section 135.153, into their provider networks.

7 (2) Ensure that respective Medicaid populations  
8 are managed at all times within funding limitations  
9 and contract terms. The department shall also  
10 monitor service delivery and utilization to ensure  
11 the responsibility for provision of services to  
12 Medicaid recipients is not shifted to non-Medicaid  
13 covered services to attain savings, and that such  
14 responsibility is not shifted to mental health and  
15 disability services regions, local public health  
16 agencies, aging and disability resource centers,  
17 or other entities unless agreement to provide, and  
18 provision for adequate compensation for, such services  
19 is agreed to between the affected entities in advance.

20 h. Medicaid managed care organizations shall  
21 provide an enrolled Medicaid provider approved by the  
22 department of human services the opportunity to be a  
23 participating network provider.

24 i. Medicaid managed care organizations shall  
25 include provider appeals and grievance procedures  
26 that in part allow a provider to file a grievance

27 independently but on behalf of a Medicaid recipient  
28 and to appeal claims denials which, if determined to  
29 be based on claims for medically necessary services  
30 whether or not denied on an administrative basis, shall  
31 receive appropriate payment.  
32 j. (1) Medicaid managed care organizations  
33 shall include as primary care providers any provider  
34 designated by the state as a primary care provider,  
35 subject to a provider's respective state certification

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1 standards, including but not limited to all of the  
2 following:  
3 (a) A physician who is a family or general  
4 practitioner, a pediatrician, an internist, an  
5 obstetrician, or a gynecologist.  
6 (b) An advanced registered nurse practitioner.  
7 (c) A physician assistant.  
8 (d) A chiropractor licensed pursuant to chapter  
9 151.  
10 (2) A Medicaid managed care organization shall not  
11 impose more restrictive, additional, or different scope  
12 of practice requirements or standards of practice on a  
13 primary care provider than those prescribed by state  
14 law as a prerequisite for participation in the managed  
15 care organization's provider network.  
16 4. CAPITATION RATES AND MEDICAL LOSS RATIO.  
17 a. Capitation rates shall be developed based on all  
18 reasonable, appropriate, and attainable costs. Costs  
19 that are not reasonable, appropriate, or attainable,  
20 including but not limited to improper payment  
21 recoveries, shall not be included in the development  
22 of capitated rates.  
23 b. Capitation rates for Medicaid recipients falling  
24 within different rate cells shall not be expected to  
25 cross-subsidize one another and the data used to set  
26 capitation rates shall be relevant and timely and tied  
27 to the appropriate Medicaid population.  
28 c. Any increase in capitation rates for managed  
29 care contractors is subject to prior statutory approval  
30 and shall not exceed three percent over the existing  
31 capitation rate in any one-year period or five percent  
32 over the existing capitation rate in any two-year  
33 period.  
34 d. A managed care contract shall impose a minimum  
35 Medicaid loss ratio of at least eighty-eight percent.

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1 In calculating the medical loss ratio, medical costs  
2 or benefit expenses shall include only those costs

3 directly related to patient medical care and not  
4 ancillary expenses, including but not limited to any  
5 of the following:

- 6 (1) Program integrity activities.
- 7 (2) Utilization review activities.
- 8 (3) Fraud prevention activities beyond the scope of  
9 those activities necessary to recover incurred claims.
- 10 (4) Provider network development, education, or  
11 management activities.
- 12 (5) Provider credentialing activities.
- 13 (6) Marketing expenses.
- 14 (7) Administrative costs associated with recipient  
15 incentives.
- 16 (8) Clinical data collection activities.
- 17 (9) Claims adjudication expenses.
- 18 (10) Customer service or health care professional  
19 hotline services addressing nonclinical recipient  
20 questions.
- 21 (11) Value-added or cost-containment services,  
22 wellness programs, disease management, and case  
23 management or care coordination programs.
- 24 (12) Health quality improvement activities unless  
25 specifically approved as a medical cost by state law.  
26 Costs of health quality improvement activities included  
27 in determining the medical loss ratio shall be only  
28 those activities that are independent improvements  
29 measurable in individual patients.
- 30 (13) Insurer claims review activities.
- 31 (14) Information technology costs unless they  
32 directly and credibly improve the quality of health  
33 care and do not duplicate, conflict with, or fail to be  
34 compatible with similar health information technology  
35 efforts of providers.

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- 1 (15) Legal department costs including information  
2 technology costs, expenses incurred for review and  
3 denial of claims, legal costs related to defending  
4 claims, settlements for wrongly denied claims, and  
5 costs related to administrative claims handling  
6 including salaries of administrative personnel and  
7 legal costs.
- 8 (16) Taxes unrelated to premiums or the provision  
9 of medical care. Only state and federal taxes and  
10 licensing or regulatory fees relevant to actual  
11 premiums collected, not including such taxes and fees  
12 as property taxes, taxes on investment income, taxes on  
13 investment property, and capital gains taxes, may be  
14 included in determining the medical loss ratio.
- 15 e. (1) Provide enhanced guidance and criteria for  
16 defining medical and administrative costs, recoveries,



17 and rebates including pharmacy rebates, and the  
18 recording, reporting, and recoupment of such costs,  
19 recoveries, and rebates realized.

20 (2) Medicaid managed care organizations shall  
21 offset recoveries, rebates, and refunds against  
22 medical costs, include only allowable administrative  
23 expenses in the determination of administrative costs,  
24 report costs related to subcontractors properly, and  
25 have complete systems checks and review processes to  
26 identify overpayment possibilities.

27 (3) Medicaid managed care contractors shall submit  
28 publicly available, comprehensive financial statements  
29 to the department of human services to verify that the  
30 minimum medical loss ratio is being met and shall be  
31 subject to periodic audits.

32 5. DATA AND INFORMATION, EVALUATION, AND OVERSIGHT.

33 a. Develop and administer a clear, detailed policy  
34 regarding the collection, storage, integration,  
35 analysis, maintenance, retention, reporting, sharing,

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1 and submission of data and information from the  
2 Medicaid managed care organizations and shall require  
3 each Medicaid managed care organization to have in  
4 place a data and information system to ensure that  
5 accurate and meaningful data is available. At a  
6 minimum, the data shall allow the department to  
7 effectively measure and monitor Medicaid managed care  
8 organization performance, quality, outcomes including  
9 recipient health outcomes, service utilization,  
10 finances, program integrity, the appropriateness  
11 of payments, and overall compliance with contract  
12 requirements; perform risk adjustments and determine  
13 actuarially sound capitation rates and appropriate  
14 provider reimbursements; verify that the minimum  
15 medical loss ratio is being met; ensure recipient  
16 access to and use of services; create quality measures;  
17 and provide for program transparency.

18 b. Medicaid managed care organizations shall  
19 directly capture and retain and shall report actual and  
20 detailed medical claims costs and administrative cost  
21 data to the department as specified by the department.  
22 Medicaid managed care organizations shall allow the  
23 department to thoroughly and accurately monitor the  
24 medical claims costs and administrative costs data  
25 Medicaid managed care organizations report to the  
26 department.

27 c. Any audit of Medicaid managed care contracts  
28 shall ensure compliance including with respect to  
29 appropriate medical costs, allowable administrative  
30 costs, the medical loss ratio, cost recoveries,

31 rebates, overpayments, and with specific contract  
32 performance requirements.  
33 d. The external quality review organization  
34 contracting with the department shall review the  
35 Medicaid managed care program to determine if the

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1 state has sufficient infrastructure and controls in  
2 place to effectively oversee the Medicaid managed care  
3 organizations and the Medicaid program in order to  
4 ensure, at a minimum, compliance with Medicaid managed  
5 care organization contracts and to prevent fraud,  
6 abuse, and overpayments. The results of any external  
7 quality review organization review shall be submitted  
8 to the governor, the general assembly, and the health  
9 policy oversight committee created in section 2.45.  
10 e. Publish benchmark indicators based on Medicaid  
11 program outcomes from the fiscal year beginning July 1,  
12 2015, to be used to compare outcomes of the Medicaid  
13 program as administered by the state program prior  
14 to July 1, 2015, to those outcomes of the program  
15 under Medicaid managed care. The outcomes shall  
16 include a comparison of actual costs of the program  
17 as administered prior to and after implementation of  
18 Medicaid managed care. The data shall also include  
19 specific detail regarding the actual expenses incurred  
20 by each managed care organization by specific provider  
21 line of service.  
22 f. Review and approve or deny approval of contract  
23 amendments on an ongoing basis to provide for  
24 continuous improvement in Medicaid managed care and  
25 to incorporate any changes based on changes in law or  
26 policy.  
27 g. (1) Require managed care contractors to track  
28 and report on a monthly basis to the department of  
29 human services, at a minimum, all of the following:  
30 (a) The number and details relating to prior  
31 authorization requests and denials.  
32 (b) The ten most common reasons for claims denials.  
33 Information reported by a managed care contractor  
34 relative to claims shall also include the number  
35 of claims denied, appealed, and overturned based on

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1 provider type and service type.  
2 (c) Utilization of health care services by  
3 diagnostic related group and ambulatory payment  
4 classification as well as total claims volume.  
5 (2) The department shall ensure the validity  
6 of all information submitted by a Medicaid managed

7 care organization and shall make the monthly reports  
8 available to the public.

9 h. Medicaid managed care organizations shall  
10 maintain stakeholder panels comprised of an equal  
11 number of Medicaid recipients and providers. Medicaid  
12 managed care organizations shall provide for separate  
13 provider-specific panels to address detailed payment,  
14 claims, process, and other issues as well as grievance  
15 and appeals processes.

16 i. Medicaid managed care contracts shall align  
17 economic incentives, delivery system reforms, and  
18 performance and outcome metrics with those of the state  
19 innovation models initiatives and Medicaid accountable  
20 care organizations. The department of human services  
21 shall develop and utilize a common, uniform set of  
22 process, quality, and consumer satisfaction measures  
23 across all Medicaid payors and providers that align  
24 with those developed through the state innovation  
25 models initiative and shall ensure that such measures  
26 are expanded and adjusted to address additional  
27 populations and to meet population health objectives.  
28 Medicaid managed care contracts shall include long-term  
29 performance and outcomes goals that reward success in  
30 achieving population health goals such as improved  
31 community health metrics.

32 j. (1) Require consistency and uniformity of  
33 processes, procedures, and forms across all Medicaid  
34 managed care organizations to reduce the administrative  
35 burden to providers and consumers and to increase

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1 efficiencies in the program. Such requirements shall  
2 apply to but are not limited to areas of uniform cost  
3 and quality reporting, uniform prior authorization  
4 requirements and procedures, uniform utilization  
5 management criteria, centralized, uniform, and seamless  
6 credentialing requirements and procedures, and uniform  
7 critical incident reporting.

8 (2) The department of human services shall  
9 establish a comprehensive provider credentialing  
10 process to be recognized and utilized by all Medicaid  
11 managed care organization contractors. The process  
12 shall meet the national committee for quality assurance  
13 and other appropriate standards. The process shall  
14 ensure that credentialing is completed in a timely  
15 manner without disruption to provider billing  
16 processes.

17 k. Medicaid managed care organizations and any  
18 entity with which a managed care organization contracts  
19 for the performance of services shall disclose at no  
20 cost to the department all discounts, incentives,

21 rebates, fees, free goods, bundling arrangements, and  
 22 other agreements affecting the net cost of goods or  
 23 services provided under a managed care contract.  
 24 Sec. \_\_\_\_. RETROACTIVE APPLICABILITY. The section  
 25 of this division of this Act relating to directives  
 26 for Medicaid program policy improvements applies  
 27 retroactively to July 1, 2015.  
 28 Sec. \_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
 29 of this Act, being deemed of immediate importance,  
 30 takes effect upon enactment.>  
 31 5. By renumbering as necessary.

HEDDENS of Story

H-8248

1 Amend House File 2459 as follows:  
 2 1. Page 1, before line 1 by inserting:  
 3 <DIVISION I  
 4 EQUAL PAY TASK FORCE AND REPORT  
 5 Section 1. EQUAL PAY.  
 6 1. An equal pay task force is created. The task  
 7 force shall consist of seven members appointed by the  
 8 governor.  
 9 2. The task force shall study wage discrepancies  
 10 within public and private employment and between public  
 11 and private employers.  
 12 3. The task force shall submit a report regarding  
 13 its findings and its recommendations regarding  
 14 potential actions for the elimination and prevention  
 15 of such discrepancies to the governor and the general  
 16 assembly no later than December 22, 2017.>  
 17 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-8249

1 Amend House File 2460 as follows:  
 2 1. Page 95, after line 32 by inserting:  
 3 <Sec. \_\_\_\_. Section 135.190, subsection 2, as  
 4 enacted by 2016 Iowa Acts, Senate File 2218, section 1,  
 5 is amended to read as follows:  
 6 2. A person in a position to assist may be  
 7 prescribed an opioid antagonist pursuant to section  
 8 147A.18 and may possess and provide or administer an  
 9 opioid antagonist to an individual if the person in  
 10 a position to assist reasonably and in good faith  
 11 believes that such individual is experiencing an  
 12 opioid-related overdose.  
 13 Sec. \_\_\_\_. Section 147A.18, subsection 1, as enacted  
 14 by 2016 Iowa Acts, Senate File 2218, section 3, is

15 amended to read as follows:

16 1. a. Notwithstanding any other provision of law  
 17 to the contrary, a licensed health care professional  
 18 may prescribe an opioid antagonist in the name of  
 19 a service program, law enforcement agency, or fire  
 20 department to be maintained for use as provided in this  
 21 section.

22 b. Notwithstanding any other provision of law to  
 23 the contrary, a licensed health care professional  
 24 may prescribe an opioid antagonist to a person in a  
 25 position to assist as defined in section 135.190.>

26 2. By renumbering as necessary.

KLEIN of Washington

H-8250

1 Amend the amendment, H-8248, to House File 2459 as  
 2 follows:

3 1. Page 1, by striking lines 1 through 17 and  
 4 inserting:

5 <Amend House File 2459 as follows:

6 \_\_\_\_ Page 1, before line 1 by inserting:

7 <DIVISION \_\_\_\_

8 EQUAL PAY TASK FORCE AND REPORT

9 Section 1. EQUAL PAY.

10 1. An equal pay task force is created. The task  
 11 force shall consist of seven members appointed by the  
 12 governor.

13 2. The task force shall study wage discrepancies  
 14 within public and private employment and between public  
 15 and private employers.

16 3. The task force shall submit a report regarding  
 17 its findings and its recommendations regarding  
 18 potential actions for the elimination and prevention  
 19 of such discrepancies to the governor and the general  
 20 assembly no later than December 22, 2017.

21 DIVISION \_\_\_\_

22 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION

23 Sec. \_\_\_\_ ADDITIONAL UNFAIR OR DISCRIMINATORY

24 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

25 1. As stated in chapter 216, the general assembly  
 26 finds that the practice of discriminating against any  
 27 employee because of the age, race, creed, color, sex,  
 28 sexual orientation, gender identity, national origin,  
 29 religion, or disability of such employee by paying  
 30 wages to such employee at a rate less than the rate  
 31 paid to other employees does all of the following:

32 a. Unjustly discriminates against the person  
 33 receiving the lesser rate.

34 b. Leads to low employee morale, high turnover, and  
 35 frequent labor unrest.

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- 1 c. Discourages employees paid at lesser wage rates  
 2 from training for higher level jobs.
- 3 d. Curtails employment opportunities, decreases  
 4 employees' mobility, and increases labor costs.
- 5 e. Impairs purchasing power and threatens the  
 6 maintenance of an adequate standard of living by such  
 7 employees and their families.
- 8 f. Prevents optimum utilization of the state's  
 9 available labor resources.
- 10 g. Threatens the well-being of citizens of this  
 11 state and adversely affects the general welfare.
- 12 2. As stated in section 216.6A, it remains  
 13 unfair or discriminatory practice for any employer  
 14 or agent of any employer to discriminate against  
 15 any employee because of the age, race, creed, color,  
 16 sex, sexual orientation, gender identity, national  
 17 origin, religion, or disability of such employee by  
 18 paying wages to such employee at a rate less than the  
 19 rate paid to other employees who are employed within  
 20 the same establishment for equal work on jobs, the  
 21 performance of which requires equal skill, effort, and  
 22 responsibility, and which are performed under similar  
 23 working conditions. As also stated in section 216.6A,  
 24 an employer or agent of an employer who is paying wages  
 25 to an employee at a rate less than the rate paid to  
 26 other employees in violation of this section shall not  
 27 remedy the violation by reducing the wage rate of any  
 28 employee.>
- 29 2. By renumbering as necessary.

FORRISTALL of Pottawattamie

H-8251

- 1 Amend House File 2460 as follows:
- 2 1. By striking page 105, line 4, through page 109,  
 3 line 19.
- 4 2. By renumbering as necessary.

L. MILLER of Scott

H-8252

- 1 Amend Senate File 2314, as amended, passed, and  
 2 reprinted by the Senate, as follows:
- 3 1. Page 2, after line 25 by inserting:  
 4 <2A. Notwithstanding subsection 2, the first  
 5 \$115,000 in franchise fee refunds that are deposited  
 6 in the fund are appropriated to the child advocacy  
 7 board in the department of inspections and appeals for

8 the fiscal year beginning July 1, 2016, and ending  
 9 June 30, 2017, for the purpose of providing additional  
 10 funding for the court-appointed special advocacy  
 11 program, including salaries, support, maintenance, and  
 12 miscellaneous purposes.>  
 13 2. Page 13, by striking lines 8 through 23.

BERRY of Black Hawk

H-8253

1 Amend Senate File 2314, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 2, line 33, by striking <department> and  
 4 inserting <Iowa division of labor of the department of  
 5 workforce development>  
 6 2. Page 3, line 5, after <period,> by inserting  
 7 <testimony solicited and received by the division  
 8 of labor of the department of workforce development  
 9 from employees regarding the experiences of  
 10 employees resulting from the use of such third-party  
 11 administration services,>  
 12 3. Page 3, line 8, by striking <department> and  
 13 inserting <Iowa division of labor of the department of  
 14 workforce development>

HUNTER of Polk

H-8254

1 Amend Senate File 2314, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 4, line 21, by striking <547,501> and  
 4 inserting <550,335>  
 5 2. Page 19, line 32, by striking <348,198> and  
 6 inserting <350,000>

KELLEY of Jasper

H-8255

1 Amend Senate File 2314, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 17, line 3, by striking <December 15, 2016,  
 4 and each December 15> and inserting <November 30, 2016,  
 5 and each November 30>

HUNTER of Polk

H-8256

1 Amend House File 2443, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. By striking page 12, line 31, through page 13,  
4 line 29, and inserting:  
5 <(2) If an eligible taxpayer obtains a tax credit  
6 certificate from the ~~department~~ authority by way of  
7 a prohibited activity, the eligible taxpayer and any  
8 transferee shall be jointly and severally liable to  
9 the state for the amount of the tax credits so issued,  
10 interest and penalties allowed under chapter 422,  
11 and reasonable attorney fees and litigation costs,  
12 except that the liability of the transferee shall not  
13 exceed an amount equal to the amount of the tax credits  
14 acquired by the transferee. The department of revenue,  
15 upon notification or discovery that a tax credit  
16 certificate was issued to an eligible taxpayer by way  
17 of a prohibited activity, shall revoke any outstanding  
18 tax credit and seek repayment of the value of any tax  
19 credit already claimed, and the failure to make such a  
20 repayment may be treated by the department of revenue  
21 in the same manner as a failure to pay the tax shown  
22 due or required to be shown due with the filing of a  
23 return or deposit form. A qualifying transferee is not  
24 subject to the liability, revocation, and repayment  
25 imposed under this subparagraph.  
26 Sec. \_\_\_\_ Section 404A.3, subsection 4, paragraph  
27 c, subparagraph (3), Code 2016, is amended by adding  
28 the following new subparagraph division:  
29 NEW SUBPARAGRAPH DIVISION. (0a) “Control” means  
30 when a person, directly or indirectly or acting through  
31 or together with one or more persons, satisfies any of  
32 the following:  
33 (i) Owns, controls, or has the power to vote fifty  
34 percent or more of any class of voting securities or  
35 voting membership interests of another person.

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1 (ii) Controls, in any manner, the election of a  
2 majority of the directors, managers, trustees, or other  
3 persons exercising similar functions of another person.  
4 (iii) Has the power to exercise a controlling  
5 influence over the management or policies of another  
6 person.  
7 Sec. \_\_\_\_ Section 404A.3, subsection 4, paragraph  
8 c, subparagraph (3), subparagraph division (b),  
9 unnumbered paragraph 1, Code 2016, is amended to read  
10 as follows:  
11 “Qualifying transferee” means a transferee who  
12 acquires a tax credit certificate issued under this  
13 chapter for value, in good faith, without ~~actual~~  
14 ~~express~~ or ~~constructive~~ implied notice of a prohibited  
15 activity of the eligible taxpayer who was originally  
16 issued the tax credit, and without ~~actual~~ express or



17 ~~constructive implied~~ notice of any other claim to or  
 18 defense against the tax credit, and which transferee is  
 19 not associated with the eligible taxpayer by being one  
 20 or more of the following:  
 21 Sec. \_\_\_. Section 404A.3, subsection 4, paragraph  
 22 c, subparagraph (3), subparagraph division (b),  
 23 subparagraph subdivision (i), Code 2016, is amended to  
 24 read as follows:  
 25 (i) An owner, member, shareholder, or partner of  
 26 the eligible taxpayer who directly or indirectly owns  
 27 ~~or~~ and controls, in whole or in part, the eligible  
 28 taxpayer.>  
 29 2. By striking page 15, line 22, through page 16,  
 30 line 8.  
 31 3. Page 17, after line 12 by inserting:  
 32 <Sec. \_\_\_. TRANSITION PROVISIONS. The department  
 33 of cultural affairs shall cooperate with the economic  
 34 development authority to ensure the effective  
 35 transition of powers, duties, and funds from the

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1 department to the authority in implementing this  
 2 division of this Act.  
 3 Sec. \_\_\_. EFFECTIVE DATE. This division of this  
 4 Act takes effect August 15, 2016.>  
 5 4. Page 17, line 16, by striking <July 1,> and  
 6 inserting <August 15,>  
 7 5. By renumbering as necessary.

SENATE AMENDMENT

H-8257

1 Amend Senate File 2323, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 30, after line 26 by inserting:  
 4 <Sec. \_\_\_. STATE BOARD OF EDUCATION — RULE  
 5 NULLIFICATION. 281 Iowa administrative code, rule  
 6 12.8, subrule 1, paragraph h, is nullified.>  
 7 2. Page 31, after line 1 by inserting:  
 8 <5. The section of this Act nullifying an  
 9 administrative rule adopted by the state board of  
 10 education.>  
 11 3. By renumbering as necessary.

VANDER LINDEN of Mahaska

H-8258

1 Amend the amendment, H-8103, to Senate File 2187, as  
 2 passed by the Senate, as follows:

3 1. Page 1, line 5, after <discharged.> by inserting  
 4 <If the license is issued upon presentation of the  
 5 licensee's certification of release or discharge  
 6 from active duty, DD form 214, the department shall  
 7 notify the commission of veteran affairs of the county  
 8 of the licensee's residence that the licensee was  
 9 issued a license marked to reflect the licensee's  
 10 veteran status. After receiving notification from the  
 11 department, the commission shall initiate contact with  
 12 the licensee.>

NUNN of Polk

H-8259

1 Amend House File 2455, as passed by the House, as  
 2 follows:  
 3 1. Page 9, line 28, by striking <\$1,105,628> and  
 4 inserting <\$580,783>  
 5 2. Page 11, line 25, by striking <400,000> and  
 6 inserting <557,000>  
 7 3. Page 17, after line 10 by inserting:  
 8 <DIVISION \_\_\_  
 9 MISCELLANEOUS PROVISIONS — BUILDING REMEDIATION  
 10 PROGRAM AND FUND  
 11 Sec. \_\_\_. NEW SECTION. 15.231 Community catalyst  
 12 **building remediation program — fund.**  
 13 1. *a.* The economic development authority  
 14 shall, pursuant to section 15.106A, subsection 1,  
 15 paragraph “o”, establish a community catalyst building  
 16 remediation fund for the purpose of providing grants to  
 17 cities for the remediation of underutilized buildings.  
 18 The authority shall administer the fund in a manner to  
 19 make grant moneys annually available to cities for the  
 20 purposes of this section.  
 21 *b.* The fund may consist of any moneys appropriated  
 22 by the general assembly for purposes of this section  
 23 and any other moneys that are lawfully available to the  
 24 authority, including moneys transferred or deposited  
 25 from other funds created pursuant to section 15.106A,  
 26 subsection 1, paragraph “o”.  
 27 *c.* The authority shall use any moneys specifically  
 28 appropriated for purposes of this section only for the  
 29 purposes of this section. The authority may use all  
 30 other moneys in the fund, including interest, earnings,  
 31 and recaptures for purposes of this section, or the  
 32 authority may transfer the other moneys to other funds  
 33 created pursuant to section 15.106A, subsection 1,  
 34 paragraph “o”.  
 35 *d.* Notwithstanding section 8.33, moneys in the

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1 community catalyst building remediation fund at the  
2 end of each fiscal year shall not revert to any other  
3 fund but shall remain in the fund for expenditure for  
4 subsequent fiscal years.

5 e. The authority may use not more than five percent  
6 of the moneys in the fund at the beginning of the  
7 fiscal year for purposes of administrative costs,  
8 marketing, and technical assistance and other program  
9 support.

10 2. The authority shall use moneys in the fund  
11 to provide grants to cities for the remediation of  
12 underutilized buildings. The authority may provide  
13 grants under this section using a competitive scoring  
14 process.

15 3. In providing grants under this section, the  
16 authority shall dedicate forty percent of the moneys  
17 available at the beginning of each fiscal year to  
18 cities with populations of less than one thousand five  
19 hundred as shown by the most recent federal decennial  
20 census. If at the end of each application period the  
21 amount of grants awarded to cities with a population  
22 of less than one thousand five hundred is less than  
23 the amount to be dedicated to such cities under this  
24 subsection, the balance may be awarded to any approved  
25 applicant city regardless of city population.

26 4. The authority shall enter into an agreement  
27 with each city for the receipt of grants under this  
28 section. For a city to receive grant moneys under this  
29 section, the agreement must require the city to provide  
30 resources, including financial or in-kind resources, to  
31 the remediation project. The authority may negotiate  
32 the terms of the agreement.

33 5. In providing grants under this section, the  
34 authority shall coordinate with a city to develop a  
35 plan for the use of grant moneys that is consistent

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1 with the community development, housing, and economic  
2 development goals of the city. The terms of the  
3 agreement entered into pursuant to subsection 4 and the  
4 use of grants provided under this section shall reflect  
5 the plan developed.

6 6. If a city receives a grant under this section,  
7 the amount of any lien created for costs related to  
8 the remediation of the building shall not include any  
9 moneys that the city received pursuant to this section.

10 7. The authority shall submit a report to the  
11 general assembly and the governor's office on or  
12 before January 31, 2020, describing the results of the

13 program implemented pursuant to this section and making  
 14 recommendations for program changes.  
 15 Sec. \_\_\_\_ Section 15.335B, subsection 2, paragraph  
 16 a, Code 2016, is amended by adding the following new  
 17 subparagraph:  
 18 NEW SUBPARAGRAPH. (9) For deposit in the community  
 19 catalyst building remediation fund established pursuant  
 20 to section 15.231.

21 DIVISION \_\_\_\_

22 MISCELLANEOUS PROVISIONS — RENEWABLE CHEMICAL  
 23 PRODUCTION TAX CREDIT PROGRAM

24 Sec. \_\_\_\_ Section 15.316, subsection 3, as enacted  
 25 by 2016 Iowa Acts, Senate File 2300, section 5, is  
 26 amended to read as follows:

27 3. *“Building block chemical”* means a molecule  
 28 converted from biomass feedstock as a first product  
 29 or a secondarily derived product that can be further  
 30 refined into a higher-value chemical, material, or  
 31 consumer product. *“Building block chemical”* includes  
 32 but is not limited to high-purity glycerol, oleic  
 33 acid, lauric acid, methanoic or formic acid, arabonic  
 34 acid, erythronic acid, glyceric acid, glycolic acid,  
 35 lactic acid, 3-hydroxypropionate, propionic acid,

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1 malonic acid, serine, succinic acid, fumaric acid,  
 2 malic acid, aspartic acid, 3-hydroxybutyrolactone,  
 3 acetoin, threonine, itaconic acid, furfural, levulinic  
 4 acid, glutamic acid, xylonic acid, xylaric acid,  
 5 xylitol, arabitol, citric acid, aconitic acid,  
 6 5-hydroxymethylfurfural, lysine, gluconic acid,  
 7 glucaric acid, sorbitol, gallic acid, ferulic acid,  
 8 butyric acid, nonfuel butanol, nonfuel ethanol, or  
 9 such additional molecules as may be included by the  
 10 authority by rule after consultation with appropriate  
 11 experts from Iowa state university, including but  
 12 not limited to the Iowa state university center for  
 13 biorenewable chemicals.>  
 14 4. Title page, line 5, after <institutions> by  
 15 inserting <, and properly related matters>  
 16 5. By renumbering as necessary.

SENATE AMENDMENT

H-8260

1 Amend Senate File 2323, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 4, line 4, by striking <48,689,681> and  
 4 inserting <48,939,681>  
 5 2. Page 13, by striking lines 26 through 29.

6 3. By renumbering as necessary.

JORGENSEN of Woodbury

H-8261

1 Amend Senate File 2323, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 17, line 17, by striking <232,223,005> and  
 4 inserting <230,923,005>  
 5 2. Page 21, line 10, by striking <97,057,732> and  
 6 inserting <98,357,732>

ROGERS of Black Hawk

H-8262

1 Amend Senate File 2323, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 34, after line 6 by inserting:  
 4 <DIVISION \_\_\_\_  
 5 SCHOOL DISTRICT BUDGET ADJUSTMENT  
 6 Sec. \_\_\_\_ Section 257.2, subsection 2, Code 2016,  
 7 is amended by striking the subsection.  
 8 Sec. \_\_\_\_ Section 257.4, subsection 1, paragraph  
 9 a, Code 2016, is amended by adding the following new  
 10 subparagraph:  
 11 NEW SUBPARAGRAPH. (10) The amount of revenue  
 12 received from the secure an advanced vision for  
 13 education fund and approved by the school district for  
 14 reducing the school district's additional property tax  
 15 levy pursuant to a revenue purpose statement adopted  
 16 under section 423F.3.  
 17 Sec. \_\_\_\_ NEW SECTION. 257.14A District cost per  
 18 pupil equity — budget adjustment.  
 19 1. The board of directors of a school district  
 20 with a regular program district cost per pupil that is  
 21 less than the highest regular program district cost  
 22 per pupil among all school districts in the state for  
 23 the same budget year that wishes to receive the budget  
 24 adjustment under this section may adopt a resolution  
 25 by May 15 preceding the budget year and shall notify  
 26 the department of management of the adoption of the  
 27 resolution and the amount of the budget adjustment to  
 28 be received.  
 29 2. a. For budget years beginning on or after  
 30 July 1, 2017, each school district that satisfies the  
 31 requirements of subsection 1 shall be eligible for a  
 32 budget adjustment for that budget year in an amount not  
 33 to exceed the difference between the school district's  
 34 regular program district cost per pupil and the  
 35 highest regular program district cost per pupil among

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1 all school districts in the state multiplied by the  
2 district's budget enrollment. The resolution adopted  
3 under subsection 1 may specify a budget adjustment  
4 amount that is less than the maximum amount authorized  
5 under this paragraph "a".

6 b. The school district shall fund the budget  
7 adjustment solely using moneys from its distribution of  
8 moneys received from the secure an advanced vision for  
9 education fund under section 423F.3 and authorized for  
10 such purpose by a revenue purpose statement. Amounts  
11 used to fund the budget adjustment may be used by the  
12 school district for any school general fund purpose.

13 3. A budget adjustment received under this section  
14 shall not affect the eligibility for or amount of any  
15 other budget adjustment authorized by law for the same  
16 budget year. In addition, a budget adjustment under  
17 this section shall be limited to the budget year for  
18 which the adjustment was authorized and shall not be  
19 included in any computation of a school district's cost  
20 for any future budget year.

21 Sec. \_\_\_\_ Section 423.2, subsection 11, paragraph  
22 b, subparagraph (3), Code 2016, is amended to read as  
23 follows:

24 (3) Transfer one-sixth of the remaining revenues  
25 to the secure an advanced vision for education fund  
26 created in section 423F.2. This subparagraph (3) is  
27 repealed ~~December 31, 2029~~ January 1, 2050.

28 Sec. \_\_\_\_ Section 423.2, subsection 14, Code 2016,  
29 is amended to read as follows:

30 14. The sales tax rate of six percent is reduced to  
31 five percent beginning on January 1, ~~2030~~ 2050.

32 Sec. \_\_\_\_ Section 423.5, subsection 5, Code 2016,  
33 is amended to read as follows:

34 5. The use tax rate of six percent is reduced to  
35 five percent beginning on January 1, ~~2030~~ 2050.

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1 Sec. \_\_\_\_ Section 423.43, subsection 1, paragraph  
2 b, Code 2016, is amended to read as follows:

3 b. Subsequent to the deposit into the general fund  
4 of the state and after the transfer of such revenues  
5 collected under chapter 423B, the department shall  
6 transfer one-sixth of such remaining revenues to the  
7 secure an advanced vision for education fund created in  
8 section 423F.2. This paragraph is repealed ~~December~~  
9 ~~31, 2029~~ January 1, 2050.

10 Sec. \_\_\_\_ Section 423F.1, Code 2016, is amended to  
11 read as follows:

12 **423F.1 Legislative intent.**

13 It is the intent of the general assembly that the  
 14 increase in the state sales, services, and use taxes  
 15 under chapter 423, subchapters II and III, from five  
 16 percent to six percent on July 1, 2008, shall be used  
 17 solely for purposes of providing revenues to local  
 18 school districts under this chapter to be used solely  
 19 for school infrastructure purposes, ~~or~~ school district  
 20 property tax relief, and school district budget  
 21 adjustments under section 254.14A.

22 Sec. \_\_\_\_\_. Section 423F.3, subsection 1, paragraph  
 23 d, Code 2016, is amended to read as follows:

24 *d.* For any authorized school infrastructure  
 25 purpose ~~or project~~ of the school district as defined  
 26 in subsection 6, ~~excluding purposes specified in~~  
 27 subsection 6, paragraph "d", if the total cost of the  
 28 authorized infrastructure purpose does not exceed three  
 29 million dollars.

30 Sec. \_\_\_\_\_. Section 423F.3, subsection 3, paragraph  
 31 b, Code 2016, is amended to read as follows:

32 *b.* If the board of directors intends to use funds  
 33 for purposes ~~or projects~~ other than those listed in  
 34 paragraph "a", or change the use of funds to purposes  
 35 ~~or projects~~ other than those listed in paragraph "a",

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1 the board shall adopt a revenue purpose statement  
 2 or amend an existing revenue purpose statement,  
 3 subject to approval of the electors, listing the  
 4 proposed use of the funds. If the board of directors  
 5 intends to use funds for a school infrastructure  
 6 purpose or project that was approved by the board  
 7 on or after July 1, 2016, the total cost of which  
 8 exceeds three million dollars, the board shall adopt  
 9 a revenue purpose statement or amend an existing  
 10 revenue purpose statement, subject to approval of the  
 11 electors, to specifically authorize the use of funds  
 12 for that school infrastructure purpose or project.  
 13 Both the ballot presented to the electors and the  
 14 revenue purpose statement shall describe each school  
 15 infrastructure purpose or project that has a total cost  
 16 exceeding three million dollars, specify the estimated  
 17 commencement and completion dates for each such purpose  
 18 or project, and specify a maximum amount of funds  
 19 received under this section that may be used for each  
 20 such purpose or project. School districts shall submit  
 21 the statement to the voters no later than sixty days  
 22 prior to the expiration of any existing revenue purpose  
 23 statement or change in use not included in the existing  
 24 revenue purpose statement.

25 Sec. \_\_\_\_\_. Section 423F.3, subsection 6, Code 2016,  
 26 is amended by adding the following new paragraph:

27 NEW PARAGRAPH. *Od.* For school budget years  
 28 beginning on or after July 1, 2017, “school  
 29 infrastructure” includes any of the following if  
 30 specified in a revenue purpose statement approved at  
 31 election:  
 32 (1) If a school district’s average transportation  
 33 costs per pupil exceed the state average transportation  
 34 costs per pupil determined under section 257.31,  
 35 subsection 17, paragraph “c”, the payment of school

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1 district transportation costs not to exceed an amount  
 2 equal to the district’s actual enrollment for the  
 3 school year multiplied by the difference between the  
 4 district’s average transportation costs per pupil and  
 5 the state average transportation costs per pupil for  
 6 the school year.  
 7 (2) Funding a district cost per pupil equity budget  
 8 adjustment under section 257.14A.  
 9 (3) Reduction of the school district’s additional  
 10 property tax levy under section 257.4.  
 11 Sec. \_\_\_\_ Section 423F.3, subsection 7, Code 2016,  
 12 is amended to read as follows:  
 13 7. The general assembly shall not alter the  
 14 purposes for which the revenues received under this  
 15 section may be used from infrastructure ~~and purposes,~~  
 16 ~~property tax relief purposes, and budget adjustment~~  
 17 ~~purposes under section 257.14A~~ to any other purpose  
 18 unless the bill is approved by a vote of at least  
 19 two-thirds of the members of both chambers of the  
 20 general assembly and is signed by the governor.  
 21 Sec. \_\_\_\_ Section 423F.6, Code 2016, is amended to  
 22 read as follows:  
 23 **423F.6 Repeal.**  
 24 This chapter is repealed ~~December 31, 2029~~ January  
 25 1, 2050.  
 26 Sec. \_\_\_\_ IMPLEMENTATION. The approval requirement  
 27 of section 423F.3, subsection 7, Code 2016, shall not  
 28 apply to this division of this Act.>  
 29 2. Title page, line 5, after <atters,> by  
 30 inserting <modifying provisions relating to the secure  
 31 an advanced vision for education fund,>  
 32 3. By renumbering, redesignating, and correcting  
 33 internal references as necessary.

PAUSTIAN of Scott

H-8263

1 Amend Senate File 2323, as amended, passed, and  
 2 reprinted by the Senate, as follows:



- 3 1. Page 23, after line 33 by inserting:
- 4 <Sec. \_\_\_\_ Section 256.11, subsection 16, paragraph
- 5 d, Code 2016, is amended by striking the paragraph.>
- 6 2. By renumbering as necessary.

HEARTSILL of Marion

H-8264

- 1 Amend Senate File 492, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 1, by striking <Code 2015> and
- 4 inserting <Code 2016>
- 5 2. Page 1, by striking lines 18 through 21 and
- 6 inserting <additional needs. Upon request of the
- 7 department of human services, the executive council
- 8 may make available up to one hundred thousand dollars,
- 9 or so much as is necessary, for contract entity staff
- 10 support and case management training.>

COMMITTEE ON APPROPRIATIONS

H-8265

- 1 Amend Senate File 2320, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 1, line 20, through page 2,
- 4 line 5, and inserting:
- 5 <2. For salaries, support, maintenance, and
- 6 miscellaneous purposes:
- 7 a. Operations:
- 8 ..... \$ 3,279,911
- 9 ..... 6,643,821
- 10 b. Planning:
- 11 ..... \$ 219,487
- 12 ..... 438,973
- 13 c. Motor vehicles:
- 14 ..... \$ 17,962,673
- 15 ..... 35,925,345
- 16 d. Performance and technology:
- 17 ..... \$ 254,520
- 18 ..... 509,040>
- 19 2. By striking page 3, line 26, through page 4,
- 20 line 25, and inserting:
- 21 <1. For salaries, support, maintenance,
- 22 miscellaneous purposes, and for not more than the
- 23 following full-time equivalent positions:
- 24 a. Operations:
- 25 ..... \$ 20,148,023
- 26 ..... 40,812,045
- 27 ..... FTEs 267.00
- 28 ..... 261.00

29	b. Planning:	
30	.....	\$ <u>4,170,241</u>
31		<u>8,340,481</u>
32	..... FTEs	<u>102.00</u>
33		<u>98.00</u>
34	c. Highways:	
35	.....	\$ <u>119,414,428</u>

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1	<u>240,485,855</u>	
2	..... FTEs	<u>2,056.00</u>
3		<u>1,994.00</u>
4	d. Motor vehicles:	
5	.....	\$ <u>748,445</u>
6		<u>1,496,889</u>
7	..... FTEs	<u>412.00</u>
8		<u>402.00</u>
9	e. Performance and technology:	
10	.....	\$ <u>1,563,480</u>
11		<u>3,126,960</u>
12	..... FTEs	<u>35.00</u>
13		<u>34.00</u> >

COMMITTEE ON APPROPRIATIONS

H-8266

1 Amend Senate File 2187, as passed by the Senate, as  
2 follows:  
3 1. Page 1, after line 13 by inserting:  
4 <Sec. \_\_\_\_ Section 321L.2, subsection 1, unnumbered  
5 paragraph 1, Code 2016, is amended to read as follows:  
6 A resident of the state with a disability desiring  
7 a persons with disabilities parking permit shall  
8 apply to the department upon an application form  
9 furnished by the department providing the applicant's  
10 full legal name, address, date of birth, and social  
11 security number or Iowa driver's license number or  
12 Iowa nonoperator's identification card number, and  
13 shall also provide a statement from a physician  
14 licensed under chapter 148 or 149, a physician  
15 assistant licensed under chapter 148C, an advanced  
16 registered nurse practitioner licensed under chapter  
17 152, or a chiropractor licensed under chapter  
18 151, or a physician, physician assistant, nurse  
19 practitioner, or chiropractor licensed to practice  
20 in a contiguous state, written on the physician's,  
21 physician assistant's, nurse practitioner's, or  
22 chiropractor's stationery, stating the nature of the  
23 applicant's disability and such additional information  
24 as required by rules adopted by the department

25 under section 321L.8. If the person is applying  
 26 for a temporary persons with disabilities parking  
 27 permit, the physician's, physician assistant's, nurse  
 28 practitioner's, or chiropractor's statement shall  
 29 state the period of time during which the person is  
 30 expected to be disabled and the period of time for  
 31 which the permit should be issued, not to exceed six  
 32 months. The department may waive the requirement that  
 33 the applicant furnish the applicant's social security  
 34 number, Iowa driver's license number, or nonoperator's  
 35 identification card number when the application for

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1 a temporary persons with disabilities parking permit  
 2 is made on behalf of a person who is less than one  
 3 year old. The department may accept a certification  
 4 of disability from the United States department  
 5 of veterans affairs in lieu of a statement from a  
 6 physician, physician assistant, advanced registered  
 7 nurse practitioner, or chiropractor. The department  
 8 may adopt rules pursuant to chapter 17A detailing  
 9 the requirements for an acceptable certification of  
 10 disability.>

11 2. Title page, line 2, after <status> by inserting  
 12 <and providing for the acceptance of a disability  
 13 certification from the United States department of  
 14 veterans affairs for a persons with disabilities  
 15 parking permit>

16 3. By renumbering as necessary.

RUNNING-MARQUARDT of Linn

H-8267

1 Amend House File 2449, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 3 through 5 and  
 4 inserting:  
 5 <NEW SUBSECTION. 10. a. If a provision of an Act  
 6 of the general assembly expressly requires rulemaking  
 7 by an agency, or if another statute that governs or  
 8 is directly related to a provision of an Act of the  
 9 general assembly expressly requires rulemaking by an  
 10 agency, the>

11 2. Page 1, line 9, by striking <a.> and inserting  
 12 <(1)>

13 3. Page 1, line 12, by striking <b.> and inserting  
 14 <(2)>

15 4. Page 1, line 17, by striking <required or  
 16 necessary,> and inserting <required,>

17 5. Page 1, after line 21 by inserting:

18 <b. This subsection shall not be construed to  
 19 prohibit an agency from conducting rulemaking relating  
 20 to a provision of an Act of the general assembly  
 21 for which a submission was not made pursuant to  
 22 paragraph "a". This subsection shall not be construed  
 23 to prohibit an agency from conducting additional  
 24 rulemaking subsequent to completion of any rulemaking  
 25 for which a submission was made pursuant to paragraph  
 26 "a">

27 6. Page 1, by striking lines 24 and 25 and  
 28 inserting:  
 29 <Sec. \_\_\_. RETROACTIVE APPLICABILITY. This Act  
 30 applies retroactively to any provisions of Acts enacted  
 31 on or after January 11, 2016.>

32 7. Title page, line 3, before <applicability> by  
 33 inserting <retroactive>

34 8. By renumbering as necessary.

## SENATE AMENDMENT

H-8268

1 Amend Senate File 2320, as passed by the Senate, as  
 2 follows:

3 1. By striking page 6, line 24, through page 7,  
 4 line 21.

5 2. Title page, lines 4 and 5, by striking <the  
 6 state aviation fund,>

7 3. By renumbering as necessary.

BYRNES of Mitchell

H-8269

1 Amend the amendment, H-8262, to Senate File 2323,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:

4 1. By striking page 1, line 4, through page 5, line  
 5 28, and inserting:

6 <SECURE AN ADVANCED VISION FOR EDUCATION SALES TAX  
 7 EXTENSION

8 Sec. \_\_\_. Section 423.2, subsection 11, paragraph  
 9 b, subparagraph (3), Code 2016, is amended to read as  
 10 follows:

11 (3) Transfer one-sixth of the remaining revenues  
 12 to the secure an advanced vision for education fund  
 13 created in section 423F.2. This subparagraph (3) is  
 14 repealed ~~December 31, 2020~~ January 1, 2050.

15 Sec. \_\_\_. Section 423.2, subsection 14, Code 2016,  
 16 is amended to read as follows:

17 14. The sales tax rate of six percent is reduced to  
 18 five percent beginning on January 1, ~~2030~~ 2050.

19 Sec. \_\_\_\_ Section 423.5, subsection 5, Code 2016,  
 20 is amended to read as follows:  
 21 5. The use tax rate of six percent is reduced to  
 22 five percent beginning on January 1, ~~2030~~ 2050.  
 23 Sec. \_\_\_\_ Section 423.43, subsection 1, paragraph  
 24 b, Code 2016, is amended to read as follows:  
 25 b. Subsequent to the deposit into the general fund  
 26 of the state and after the transfer of such revenues  
 27 collected under chapter 423B, the department shall  
 28 transfer one-sixth of such remaining revenues to the  
 29 secure an advanced vision for education fund created in  
 30 section 423F.2. This paragraph is repealed ~~December~~  
 31 ~~31, 2029~~ January 1, 2050.  
 32 Sec. \_\_\_\_ Section 423F.6, Code 2016, is amended to  
 33 read as follows:  
 34 **423F.6 Repeal.**  
 35 This chapter is repealed ~~December 31, 2029~~ January

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- 1 1, 2050.>
- 2 2. By renumbering as necessary.

DAWSON of Woodbury	ABDUL-SAMAD of Polk
ANDERSON of Polk	BEARINGER of Fayette
BENNETT of Linn	BROWN-POWERS of Black Hawk
COHOON of Des Moines	FORBES of Polk
GAINES of Polk	GASKILL of Wapello
HALL of Woodbury	HANSON of Jefferson
HEDDENS of Story	HUNTER of Polk
JACOBY of Johnson	KEARNS of Lee
KELLEY of Jasper	KRESSIG of Black Hawk
LENSING of Johnson	LYKAM of Scott
MASCHER of Johnson	McCONKEY of Pottawattamie
MEYER of Polk	H. MILLER of Webster
OLDSON of Polk	OLSON of Polk
OURTH of Warren	PRICHARD of Floyd
SMITH of Marshall	STAED of Linn
STECKMAN of Cerro Gordo	STUTSMAN of Johnson
T. TAYLOR of Linn	THEDE of Scott
WINCKLER of Scott	

H-8270

1 Amend Senate File 2323, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. By striking page 15, line 3, through page 16,  
 4 line 4, and inserting:

5 <..... \$100,637,324  
 6 206,290,605

7 ~~The funds appropriated in this subsection shall~~  
 8 ~~be allocated pursuant to the formula established in~~

9 ~~section 260C.18C.~~  
 10 Notwithstanding the allocation formula in section  
 11 260C.18C, the moneys appropriated in this subsection  
 12 shall be allocated as follows:  
 13 (1) Merged Area I  
 14 ..... \$ 10,177,544  
 15 (2) Merged Area II  
 16 ..... \$ 10,308,056  
 17 (3) Merged Area III  
 18 ..... \$ 9,540,864  
 19 (4) Merged Area IV  
 20 ..... \$ 4,696,377  
 21 (5) Merged Area V  
 22 ..... \$ 11,682,217  
 23 (6) Merged Area VI  
 24 ..... \$ 9,150,335  
 25 (7) Merged Area VII  
 26 ..... \$ 13,905,688  
 27 (8) Merged Area IX  
 28 ..... \$ 17,619,104  
 29 (9) Merged Area X  
 30 ..... \$ 32,259,912  
 31 (10) Merged Area XI  
 32 ..... \$ 34,579,313  
 33 (11) Merged Area XII  
 34 ..... \$ 11,445,479  
 35 (12) Merged Area XIII

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1 ..... \$ 12,436,640  
 2 (13) Merged Area XIV  
 3 ..... \$ 4,787,158  
 4 (14) Merged Area XV  
 5 ..... \$ 15,018,886  
 6 (15) Merged Area XVI  
 7 ..... \$ 8,683,032>

- |                      |                            |
|----------------------|----------------------------|
| WINCKLER of Scott    | ABDUL-SAMAD of Polk        |
| ANDERSON of Polk     | BEARINGER of Fayette       |
| BENNETT of Linn      | BROWN-POWERS of Black Hawk |
| COHOON of Des Moines | DAWSON of Woodbury         |
| FORBES of Polk       | GAINES of Polk             |
| GASKILL of Wapello   | HALL of Woodbury           |
| HANSON of Jefferson  | HUNTER of Polk             |
| JACOBY of Johnson    | KEARNS of Lee              |
| KELLEY of Jasper     | KRESSIG of Black Hawk      |
| LENSING of Johnson   | LYKAM of Scott             |
| MEYER of Polk        | H. MILLER of Webster       |
| OLSON of Polk        | OURTH of Warren            |
| PRICHARD of Floyd    | RUNNING-MARQUARDT of Linn  |

SMITH of Marshall  
STECKMAN of Cerro Gordo  
T. TAYLOR of Linn  
WESSEL-KROESCHELL of Story

STAED of Linn  
STUTSMAN of Johnson  
THEDE of Scott  
WOLFE of Clinton

H-8271

1 Amend Senate File 2323, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 17, after line 10 by inserting:  
4 <f. For moneys to be allocated for general  
5 education purposes among the institutions governed by  
6 the state board of regents as determined by the state  
7 board:  
8 ..... \$ 2,000,000>  
9 2. By renumbering as necessary.

KRESSIG of Black Hawk  
ABDUL-SAMAD of Polk  
BROWN-POWERS of Black Hawk  
FORBES of Polk  
HEDDENS of Story  
KEARNS of Lee  
LENSING of Johnson  
MASCHER of Johnson  
H. MILLER of Webster  
RUNNING-MARQUARDT of Linn  
STECKMAN of Cerro Gordo  
T. TAYLOR of Linn  
WESSEL-KROESCHELL of Story  
WOLFE of Clinton

JACOBY of Johnson  
BENNETT of Linn  
COHOON of Des Moines  
GAINES of Polk  
HUNTER of Polk  
KELLEY of Jasper  
LYKAM of Scott  
McCONKEY of Pottawattamie  
OURTH of Warren  
STAED of Linn  
STUTSMAN of Johnson  
THEDE of Scott  
WINCKLER of Scott

H-8272

1 Amend the amendment, H-8257, to Senate File 2323,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, by striking lines 4 through 6 and  
5 inserting:  
6 <<Sec. \_\_\_\_ STATE BOARD OF EDUCATION — SUSPENSION  
7 OF RULE APPLICABILITY — REVIEW BY ADMINISTRATIVE  
8 RULES REVIEW COMMITTEE. The applicability of 281  
9 Iowa administrative code, rule 12.8, subrule 1,  
10 paragraph “h”, is suspended until July 1, 2017. The  
11 administrative rules review committee shall review  
12 281 Iowa administrative code, rule 12.8, subrule 1,  
13 paragraph “h”, at its regular meeting in December  
14 2016.>>  
15 2. Page 1, by striking lines 8 through 10 and  
16 inserting:  
17 <<5. The section of this Act suspending the  
18 applicability of an administrative rule adopted by the

19 state board of education and requiring review of such  
20 rule by the administrative rules review committee.>>

VANDER LINDEN of Mahaska

H-8273

1 Amend Senate File 2323, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 34, after line 6 by inserting:

4 <DIVISION \_\_\_\_  
5 REQUIREMENTS FOR ESTABLISHING  
6 STATE PERCENTS OF GROWTH

7 Sec. \_\_\_\_ Section 257.2, subsection 11, Code 2016,  
8 is amended to read as follows:

9 11. "*State percent of growth*" means the percent  
10 of growth which is established by statute pursuant to  
11 section 257.8, and which is used in determining the  
12 supplemental state aid.

13 Sec. \_\_\_\_ Section 257.8, subsections 1 and 2, Code  
14 2016, are amended to read as follows:

15 1. *State percent of growth.*

16 a. The state percent of growth for the budget year  
17 beginning July 1, 2013, is two percent. The state  
18 percent of growth for the budget year beginning July  
19 1, 2014, is four percent. The state percent of growth  
20 for the budget year beginning July 1, 2015, is one and  
21 twenty-five hundredths percent. The state percent of  
22 growth for each subsequent budget year beginning before  
23 July 1, 2017, shall be established by statute which  
24 shall be enacted within thirty days of the submission  
25 in the year preceding the base year of the governor's  
26 budget under section 8.21. The state percent of growth  
27 for the budget year beginning July 1, 2017, and each  
28 subsequent budget year, shall be established by statute  
29 which shall be enacted within fourteen days following  
30 the first meeting of the revenue estimating conference  
31 held in March pursuant to section 8.22A, subsection 2,  
32 during the year preceding the base year or shall be  
33 established as otherwise provided in paragraph "b".

34 The establishment of the state percent of growth for  
35 a budget year shall be the only subject matter of the

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1 bill which enacts the state percent of growth for a  
2 budget year.

3 b. For each budget year beginning on or after July  
4 1, 2017, for which the state percent of growth has not  
5 been established by statute within the applicable time  
6 period specified in paragraph "a", the state percent  
7 of growth for that budget year shall be a percentage



8 equal to the school finance factor as determined under  
 9 subsection 6.  
 10 2. *Categorical state percent of growth.*  
 11 a. The categorical state percent of growth for the  
 12 budget year beginning July 1, 2013, is two percent.  
 13 The categorical state percent of growth for the budget  
 14 year beginning July 1, 2014, is four percent. The  
 15 categorical state percent of growth for the budget  
 16 year beginning July 1, 2015, is one and twenty-five  
 17 hundredths percent. The categorical state percent of  
 18 growth for each budget year beginning before July 1,  
 19 2017, shall be established by statute which shall be  
 20 enacted within thirty days of the submission in the  
 21 year preceding the base year of the governor's budget  
 22 under section 8.21. The categorical state percent of  
 23 growth for the budget year beginning July 1, 2017, and  
 24 each subsequent budget year, shall be established by  
 25 statute which shall be enacted within fourteen days  
 26 following the first meeting of the revenue estimating  
 27 conference held in March pursuant to section 8.22A,  
 28 subsection 2, during the year preceding the base  
 29 year or shall be established as otherwise provided in  
 30 paragraph "b". The establishment of the categorical  
 31 state percent of growth for a budget year shall be  
 32 the only subject matter of the bill which enacts  
 33 the categorical state percent of growth for a budget  
 34 year. The categorical state percent of growth may  
 35 include state percents of growth for the teacher salary

PAGE 3

1 supplement, the professional development supplement,  
 2 the early intervention supplement, and the teacher  
 3 leadership supplement.  
 4 b. For each budget year beginning on or after July  
 5 1, 2017, for which the categorical state percent of  
 6 growth has not been established by statute within the  
 7 applicable time period specified in paragraph "a", the  
 8 categorical state percent of growth for that budget  
 9 year shall be a percentage equal to the school finance  
 10 factor as determined under subsection 6.  
 11 Sec. \_\_\_\_ Section 257.8, Code 2016, is amended by  
 12 adding the following new subsection:  
 13 NEW SUBSECTION. 6. a. "School finance factor"  
 14 is an index, expressed as a percentage rounded to the  
 15 nearest one-hundredth of one percent, calculated by the  
 16 department of management, that is the percentage change  
 17 between the following:  
 18 (1) The general fund revenue estimate made during  
 19 the first revenue estimating conference meeting held in  
 20 March pursuant to section 8.22A, subsection 2, during  
 21 the year preceding the base year for the fiscal year

22 beginning July 1 of the calendar year in which the  
 23 meeting is held.  
 24 (2) The general fund revenue estimate made by the  
 25 revenue estimating conference during the first meeting  
 26 held in March pursuant to section 8.22A, subsection 2,  
 27 during the year preceding the base year for the fiscal  
 28 year beginning July 1 of the calendar year following  
 29 the calendar year in which the meeting is held.  
 30 b. If the school finance factor for a budget year,  
 31 as calculated under paragraph "a", is less than zero  
 32 percent, the school finance factor for that budget year  
 33 shall be zero percent.>  
 34 2. Title page, line 5, after <atters,> by  
 35 inserting <modifying requirements for establishment of

PAGE 4

1 state percents of growth,>  
 2 3. By renumbering, redesignating, and correcting  
 3 internal references as necessary.

WINCKLER of Scott  
 ANDERSON of Polk  
 COHOON of Des Moines  
 GASKILL of Wapello  
 HUNTER of Polk  
 JACOBY of Johnson  
 KELLEY of Jasper  
 LENSING of Johnson  
 H. MILLER of Webster  
 STECKMAN of Cerro Gordo  
 T. TAYLOR of Linn

ABDUL-SAMAD of Polk  
 BERRY of Black Hawk  
 DAWSON of Woodbury  
 HANSON of Jefferson  
 ISENHART of Dubuque  
 KEARNS of Lee  
 KRESSIG of Black Hawk  
 MASCHER of Johnson  
 OLSON of Polk  
 STUTSMAN of Johnson  
 THEDE of Scott

H-8274

1 Amend Senate File 2324, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by striking line 16 and inserting:  
 4 <..... \$ 5,496,818>  
 5 2. Page 1, by striking lines 23 through 25 and  
 6 inserting:  
 7 <In addition, of the moneys appropriated in this  
 8 subsection, the department should give priority to  
 9 projects that address health and safety issues of Iowa  
 10 law enforcement academy facilities.>  
 11 3. Page 2, by striking line 4 and inserting:  
 12 <..... \$ 5,200,000>  
 13 4. Page 2, by striking lines 16 through 19 and  
 14 inserting:  
 15 <(c) Of the>  
 16 5. Page 2, line 20, by striking <allocated in this  
 17 subparagraph division> and inserting <appropriated in

18 this lettered paragraph>

19 6. Page 2, line 21, by striking <used> and  
20 inserting <allocated>

21 7. Page 5, by striking lines 6 through 12.

22 8. Page 5, line 18, by striking <35,000> and  
23 inserting <28,000>

24 9. Page 6, line 3, by striking <a. For> and  
25 inserting <For>

26 10. Page 6, by striking lines 7 through 13.

27 11. Page 6, by striking lines 18 through 33.

28 12. Page 7, by striking lines 7 through 12.

29 13. Page 7, by striking lines 16 through 20.

30 14. Page 8, by striking line 24 and inserting:

31 <..... \$ 2,500,000>

32 15. Page 8, by striking line 30 and inserting:

33 <..... \$ 1,250,000>

34 16. Page 8, by striking line 35 and inserting:

35 <..... \$ 1,500,000>

PAGE 2

1 17. Page 9, by striking lines 26 through 35.

2 18. Page 11, line 23, by striking <a. For> and  
3 inserting <For>

4 19. By striking page 11, line 31, through page 12,  
5 line 8.

6 20. Page 12, by striking lines 14 through 18.

7 21. Page 12, by striking line 30 and inserting:

8 <..... \$ 300,000>

9 22. Page 13, line 33, by striking <1.>

10 23. Page 14, after line 1 by inserting:

11 <Of the moneys appropriated in this subsection, the  
12 department shall be authorized to expend such amount  
13 as is necessary for the costs of installing outdoor  
14 lighting at the Iowa state capitol.>

15 24. Page 14, by striking lines 2 through 19.

16 25. Page 14, after line 31 by inserting:

17 <Sec. \_\_. 2011 Iowa Acts, chapter 133, section 4,  
18 as amended by 2015 Iowa Acts, chapter 139, section 8,  
19 is amended to read as follows:

20 SEC. 4. REVERSION.

21 1. Except as provided in ~~subsection~~ subsections

22 2 and 3, for purposes of section 8.33, unless

23 specifically provided otherwise, unencumbered or

24 unobligated moneys made from an appropriation in this

25 division of this Act shall not revert but shall remain

26 available for expenditure for the purposes designated

27 until the close of the fiscal year that ends three

28 years after the end of the fiscal year for which the

29 appropriation is made. However, if the project or

30 projects for which such appropriation was made are

31 completed in an earlier fiscal year, unencumbered or

32 unobligated moneys shall revert at the close of that  
 33 same fiscal year.  
 34 2. For purposes of section 8.33, unless  
 35 specifically provided otherwise, moneys appropriated

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1 in section 3, subsection 8, paragraph “b”, of this  
 2 division of this Act as amended by 2012 Iowa Acts,  
 3 chapter 1140, section 18, that remain unencumbered or  
 4 unobligated at the close of the fiscal year beginning  
 5 July 1, 2014, shall not revert but shall remain  
 6 available for the purpose designated until the close  
 7 of the fiscal year that begins July 1, 2016, or until  
 8 the project for which the appropriation was made is  
 9 completed, whichever is earlier.

10 3. For purposes of section 8.33, unless  
 11 specifically provided otherwise, unencumbered or  
 12 unobligated moneys appropriated in section 3,  
 13 subsection 5, paragraph “a”, of this division of this  
 14 2011 Act as amended by 2012 Iowa Acts, chapter 1140,  
 15 section 17, and 2013 Iowa Acts, chapter 142, section  
 16 47, shall not revert but shall remain available for  
 17 the purpose designated until the close of the fiscal  
 18 year that begins July 1, 2019, or until the projects  
 19 for which the appropriations were made are completed,  
 20 whichever is earlier.>

21 26. Page 15, after line 31 by inserting:  
 22 <Sec. \_\_. 2014 Iowa Acts, chapter 1136, section 1,  
 23 subsection 7, is amended to read as follows:

24 c. For the construction of a new facility and an  
 25 addition, renovation, and modernization of current  
 26 facilities and related improvements for biosciences at  
 27 Iowa state university of science and technology:

28	FY 2015-2016:	
29	.....	\$ 11,000,000
30	FY 2016-2017:	
31	.....	\$ 19,500,000
32		<u>15,500,000</u>
33	FY 2017-2018:	
34	.....	\$ 19,500,000
35		<u>23,500,000&gt;</u>

PAGE 4

1 27. By striking page 15, line 32, through page 17,  
 2 line 5.

3 28. By striking page 17, line 9, through page 20,  
 4 line 4.

5 29. By striking page 20, line 30, through page 21,  
 6 line 6.

7 30. Page 21, by striking lines 21 through 26.

- 8 31. Title page, line 6, by striking <and  
 9 retroactive applicability>  
 10 32. By renumbering, redesignating, and correcting  
 11 internal references as necessary.

## COMMITTEE ON APPROPRIATIONS

H-8275

- 1 Amend Senate File 2308, as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <DIVISION I  
 6 ENHANCE IOWA  
 7 Section 1. Section 12.71, Code 2016, is amended by  
 8 adding the following new subsections:  
 9 NEW SUBSECTION. 11. The treasurer of state shall  
 10 not issue bonds or refunding bonds under this section  
 11 after June 30, 2016.  
 12 NEW SUBSECTION. 12. This section is repealed on  
 13 the date that all bonds and refunding bonds issued  
 14 pursuant to this section are redeemed in full. The  
 15 treasurer of state shall notify the Iowa Code editor  
 16 of this occurrence.  
 17 Sec. 2. Section 15F.101, subsection 2, Code 2016,  
 18 is amended to read as follows:  
 19 2. “Board” means the ~~vision~~ enhance Iowa board as  
 20 created in section 15F.102.  
 21 Sec. 3. Section 15F.102, Code 2016, is amended by  
 22 striking the section and inserting in lieu thereof the  
 23 following:  
 24 **15F.102 Enhance Iowa board.**  
 25 1. An enhance Iowa board is established consisting  
 26 of the members described in subsection 2. The board  
 27 is located within the authority for administrative  
 28 purposes. The director of the authority shall provide  
 29 office space, staff assistance, and necessary supplies  
 30 and equipment for the board. The director shall budget  
 31 moneys to cover the compensation and expenses of the  
 32 board. In performing its functions, the board is  
 33 performing a public function on behalf of the state and  
 34 is a public instrumentality of the state.  
 35 2. The board shall consist of the following voting

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- 1 members appointed by the governor:  
 2 a. Two members from each United States  
 3 congressional district in the state as established in  
 4 section 40.1.  
 5 b. Three members from the state at large.

- 6 3. *a.* Of the voting members appointed pursuant to  
7 subsection 2, the governor shall appoint the following:  
8 (1) One person selected by the board of the Iowa  
9 natural heritage foundation.  
10 (2) One person with professional experience in  
11 finance or investment banking.  
12 (3) One person with professional experience in the  
13 tourism industry.  
14 (4) One person with professional experience in  
15 architecture, landscape architecture, or historic  
16 preservation.  
17 (5) One person with professional experience in  
18 cultural attractions and programming.  
19 (6) Six persons actively employed in the private,  
20 for-profit sector of the economy who have substantial  
21 expertise in economic development.  
22 *b.* The governor shall appoint the voting members  
23 pursuant to subsection 2, subject to sections 69.16,  
24 69.16A, and 69.16C, and subject to confirmation by the  
25 senate.  
26 *c.* The members appointed pursuant to subsection 2  
27 shall be appointed to two-year staggered terms and the  
28 terms shall commence and end as provided by section  
29 69.19. If a vacancy occurs, a successor shall be  
30 appointed to serve the unexpired term. A successor  
31 shall be appointed in the same manner and subject to  
32 the same qualifications as the original appointment to  
33 serve the unexpired term.  
34 4. In addition to the voting members, the  
35 membership of the board shall include four members of

PAGE 3

- 1 the general assembly with one member designated by each  
2 of the following: the majority leader of the senate,  
3 the minority leader of the senate, the speaker of the  
4 house of representatives, and the minority leader of  
5 the house of representatives. A legislative member  
6 serves for a term as provided in section 69.16B in an  
7 ex officio, nonvoting capacity.  
8 5. The governor shall designate the chairperson  
9 and vice chairperson of the board from the members  
10 appointed pursuant to subsection 2. In the case of  
11 absence or disability of the chairperson and vice  
12 chairperson, the members of the board shall elect a  
13 temporary chairperson by a majority vote of those  
14 members who are present and voting.  
15 6. Each voting member of the board shall serve on  
16 at least one of the three review committees referred to  
17 in sections 15F.203, 15F.304, and 15F.401A.  
18 7. A majority of the total voting membership of the  
19 board constitutes a quorum.

20 Sec. 4. Section 15F.103, Code 2016, is amended by  
 21 adding the following new subsections:  
 22 NEW SUBSECTION. 3A. Oversee the administration by  
 23 the authority of the sports tourism program pursuant  
 24 to this chapter.  
 25 NEW SUBSECTION. 3B. Oversee the administration of  
 26 the river enhancement community attraction and tourism  
 27 program pursuant to this chapter.  
 28 Sec. 5. Section 15F.104, Code 2016, is amended to  
 29 read as follows:  
 30 **15F.104 Authority duties.**  
 31 The authority, subject to approval by the board,  
 32 shall adopt administrative rules pursuant to chapter  
 33 17A necessary to administer ~~the community attraction~~  
 34 ~~and tourism program and the vision Iowa program the~~  
 35 programs established pursuant to this chapter. The

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1 authority shall provide the board with assistance  
 2 in implementing administrative functions, marketing  
 3 the programs, providing technical assistance and  
 4 application assistance to applicants under the  
 5 programs, negotiating contracts, and providing project  
 6 follow-up. The authority, ~~in cooperation with the~~  
 7 ~~treasurer of state,~~ may conduct negotiations on behalf  
 8 of the board with applicants regarding terms and  
 9 conditions applicable to awards under the programs.  
 10 Sec. 6. NEW SECTION. 15F.107 Enhance Iowa fund.  
 11 1. *a.* The authority shall establish a fund  
 12 pursuant to section 15.106A, subsection 1, paragraph  
 13 "o", for purposes of allocating moneys to programs  
 14 specified in an appropriation made to the enhance Iowa  
 15 fund. A fund established for purposes of this section  
 16 may be administered as a revolving fund and may consist  
 17 of any moneys appropriated by the general assembly for  
 18 purposes of this section.  
 19 *b.* Notwithstanding section 8.33, at the end of each  
 20 fiscal year moneys in a fund established for purposes  
 21 of this section shall not revert to any other fund but  
 22 shall remain in the fund for expenditure for subsequent  
 23 fiscal years.  
 24 *c.* Notwithstanding section 12C.7, subsection 2,  
 25 interest or earnings on moneys in the fund shall be  
 26 credited to the fund. Repayments and recaptures of  
 27 program moneys shall be credited to the fund.  
 28 2. The authority shall submit a report to the  
 29 general assembly and the governor's office each year  
 30 that moneys are appropriated to the fund established  
 31 in this section describing the use of moneys and the  
 32 results achieved under each of the programs receiving  
 33 fund moneys.

34 Sec. 7. Section 15F.203, subsections 1 and 2, Code  
35 2016, are amended to read as follows:

PAGE 5

1 1. Applications for assistance under the program  
2 shall be submitted to the authority. For those  
3 applications that meet the eligibility criteria, the  
4 authority shall forward the applications to the board  
5 and provide a staff review analysis and evaluation to  
6 the community attraction and tourism program review  
7 committee referred to in subsection 2 and to the board.

8 2. A review committee composed of five members of  
9 the board shall review community attraction and tourism  
10 program applications ~~submitted~~ forwarded to the board  
11 and make recommendations regarding the applications  
12 to the board. The review committee shall consist of  
13 members of the board ~~listed in, with one member from~~  
14 each congressional district under section 15F.102,  
15 subsection 2, paragraphs paragraph "a" through "e",  
16 and one member from the state at large under section  
17 15F.102, subsection 2, paragraph "b".

18 Sec. 8. Section 15F.204, subsection 8, Code 2016,  
19 is amended by striking the subsection.

20 Sec. 9. Section 15F.304, subsections 1 and 2, Code  
21 2016, are amended to read as follows:

22 1. Applications for assistance under the program  
23 shall be submitted to the authority. For those  
24 applications that meet the eligibility criteria, the  
25 authority shall forward the applications to the board  
26 and provide a staff review and evaluation to the vision  
27 Iowa program review committee referred to in subsection  
28 2 and to the board.

29 2. A review committee composed of ~~eight~~ six  
30 members of the board shall review vision Iowa program  
31 applications and river enhancement community attraction  
32 and tourism project applications ~~submitted~~ forwarded  
33 to the board and make recommendations regarding the  
34 applications to the board. The review committee  
35 shall consist of members of the board ~~listed in, with~~

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1 one member from each congressional district under  
2 section 15F.102, subsection 2, paragraphs "d" through  
3 "h" paragraph "a", and two members from the state at  
4 large under section 15F.102, subsection 2, paragraph  
5 "b".

6 Sec. 10. **NEW SECTION. 15F.401 Sports tourism**  
7 **program.**

8 1. *a.* The authority shall establish, and, at  
9 the direction of the board, shall administer a sports



10 tourism program to provide financial assistance for  
 11 projects that promote sporting events for organizations  
 12 of accredited colleges and universities and other  
 13 sporting events in the state.

14 *b.* For purposes of this section:

15 (1) "*District*" means a regional sports authority  
 16 district certified under section 15E.321.

17 (2) "*Financial assistance*" means assistance provided  
 18 only from the funds available to the authority or the  
 19 board and includes assistance in the form of grants,  
 20 loans, and forgivable loans.

21 (3) "*Organization*" means a corporation, conference,  
 22 association, or other organization which has as one of  
 23 its primary purposes the sponsoring or administration  
 24 of extracurricular intercollegiate athletic contests  
 25 or competitions.

26 *c.* The authority, by rule, shall define "*accredited*  
 27 *colleges and universities*", in consultation with the  
 28 college student aid commission.

29 2. *a.* A city or county in the state or a public  
 30 organization, including a convention and visitors  
 31 bureau or a district, may apply to the authority  
 32 for financial assistance for a project that actively  
 33 and directly promotes sporting events for accredited  
 34 colleges and universities and other sporting events  
 35 in the area served by the city, county, or public

PAGE 7

1 organization.

2 *b.* A city, county, or public organization may apply  
 3 for and receive financial assistance for more than one  
 4 project.

5 *c.* A city, county, or public organization may  
 6 apply for financial assistance for a project that  
 7 spans multiple fiscal years or may apply for renewal  
 8 of financial assistance awarded in a prior year if  
 9 all applicable contractual requirements are met. The  
 10 decision as to whether to renew an award shall be at  
 11 the discretion of the board. The board may adopt by  
 12 rule certain metrics and return on investment estimates  
 13 for purposes of this paragraph. The authority may  
 14 include such metrics and estimates in a program  
 15 agreement executed pursuant to this section.

16 *d.* A convention and visitors bureau may apply to  
 17 the authority for financial assistance pursuant to  
 18 this section and a district may apply to the authority  
 19 for district financial assistance, but a convention  
 20 and visitors bureau shall not in the same year receive  
 21 financial assistance under the program created in this  
 22 section and financial assistance as part of a district.

23 3. The authority shall process applications under  
 24 this section in accordance with this section and

25 section 15F.401A.

26 4. An applicant shall demonstrate matching funds  
27 in order to receive financial assistance pursuant to  
28 this section. The amount of matching funds that may be  
29 required shall be at the board's discretion.

30 5. The board shall make final funding decisions  
31 on each application and may approve, deny, defer, or  
32 modify applications for financial assistance under the  
33 program, in its discretion, in order to fund as many  
34 projects with the moneys available as possible. The  
35 board and the authority may negotiate with applicants

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1 regarding the details of projects and the amount  
2 and terms of any award. In making final funding  
3 decisions pursuant to this subsection, the board and  
4 the authority are exempt from chapter 17A.

5 6. *a.* A city, county, or public organization may  
6 use financial assistance received under the program for  
7 marketing, promotions, and infrastructure. Whether an  
8 activity or individual cost item is directly related to  
9 the promotion of the sporting event shall be within the  
10 discretion of the authority.

11 *b.* All applications to the authority for financial  
12 assistance shall be made at least ninety days prior  
13 to an event's scheduled date. A city, county, or  
14 public organization shall not use financial assistance  
15 received under the program as reimbursement for  
16 completed projects.

17 7. An applicant receiving financial assistance  
18 shall provide an annual report to the authority for  
19 years in which it receives financial assistance under  
20 this section. The report shall include the information  
21 the authority deems relevant.

22 8. Each applicant receiving an award of financial  
23 assistance from the board shall enter into an agreement  
24 with the authority. The agreement shall contain such  
25 terms and conditions as the board may place on the  
26 award or the authority may deem necessary for the  
27 efficient administration of the program established in  
28 this subchapter.

29 9. The authority, with the approval of the board,  
30 shall adopt rules for the administration of this  
31 subchapter.

32 Sec. 11. NEW SECTION. **15F.401A Sports tourism**  
33 **program application review.**

34 1. Applications for assistance under the sports  
35 tourism program shall be submitted to the authority.

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1 For those applications that meet the eligibility  
 2 criteria, the authority shall forward the applications  
 3 to the board and provide a staff review analysis  
 4 and evaluation to the sports tourism program review  
 5 committee referred to in subsection 2 and to the board.

6 2. A review committee composed of five members  
 7 of the board shall review sports tourism program  
 8 applications forwarded to the board and make  
 9 recommendations regarding the applications to the  
 10 authority. The review committee shall consist of  
 11 members of the board, with one member from each  
 12 congressional district under section 15F.102,  
 13 subsection 2, paragraph "a", and one member from the  
 14 state at large under section 15F.102, subsection 2,  
 15 paragraph "b".

16 3. When reviewing the applications, the review  
 17 committee and the authority shall consider, at a  
 18 minimum, all of the following:

19 a. Impact of the project on the local, regional,  
 20 and state economies.

21 b. Potential to attract Iowans and out-of-state  
 22 visitors.

23 c. Amount of positive advertising or media coverage  
 24 the project generates.

25 d. Quality, size, and scope of the project.

26 e. Ratio of public-to-private investment.

27 4. Upon review of the recommendations of the review  
 28 committee, the board shall approve, defer, or deny the  
 29 applications in accordance with section 15F.401.

30 **Sec. 12. NEW SECTION. 15F.402 Sports tourism**  
 31 **program fund.**

32 1. a. The authority shall establish a fund  
 33 pursuant to section 15.106A, subsection 1, paragraph  
 34 "o", for purposes of financing sports tourism projects  
 35 as described in this subchapter. The fund established

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1 for purposes of this section may be administered  
 2 as a revolving fund and may consist of any moneys  
 3 appropriated by the general assembly for purposes of  
 4 this section.

5 b. Notwithstanding section 8.33, moneys in a fund  
 6 established for purposes of this section at the end of  
 7 each fiscal year shall not revert to any other fund but  
 8 shall remain in the fund for expenditure for subsequent  
 9 fiscal years.

10 c. Notwithstanding section 12C.7, subsection 2,  
 11 interest or earnings on moneys in the fund shall be  
 12 credited to the fund.

13 2. *a.* Moneys in the fund are appropriated to  
 14 the authority for purposes of providing financial  
 15 assistance to cities, counties, and public  
 16 organizations under the sports tourism program  
 17 established and administered pursuant to this  
 18 subchapter.  
 19 *b.* The board in its discretion shall allocate  
 20 the available moneys in the fund among the programs  
 21 described in paragraph “*a*” in the amounts determined  
 22 by the board.

23 DIVISION II  
 24 CONFORMING PROVISIONS

25 Sec. 13. Section 12.72, subsection 1, Code 2016, is  
 26 amended to read as follows:

27 1. A vision Iowa fund is created and established  
 28 as a separate and distinct fund in the state treasury.  
 29 The moneys in the fund are appropriated to the ~~vision~~  
 30 enhance Iowa board for purposes of the vision Iowa  
 31 program established in section 15F.302. Moneys in the  
 32 fund shall not be subject to appropriation for any  
 33 other purpose by the general assembly, but shall be  
 34 used only for the purposes of the vision Iowa fund.  
 35 The treasurer of state shall act as custodian of the

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1 fund and disburse moneys contained in the fund as  
 2 directed by the ~~vision~~ enhance Iowa board, including  
 3 automatic disbursements of funds received pursuant  
 4 to the terms of bond indentures and documents and  
 5 security provisions to trustees. The fund shall be  
 6 administered by the ~~vision~~ enhance Iowa board which  
 7 shall make expenditures from the fund consistent  
 8 with the purposes of the vision Iowa program without  
 9 further appropriation. An applicant under the vision  
 10 Iowa program shall not receive more than seventy-five  
 11 million dollars in financial assistance from the fund.

12 Sec. 14. Section 12.75, subsection 1, Code 2016, is  
 13 amended to read as follows:

14 1. The ~~vision~~ enhance Iowa board may undertake  
 15 a project for two or more applicants jointly or for  
 16 any combination of applicants, and may combine for  
 17 financing purposes, with the consent of all of the  
 18 applicants which are involved, the project and some  
 19 or all future projects of any applicant, and sections  
 20 12.71, 12.72, and 12.74, this section, and sections  
 21 12.76 and 12.77 apply to and for the benefit of the  
 22 ~~vision~~ enhance Iowa board and the joint applicants.  
 23 However, the money set aside in a fund or funds pledged  
 24 for any series or issue of bonds or notes shall be  
 25 held for the sole benefit of the series or issue  
 26 separate and apart from money pledged for another

27 series or issue of bonds or notes of the treasurer  
 28 of state. To facilitate the combining of projects,  
 29 bonds or notes may be issued in series under one or  
 30 more resolutions or trust agreements and may be fully  
 31 open-ended, thus providing for the unlimited issuance  
 32 of additional series, or partially open-ended, limited  
 33 as to additional series.  
 34 Sec. 15. Section 15.108, subsection 5, paragraph c,  
 35 Code 2016, is amended to read as follows:

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1 c. Coordinate and develop with the department  
 2 of transportation, the department of natural  
 3 resources, the department of cultural affairs, the  
 4 ~~vision~~ enhance Iowa board, other state agencies, and  
 5 local and regional entities public interpretation,  
 6 marketing, and education programs that encourage  
 7 Iowans and out-of-state visitors to participate in the  
 8 recreational and leisure opportunities available in  
 9 Iowa. The authority shall establish and administer  
 10 a program that helps connect both Iowa residents and  
 11 residents of other states to new and existing Iowa  
 12 experiences as a means to enhance the economic, social,  
 13 and cultural well-being of the state. The program  
 14 shall include a broad range of new opportunities, both  
 15 rural and urban, including main street destinations,  
 16 green space initiatives, and artistic and cultural  
 17 attractions.

18 Sec. 16. Section 15E.321, Code 2016, is amended by  
 19 adding the following new subsection:  
 20 NEW SUBSECTION. 3A. Each district may apply for  
 21 and receive financial assistance under the sports  
 22 tourism program established by the authority pursuant  
 23 to section 15F.401.

#### 24 DIVISION III

#### 25 TRANSITION PROVISIONS

26 Sec. 17. BOARD COOPERATION — TRANSITION  
 27 PROVISIONS. The economic development authority shall  
 28 ensure the effective transition of powers and duties  
 29 from the vision Iowa board to the enhance Iowa board in  
 30 implementing this Act. In the interest of maintaining  
 31 the institutional knowledge possessed by members of  
 32 the vision Iowa board, it is the intent of the general  
 33 assembly that the governor should appoint at least  
 34 three but not more than seven members of the vision  
 35 Iowa board in existence on June 30, 2016, to the

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1 enhance Iowa board. The initial members of the enhance  
2 Iowa board shall be appointed by November 1, 2016.>

COMMITTEE ON APPROPRIATIONS

H-8276

1 Amend House File 2458, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 3, after line 21 by inserting:  
4 <Sec. \_\_\_\_. CONSUMER EDUCATION AND LITIGATION —  
5 FARM MEDIATION. Notwithstanding section 714.16C,  
6 there is appropriated from the consumer education and  
7 litigation fund to the department of justice for the  
8 fiscal year beginning July 1, 2016, and ending June 30,  
9 2017, the following amount, or so much thereof as is  
10 necessary, to be used for the purposes designated:  
11 For farm mediation services as specified in section  
12 13.13, subsection 2:  
13 ..... \$ 300,000>  
14 2. Page 8, by striking lines 31 through 33 and  
15 inserting:  
16 <It is the intent of the general assembly that the  
17 first judicial district department of correctional  
18 services maintain the drug courts operated by the  
19 district department.>  
20 3. Page 9, by striking lines 3 through 6 and  
21 inserting:  
22 <It is the intent of the general assembly that the  
23 second judicial district department of correctional  
24 services establish and maintain two drug courts to be  
25 operated by the district department.>  
26 4. Page 9, by striking lines 20 through 22 and  
27 inserting:  
28 <It is the intent of the general assembly that the  
29 fifth judicial district department of correctional  
30 services maintain the drug court operated by the  
31 district department.>  
32 5. Page 9, by striking lines 27 through 29 and  
33 inserting:  
34 <It is the intent of the general assembly that the  
35 sixth judicial district department of correctional

PAGE 2

1 services maintain the drug court operated by the  
2 district department.>  
3 6. By striking page 9, line 34, through page 10,  
4 line 1, and inserting:  
5 <It is the intent of the general assembly that the

6 seventh judicial district department of correctional  
 7 services maintain the drug court operated by the  
 8 district department.>  
 9 7. Page 18, line 16, by striking <9,528,227> and  
 10 inserting <9,472,060>  
 11 8. Page 22, after line 31 by inserting:  
 12 <Sec. \_\_\_. HUMAN TRAFFICKING. Notwithstanding  
 13 section 8A.365, for the fiscal year beginning July  
 14 1, 2016, and ending June 30, 2017, the department of  
 15 public safety shall not be obligated to pay up to  
 16 \$200,000 of the depreciation expense otherwise required  
 17 by section 8A.365 in order to fund the staffing  
 18 of the office to combat human trafficking, and the  
 19 moneys generated from not paying the depreciation  
 20 expense shall be used to add 2.00 full-time equivalent  
 21 positions to staff the office to combat human  
 22 trafficking established in section 80.45 as enacted by  
 23 2016 Iowa Acts, Senate File 2191.  
 24 Sec. \_\_\_. SPECIAL AGENTS.  
 25 1. Notwithstanding section 99F.10, subsection 4,  
 26 one special agent, previously designated a gaming  
 27 enforcement officer, shall not be terminated, except  
 28 for cause, at a facility licensed under chapter 99F  
 29 located in a county with a population of between  
 30 21,100 and 22,000 as determined by the 2010 federal  
 31 decennial census. The special agent shall remain  
 32 employed at such facility as a special agent in the  
 33 same job classification until the special agent leaves  
 34 that special agent position, retires, or otherwise  
 35 leaves employment. After the special agent leaves that

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1 special agent position, retires, or otherwise leaves  
 2 employment, the special agent full-time equivalent  
 3 position shall be eliminated and shall not be filled.  
 4 2. Notwithstanding section 99F.10, subsection 4,  
 5 and for purposes of determining the amount of license  
 6 fees and regulatory fees charged pursuant to section  
 7 99F.10, subsection 4, the state racing and gaming  
 8 commission shall include the cost of the salary of a  
 9 special agent who qualifies under subsection 1 plus any  
 10 direct and indirect support costs of such an agent,  
 11 until the special agent leaves that special agent  
 12 position, retires, or otherwise leaves employment.>

SENATE AMENDMENT

H-8277

1 Amend House File 2460, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING — FY 2016-2017

7 Section 1. 2015 Iowa Acts, chapter 137, section  
8 121, is amended to read as follows:

9 SEC. 121. DEPARTMENT ON AGING. There is  
10 appropriated from the general fund of the state to  
11 the department on aging for the fiscal year beginning  
12 July 1, 2016, and ending June 30, 2017, the following  
13 amount, or so much thereof as is necessary, to be used  
14 for the purposes designated:

15 For aging programs for the department on aging and  
16 area agencies on aging to provide citizens of Iowa who  
17 are 60 years of age and older with case management for  
18 frail elders, Iowa’s aging and disabilities resource  
19 center, and other services which may include but are  
20 not limited to adult day services, respite care, chore  
21 services, information and assistance, and material aid,  
22 for information and options counseling for persons with  
23 disabilities who are 18 years of age or older, and  
24 for salaries, support, administration, maintenance,  
25 and miscellaneous purposes, and for not more than the  
26 following full-time equivalent positions:

27 .....	\$ 5,699,866
28 .....	<u>12,498,603</u>
29 .....	FTEs 31.00

30 1. Funds appropriated in this section may be used  
31 to supplement federal funds under federal regulations.  
32 To receive funds appropriated in this section, a local  
33 area agency on aging shall match the funds with moneys  
34 from other sources according to rules adopted by the  
35 department. Funds appropriated in this section may be

PAGE 2

1 used for elderly services not specifically enumerated  
2 in this section only if approved by an area agency on  
3 aging for provision of the service within the area.

4 2. Of the funds appropriated in this section,  
5 ~~\$139,973~~ \$279,946 is transferred to the economic  
6 development authority for the Iowa commission on  
7 volunteer services to be used for the retired and  
8 senior volunteer program.

9 3. a. The department on aging shall establish and  
10 enforce procedures relating to expenditure of state and  
11 federal funds by area agencies on aging that require  
12 compliance with both state and federal laws, rules, and  
13 regulations, including but not limited to all of the  
14 following:

15 (1) Requiring that expenditures are incurred only  
16 for goods or services received or performed prior to



17 the end of the fiscal period designated for use of the  
18 funds.

19 (2) Prohibiting prepayment for goods or services  
20 not received or performed prior to the end of the  
21 fiscal period designated for use of the funds.

22 (3) Prohibiting the prepayment for goods or  
23 services not defined specifically by good or service,  
24 time period, or recipient.

25 (4) Prohibiting the establishment of accounts from  
26 which future goods or services which are not defined  
27 specifically by good or service, time period, or  
28 recipient, may be purchased.

29 b. The procedures shall provide that if any funds  
30 are expended in a manner that is not in compliance with  
31 the procedures and applicable federal and state laws,  
32 rules, and regulations, and are subsequently subject  
33 to repayment, the area agency on aging expending such  
34 funds in contravention of such procedures, laws, rules  
35 and regulations, not the state, shall be liable for

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1 such repayment.

2 4. Of the funds appropriated in this section, at  
3 least ~~\$125,000~~ \$250,000 shall be used to fund the unmet  
4 needs identified through Iowa's aging and disability  
5 resource center network.

6 5. Of the funds appropriated in this section, at  
7 least ~~\$300,000~~ \$600,000 shall be used to fund home and  
8 community-based services through the area agencies  
9 on aging that enable older individuals to avoid more  
10 costly utilization of residential or institutional  
11 services and remain in their own homes.

12 6. Of the funds appropriated in this section,  
13 ~~\$406,833~~ \$912,537 shall be used for the purposes of  
14 chapter 231E and section 231.56A, of which ~~\$144,333~~  
15 \$350,000 shall be used for the office of substitute  
16 decision maker pursuant to chapter 231E, and the  
17 remainder shall be distributed equally to the area  
18 agencies on aging to administer the prevention of elder  
19 abuse, neglect, and exploitation program pursuant to  
20 section 231.56A, in accordance with the requirements  
21 of the federal Older Americans Act of 1965, 42 U.S.C.  
22 §3001 et seq., as amended.

23 7. Of the funds appropriated in this section,  
24 \$1,000,000 shall be used to fund continuation of the  
25 aging and disability resource center lifelong links to  
26 provide individuals and caregivers with information and  
27 services to plan for and maintain independence.

28 DIVISION II

29 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2016-2017  
30 Sec. 2. 2015 Iowa Acts, chapter 137, section 122,

31 is amended to read as follows:

32 SEC. 122. OFFICE OF LONG-TERM CARE OMBUDSMAN.

33 1. There is appropriated from the general fund of  
34 the state to the office of long-term care ombudsman for  
35 the fiscal year beginning July 1, 2016, and ending June

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1 30, 2017, the following amount, or so much thereof as  
2 is necessary, to be used for the purposes designated:

3 For salaries, support, administration, maintenance,  
4 and miscellaneous purposes, and for not more than the  
5 following full-time equivalent positions:

6 .....	\$	638,391
7 .....		<u>1,626,783</u>
8 .....	FTEs	17.00
9 .....		<u>20.00</u>

10 2. Of the funds appropriated in this section,  
11 ~~\$110,000~~ \$220,000 shall be used to continue to provide  
12 for additional local long-term care ombudsmen.

13 3. Of the funds appropriated in this section,  
14 \$350,000 shall be used to provide additional long-term  
15 care ombudsmen to provide assistance and advocacy  
16 related to long-term care services and supports under  
17 the Medicaid program pursuant to section 231.44.

18 DIVISION III

19 DEPARTMENT OF PUBLIC HEALTH — FY 2016-2017

20 Sec. 3. 2015 Iowa Acts, chapter 137, section 123,  
21 is amended to read as follows:

22 SEC. 123. DEPARTMENT OF PUBLIC HEALTH. There is  
23 appropriated from the general fund of the state to  
24 the department of public health for the fiscal year  
25 beginning July 1, 2016, and ending June 30, 2017, the  
26 following amounts, or so much thereof as is necessary,  
27 to be used for the purposes designated:

28 1. ADDICTIVE DISORDERS

29 For reducing the prevalence of the use of tobacco,  
30 alcohol, and other drugs, and treating individuals  
31 affected by addictive behaviors, including gambling,  
32 and for not more than the following full-time  
33 equivalent positions:

34 .....	\$	13,631,845
35 .....		<u>26,988,690</u>

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1 .....	FTEs	10.00
---------	------	-------

2 a. (1) Of the funds appropriated in this  
3 subsection, ~~\$2,624,180~~ \$5,248,361 shall be used for  
4 the tobacco use prevention and control initiative,  
5 including efforts at the state and local levels, as  
6 provided in chapter 142A. The commission on tobacco

7 use prevention and control established pursuant  
 8 to section 142A.3 shall advise the director of  
 9 public health in prioritizing funding needs and the  
 10 allocation of moneys appropriated for the programs  
 11 and initiatives. Activities of the programs and  
 12 initiatives shall be in alignment with the United  
 13 States centers for disease control and prevention  
 14 best practices for comprehensive tobacco control  
 15 programs that include the goals of preventing youth  
 16 initiation of tobacco usage, reducing exposure to  
 17 secondhand smoke, and promotion of tobacco cessation.  
 18 To maximize resources, the department shall determine  
 19 if third-party sources are available to instead provide  
 20 nicotine replacement products to an applicant prior to  
 21 provision of such products to an applicant under the  
 22 initiative. The department shall track and report to  
 23 the individuals specified in this Act, any reduction  
 24 in the provision of nicotine replacement products  
 25 realized by the initiative through implementation of  
 26 the prerequisite screening.

27 (2) (a) ~~Of the funds allocated in this paragraph~~  
 28 ~~"a", \$226,533 is transferred to the~~ The department  
 29 ~~shall collaborate with the~~ alcoholic beverages division  
 30 of the department of commerce for enforcement of  
 31 tobacco laws, regulations, and ordinances and to engage  
 32 in tobacco control activities approved by the division  
 33 of tobacco use prevention and control of the department  
 34 of public health as specified in the memorandum of  
 35 understanding entered into between the divisions.

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1 (b) For the fiscal year beginning July 1, 2016, and  
 2 ending June 30, 2017, the terms of the memorandum of  
 3 understanding, entered into between the division of  
 4 tobacco use prevention and control of the department  
 5 of public health and the alcoholic beverages division  
 6 of the department of commerce, governing compliance  
 7 checks conducted to ensure licensed retail tobacco  
 8 outlet conformity with tobacco laws, regulations,  
 9 and ordinances relating to persons under ~~eighteen~~ 18  
 10 years of age, shall continue to restrict the number of  
 11 such checks to one check per retail outlet, and one  
 12 additional check for any retail outlet found to be in  
 13 violation during the first check.

14 b. Of the funds appropriated in this subsection,  
 15 ~~\$11,007,664~~ \$21,740,329 shall be used for problem  
 16 gambling and substance-related disorder prevention,  
 17 treatment, and recovery services, including a 24-hour  
 18 helpline, public information resources, professional  
 19 training, youth prevention, and program evaluation.

20 (1) ~~Of the funds allocated in this paragraph "b",~~

21 \$9,451,857 shall be used for substance-related disorder  
22 prevention and treatment.

23 (a) Of the funds allocated in this subparagraph  
24 (1), \$449,650 shall be used for the public purpose of  
25 a grant program to provide substance-related disorder  
26 prevention programming for children.

27 (i) Of the funds allocated in this subparagraph  
28 division (a), \$213,769 shall be used for grant funding  
29 for organizations that provide programming for  
30 children by utilizing mentors. Programs approved for  
31 such grants shall be certified or must be certified  
32 within six months of receiving the grant award by the  
33 Iowa commission on volunteer services as utilizing  
34 the standards for effective practice for mentoring  
35 programs.

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1 (ii) Of the funds allocated in this subparagraph  
2 division (a), \$213,419 shall be used for grant funding  
3 for organizations providing programming that includes  
4 youth development and leadership services. The  
5 programs shall also be recognized as being programs  
6 that are scientifically based with evidence of their  
7 effectiveness in reducing substance-related disorders  
8 in children.

9 (iii) The department of public health shall utilize  
10 a request for proposals process to implement the grant  
11 program.

12 (iv) All grant recipients shall participate in a  
13 program evaluation as a requirement for receiving grant  
14 funds.

15 (v) Of the funds allocated in this subparagraph  
16 division (a), up to \$22,461 may be used to administer  
17 substance-related disorder prevention grants and for  
18 program evaluations.

19 (b) Of the funds allocated in this subparagraph  
20 (1), \$136,301 shall be used for culturally competent  
21 substance-related disorder treatment pilot projects.

22 (i) The department shall utilize the amount  
23 allocated in this subparagraph division (b) for at  
24 least three pilot projects to provide culturally  
25 competent substance-related disorder treatment in  
26 various areas of the state. Each pilot project shall  
27 target a particular ethnic minority population. The  
28 populations targeted shall include but are not limited  
29 to African American, Asian, and Latino.

30 (ii) The pilot project requirements shall provide  
31 for documentation or other means to ensure access  
32 to the cultural competence approach used by a pilot  
33 project so that such approach can be replicated and  
34 improved upon in successor programs.

35 (2) Of the funds allocated in this paragraph “b”,

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1 up to \$1,555,807 may be used for problem gambling  
2 prevention, treatment, and recovery services.

3 (a) Of the funds allocated in this subparagraph  
4 (2), \$1,286,881 shall be used for problem gambling  
5 prevention and treatment.

6 (b) Of the funds allocated in this subparagraph  
7 (2), up to \$218,926 may be used for a 24-hour helpline,  
8 public information resources, professional training,  
9 and program evaluation.

10 (c) Of the funds allocated in this subparagraph  
11 (2), up to \$50,000 may be used for the licensing of  
12 problem gambling treatment programs.

13 (3) It is the intent of the general assembly that  
14 from the moneys allocated in this paragraph “b”,  
15 persons with a dual diagnosis of substance-related  
16 disorder and gambling addiction shall be given priority  
17 in treatment services.

18 e. Notwithstanding any provision of law to the  
19 contrary, to standardize the availability, delivery,  
20 cost of delivery, and accountability of problem  
21 gambling and substance-related disorder treatment  
22 services statewide, the department shall continue  
23 implementation of a process to create a system for  
24 delivery of treatment services in accordance with the  
25 requirements specified in 2008 Iowa Acts, chapter  
26 1187, section 3, subsection 4. To ensure the system  
27 provides a continuum of treatment services that best  
28 meets the needs of Iowans, the problem gambling and  
29 substance-related disorder treatment services in any  
30 area may be provided either by a single agency or by  
31 separate agencies submitting a joint proposal.

32 (1) The system for delivery of substance-related  
33 disorder and problem gambling treatment shall include  
34 problem gambling prevention.

35 (2) The system for delivery of substance-related

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1 disorder and problem gambling treatment shall include  
2 substance-related disorder prevention by July 1, 2017.

3 (3) Of the funds allocated in paragraph “b”, the  
4 department may use up to \$50,000 for administrative  
5 costs to continue developing and implementing the  
6 process in accordance with this paragraph “e”.

7 d. The requirement of section ~~123.53~~ 123.17,  
8 subsection 5, is met by the appropriations and  
9 allocations made in this division of this Act for  
10 purposes of substance-related disorder treatment and

11 addictive disorders for the fiscal year beginning July  
12 1, 2016.

13 e. ~~The department of public health shall work with  
14 all other departments that fund substance-related  
15 disorder prevention and treatment services and all  
16 such departments shall, to the extent necessary,  
17 collectively meet the state maintenance of effort  
18 requirements for expenditures for substance-related  
19 disorder services as required under the federal  
20 substance-related disorder prevention and treatment  
21 block grant.~~

22 2. HEALTHY CHILDREN AND FAMILIES

23 For promoting the optimum health status for  
24 children, adolescents from birth through 21 years of  
25 age, and families, and for not more than the following  
26 full-time equivalent positions:

27 .....	\$	<del>2,308,771</del>
28 .....		<u>5,593,774</u>
29 .....	FTEs	12.00

30 a. Of the funds appropriated in this subsection,  
31 not more than ~~\$367,420~~ \$734,841 shall be used for the  
32 healthy opportunities for parents to experience success  
33 (HOPES)-healthy families Iowa (HFI) program established  
34 pursuant to section 135.106. The funding shall be  
35 distributed to renew the grants that were provided

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1 to the grantees that operated the program during the  
2 fiscal year ending June 30, 2016.

3 b. In order to implement the legislative intent  
4 stated in sections 135.106 and 256I.9, that priority  
5 for home visitation program funding be given to  
6 programs using evidence-based or promising models  
7 for home visitation, it is the intent of the general  
8 assembly to phase in the funding priority in accordance  
9 with 2012 Iowa Acts, chapter 1133, section 2,  
10 subsection 2, paragraph "0b".

11 c. Of the funds appropriated in this subsection,  
12 ~~\$1,099,414~~ \$3,175,059 shall be used for continuation  
13 of the department's initiative to provide for adequate  
14 developmental surveillance and screening during a  
15 child's first five years. The funds shall be used  
16 first to fully fund the current sites to ensure  
17 that the sites are fully operational, with the  
18 remaining funds to be used for expansion to additional  
19 sites. The full implementation and expansion shall  
20 include enhancing the scope of the program through  
21 collaboration with the child health specialty clinics  
22 to promote healthy child development through early  
23 identification and response to both biomedical  
24 and social determinants of healthy development; by

25 monitoring child health metrics to inform practice,  
26 document long-term health impacts and savings, and  
27 provide for continuous improvement through training,  
28 education, and evaluation; and by providing for  
29 practitioner consultation particularly for children  
30 with behavioral conditions and needs. The department  
31 of public health shall also collaborate with the Iowa  
32 Medicaid enterprise and the child health specialty  
33 clinics to integrate the activities of the first five  
34 initiative into the establishment of patient-centered  
35 medical homes, community utilities, accountable

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1 care organizations, and other integrated care models  
2 developed to improve health quality and population  
3 health while reducing health care costs. To the  
4 maximum extent possible, funding allocated in this  
5 paragraph shall be utilized as matching funds for  
6 medical assistance program reimbursement.

7 d. Of the funds appropriated in this subsection,  
8 ~~\$37,320~~ \$74,640 shall be distributed to a statewide  
9 dental carrier to provide funds to continue the donated  
10 dental services program patterned after the projects  
11 developed by the lifeline network to provide dental  
12 services to indigent individuals who are elderly or  
13 with disabilities.

14 e. Of the funds appropriated in this subsection,  
15 ~~\$55,997~~ \$111,995 shall be used for childhood obesity  
16 prevention.

17 f. Of the funds appropriated in this subsection,  
18 ~~\$81,384~~ \$162,768 shall be used to provide audiological  
19 services and hearing aids for children. The department  
20 may enter into a contract to administer this paragraph.

21 g. Of the funds appropriated in this subsection,  
22 ~~\$12,500~~ \$25,000 is transferred to the university of  
23 Iowa college of dentistry for provision of primary  
24 dental services to children. State funds shall be  
25 matched on a dollar-for-dollar basis. The university  
26 of Iowa college of dentistry shall coordinate efforts  
27 with the department of public health, bureau of oral  
28 and health delivery systems, to provide dental care to  
29 underserved populations throughout the state.

30 h. Of the funds appropriated in this subsection,  
31 ~~\$25,000~~ \$50,000 shall be used to address youth suicide  
32 prevention.

33 i. Of the funds appropriated in this subsection,  
34 ~~\$25,000~~ \$50,000 shall be used to support the Iowa  
35 effort to address the survey of children who experience

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1 adverse childhood experiences known as ACEs.  
 2 j. The department of public health shall continue  
 3 to administer the program to assist parents in this  
 4 state with costs resulting from the death of a child  
 5 in accordance with the provisions of 2014 Iowa Acts,  
 6 chapter 1140, section 22, subsection 12.  
 7 3. CHRONIC CONDITIONS  
 8 For serving individuals identified as having chronic  
 9 conditions or special health care needs, and for not  
 10 more than the following full-time equivalent positions:  
 11 ..... \$ ~~2,477,846~~  
 12 ..... 5,080,692  
 13 ..... FTEs 5.00  
 14 a. Of the funds appropriated in this subsection,  
 15 ~~\$79,966~~ \$159,932 shall be used for grants to individual  
 16 patients who have an inherited metabolic disorder to  
 17 assist with the costs of medically necessary foods and  
 18 formula.  
 19 b. Of the funds appropriated in this subsection,  
 20 ~~\$445,822~~ \$1,041,644 shall be used for the brain  
 21 injury services program pursuant to section 135.22B,  
 22 including for continuation of the contracts for  
 23 resource facilitator services in accordance with  
 24 section 135.22B, subsection 9, and to enhance brain  
 25 injury training and recruitment of service providers  
 26 on a statewide basis. Of the amount allocated in this  
 27 paragraph, ~~\$47,500~~ \$95,000 shall be used to fund one  
 28 full-time equivalent position to serve as the state  
 29 brain injury services program manager.  
 30 c. Of the funds appropriated in this subsection,  
 31 ~~\$273,991~~ \$547,982 shall be used as additional funding  
 32 to leverage federal funding through the federal Ryan  
 33 White Care Act, Tit. II, AIDS drug assistance program  
 34 supplemental drug treatment grants.  
 35 d. Of the funds appropriated in this subsection,

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1 ~~\$74,911~~ \$149,823 shall be used for the public  
 2 purpose of continuing to contract with an existing  
 3 national-affiliated organization to provide education,  
 4 client-centered programs, and client and family support  
 5 for people living with epilepsy and their families.  
 6 The amount allocated in this paragraph in excess of  
 7 ~~\$50,000~~ \$100,000 shall be matched dollar-for-dollar by  
 8 the organization specified.  
 9 e. Of the funds appropriated in this subsection,  
 10 ~~\$392,557~~ \$785,114 shall be used for child health  
 11 specialty clinics.  
 12 f. Of the funds appropriated in this subsection,



13 ~~\$200,000~~ ~~\$400,000~~ shall be used by the regional  
 14 autism assistance program established pursuant to  
 15 section 256.35, and administered by the child health  
 16 specialty clinic located at the university of Iowa  
 17 hospitals and clinics. The funds shall be used to  
 18 enhance interagency collaboration and coordination of  
 19 educational, medical, and other human services for  
 20 persons with autism, their families, and providers of  
 21 services, including delivering regionalized services of  
 22 care coordination, family navigation, and integration  
 23 of services through the statewide system of regional  
 24 child health specialty clinics and fulfilling other  
 25 requirements as specified in chapter 225D. The  
 26 university of Iowa shall not receive funds allocated  
 27 under this paragraph for indirect costs associated with  
 28 the regional autism assistance program.

29 g. Of the funds appropriated in this subsection,  
 30 ~~\$285,496~~ ~~\$594,543~~ shall be used for the comprehensive  
 31 cancer control program to reduce the burden of cancer  
 32 in Iowa through prevention, early detection, effective  
 33 treatment, and ensuring quality of life. Of the funds  
 34 allocated in this paragraph "g", ~~\$75,000~~ ~~\$150,000~~  
 35 shall be used to support a melanoma research symposium,

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1 a melanoma biorepository and registry, basic and  
 2 translational melanoma research, and clinical trials.

3 h. Of the funds appropriated in this subsection,  
 4 ~~\$63,225~~ ~~\$101,450~~ shall be used for cervical and colon  
 5 cancer screening, and ~~\$150,000~~ ~~\$300,000~~ shall be  
 6 used to enhance the capacity of the cervical cancer  
 7 screening program to include provision of recommended  
 8 prevention and early detection measures to a broader  
 9 range of low-income women.

10 i. Of the funds appropriated in this subsection,  
 11 ~~\$263,347~~ ~~\$526,695~~ shall be used for the center for  
 12 congenital and inherited disorders.

13 j. Of the funds appropriated in this subsection,  
 14 ~~\$64,705~~ ~~\$129,411~~ shall be used for the prescription  
 15 drug donation repository program created in chapter  
 16 135M.

17 k. Of the funds appropriated in this subsection,  
 18 ~~\$107,631~~ ~~\$215,263~~ shall be used by the department of  
 19 public health for reform-related activities, including  
 20 but not limited to facilitation of communication  
 21 to stakeholders at the state and local level,  
 22 administering the patient-centered health advisory  
 23 council pursuant to section 135.159, and involvement  
 24 in health care system innovation activities occurring  
 25 across the state.

26 l. Of the funds appropriated in this subsection,

27 ~~\$12,500~~ \$25,000 shall be used for administration of  
 28 chapter 124D, the medical cannabidiol Act.  
 29 4. COMMUNITY CAPACITY  
 30 For strengthening the health care delivery system at  
 31 the local level, and for not more than the following  
 32 full-time equivalent positions:  
 33 ..... \$ 4,410,667  
 34 ..... 7,339,136  
 35 ..... FTEs 11.00

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1 ..... 13.00  
 2 a. Of the funds appropriated in this subsection,  
 3 ~~\$49,707~~ \$99,414 is allocated for continuation of the  
 4 child vision screening program implemented through  
 5 the university of Iowa hospitals and clinics in  
 6 collaboration with early childhood Iowa areas. The  
 7 program shall submit a report to the individuals  
 8 identified in this Act for submission of reports  
 9 regarding the use of funds allocated under this  
 10 paragraph "a". The report shall include the objectives  
 11 and results for the program year including the target  
 12 population and how the funds allocated assisted the  
 13 program in meeting the objectives; the number, age, and  
 14 location within the state of individuals served; the  
 15 type of services provided to the individuals served;  
 16 the distribution of funds based on service provided;  
 17 and the continuing needs of the program.  
 18 b. Of the funds appropriated in this subsection,  
 19 ~~\$55,328~~ \$110,656 is allocated for continuation of an  
 20 initiative implemented at the university of Iowa and  
 21 ~~\$49,952~~ \$99,904 is allocated for continuation of an  
 22 initiative at the state mental health institute at  
 23 Cherokee to expand and improve the workforce engaged in  
 24 mental health treatment and services. The initiatives  
 25 shall receive input from the university of Iowa, the  
 26 department of human services, the department of public  
 27 health, and the mental health and disability services  
 28 commission to address the focus of the initiatives.  
 29 c. Of the funds appropriated in this subsection,  
 30 ~~\$582,314~~ \$1,164,628 shall be used for essential public  
 31 health services that promote healthy aging throughout  
 32 one's lifespan, contracted through a formula for local  
 33 boards of health, to enhance health promotion and  
 34 disease prevention services.  
 35 d. Of the funds appropriated in this ~~section~~

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1 subsection, ~~\$49,643~~ \$99,286 shall be deposited in the  
 2 governmental public health system fund created in

3 section 135A.8 to be used for the purposes of the fund.

4 e. ~~Of the funds appropriated in this subsection,~~  
5 ~~\$52,724 shall be used to continue to address the~~  
6 ~~shortage of mental health professionals in the state.~~

7 f. Of the funds appropriated in this subsection,  
8 ~~\$25,000~~ \$50,000 shall be used for a grant to a  
9 statewide association of psychologists that is  
10 affiliated with the American psychological association  
11 to be used for continuation of a program to rotate  
12 intern psychologists in placements in urban and rural  
13 mental health professional shortage areas, as defined  
14 in section 135.180.

15 g. (1) Of the funds appropriated in this  
16 subsection, ~~\$1,441,484~~ \$1,210,770 shall be allocated  
17 as a grant to the Iowa primary care association to  
18 be used pursuant to section 135.153 for the statewide  
19 coordination of the Iowa collaborative safety net  
20 provider network. Coordination of the network shall  
21 focus on increasing access by underserved populations  
22 to health care services, increasing integration of the  
23 health system and collaboration across the continuum of  
24 care with a focus on safety net services, and enhancing  
25 the Iowa collaborative safety net provider network's  
26 communication and education efforts. The amount  
27 allocated as a grant under this subparagraph (1) shall  
28 be used as follows to support the Iowa collaborative  
29 safety net provider network goals of increased access,  
30 health system integration, and engagement:

31 (a) For distribution to safety net partners in the  
32 state that work to increase access of the underserved  
33 population to health services:

34 .....	\$	<u>512,742</u>
35 .....		<u>1,025,485</u>

1 (i) Of the amount allocated in this subparagraph  
2 division (a), ~~up to not less than \$206,707~~ \$413,415  
3 shall be distributed to the Iowa prescription drug  
4 corporation for continuation of the pharmaceutical  
5 infrastructure for safety net providers as described in  
6 2007 Iowa Acts, chapter 218, section 108.

7 (ii) Of the amount allocated in this subparagraph  
8 division (a), ~~up to not less than \$174,161~~ \$348,322  
9 shall be distributed to free clinics and free clinics  
10 of Iowa for necessary infrastructure, statewide  
11 coordination, provider recruitment, service delivery,  
12 and provision of assistance to patients in securing a  
13 medical home inclusive of oral health care.

14 (iii) Of the amount allocated in this subparagraph  
15 division (a), ~~up to not less than \$25,000~~ \$50,000  
16 shall be distributed to the Iowa coalition against

17 sexual assault to continue a training program for  
 18 sexual assault response team (SART) members, including  
 19 representatives of law enforcement, victim advocates,  
 20 prosecutors, and certified medical personnel.

21 (iv) Of the amount allocated in this subparagraph  
 22 division (a), ~~up to not less than \$106,874~~ \$213,748  
 23 shall be distributed to the Polk county medical  
 24 society for continuation of the safety net provider  
 25 patient access to a specialty health care initiative as  
 26 described in 2007 Iowa Acts, chapter 218, section 109.

27 (c) For distribution to safety net partners in the  
 28 state that work to serve as a resource for credible,  
 29 accurate information on health care-related needs  
 30 and services for vulnerable populations in the state  
 31 including the Iowa association of rural health clinics  
 32 for necessary infrastructure and service delivery  
 33 transformation and the Iowa primary care association  
 34 to support partner engagement, program management, and  
 35 statewide coordination of the network:

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1 ..... \$ 92,642  
 2 185,285

3 (2) The amount allocated under this paragraph  
 4 “g” shall not be reduced for administrative or other  
 5 costs prior to distribution. The Iowa collaborative  
 6 safety net provider network may continue to distribute  
 7 funds allocated pursuant to this paragraph “g” through  
 8 existing contracts or renewal of existing contracts.

9 (3) For each goal of the Iowa collaborative safety  
 10 net provider network, the Iowa primary care association  
 11 shall submit a progress report to the individuals  
 12 designated in this Act for submission of reports by  
 13 December 15, 2016, including progress in developing  
 14 and implementing the network, how the funds were  
 15 distributed and used in developing and implementing the  
 16 network, and the remaining needs identified to fully  
 17 develop and implement the network.

18 h. Of the funds appropriated in this subsection,  
 19 ~~\$106,700~~ \$213,400 shall be used for continuation of  
 20 the work of the direct care worker advisory council  
 21 established pursuant to 2008 Iowa Acts, chapter 1188,  
 22 section 69, in implementing the recommendations in  
 23 the final report submitted by the advisory council to  
 24 the governor and the general assembly in March 2012,  
 25 including by continuing to develop, promote, and make  
 26 available on a statewide basis the prepare-to-care core  
 27 curriculum and its associated modules and specialties  
 28 through various formats including online access,  
 29 community colleges, and other venues; exploring  
 30 new and maintaining existing specialties including

31 but not limited to oral health and dementia care;  
 32 supporting instructor training; and assessing and  
 33 making recommendations concerning the Iowa care book  
 34 and information technology systems and infrastructure  
 35 uses and needs.

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1 i. (1) Of the funds appropriated in this  
 2 subsection, ~~\$108,187~~ \$216,375 shall be used for  
 3 ~~allocation to~~ allocated for continuation of the  
 4 contract with an independent statewide direct care  
 5 worker organization ~~previously~~ selected through a  
 6 request for proposals process. The contract shall  
 7 ~~continue to~~ include performance and outcomes measures,  
 8 and shall ~~continue to~~ allow the contractor to use  
 9 a portion of the funds received under the contract  
 10 to collect data to determine results based on the  
 11 performance and outcomes measures.

12 (2) Of the funds appropriated in this subsection,  
 13 ~~\$37,500~~ \$75,000 shall be used to provide scholarships  
 14 or other forms of subsidization for direct care  
 15 worker educational conferences, training, or outreach  
 16 activities.

17 j. Of the funds appropriated in this subsection,  
 18 the department may use up to ~~\$29,087~~ \$58,175 for up to  
 19 one full-time equivalent position to administer the  
 20 volunteer health care provider program pursuant to  
 21 section 135.24.

22 k. Of the funds appropriated in this subsection,  
 23 ~~\$50,000~~ \$100,000 shall be used for a matching dental  
 24 education loan repayment program to be allocated  
 25 to a dental nonprofit health service corporation to  
 26 continue to develop the criteria and implement the loan  
 27 repayment program.

28 l. Of the funds appropriated in this subsection,  
 29 ~~\$52,914~~ \$105,823 is transferred to the college student  
 30 aid commission for deposit in the rural Iowa primary  
 31 care trust fund created in section 261.113 to be used  
 32 for the purposes of the fund.

33 m. Of the funds appropriated in this subsection,  
 34 ~~\$125,000~~ \$250,000 shall be used for the purposes of the  
 35 Iowa donor registry as specified in section 142C.18.

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1 n. Of the funds appropriated in this subsection,  
 2 ~~\$50,000~~ \$100,000 shall be used for continuation of  
 3 a grant to a nationally affiliated volunteer eye  
 4 organization that has an established program for  
 5 children and adults and that is solely dedicated to  
 6 preserving sight and preventing blindness through

7 education, nationally certified vision screening and  
8 training, and community and patient service programs.  
9 The organization shall submit a report to the  
10 individuals identified in this Act for submission of  
11 reports regarding the use of funds allocated under this  
12 paragraph “n”. The report shall include the objectives  
13 and results for the program year including the target  
14 population and how the funds allocated assisted the  
15 program in meeting the objectives; the number, age, and  
16 location within the state of individuals served; the  
17 type of services provided to the individuals served;  
18 the distribution of funds based on services provided;  
19 and the continuing needs of the program.  
20 o. Of the funds appropriated in this subsection,  
21 ~~\$1,000,000~~ \$2,000,000 shall be deposited in the medical  
22 residency training account created in section 135.175,  
23 subsection 5, paragraph “a”, and is appropriated from  
24 the account to the department of public health to be  
25 used for the purposes of the medical residency training  
26 state matching grants program as specified in section  
27 135.176. However, notwithstanding any provision to the  
28 contrary in section 135.176, priority in the awarding  
29 of grants for the fiscal year beginning July 1, 2016,  
30 shall be given to sponsors approved but not funded in  
31 the prior fiscal year competitive procurement process  
32 that proposed preference in the use of the grant funds  
33 for internal medicine positions, and priority in the  
34 awarding of the remaining moneys shall be given to  
35 sponsors that propose preference in the use of the

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1 grant funds for psychiatric residency positions and  
2 family practice residency positions.  
3 p. Of the funds appropriated in this subsection,  
4 ~~\$78,309~~ \$156,619 is allocated to the university of  
5 Iowa hospitals and clinics to continue a systematic  
6 and evidence-based practice collaborative care model  
7 to improve outcomes of mental health treatment in  
8 primary care settings in the state. Funds shall be  
9 used to establish the collaborative care model in  
10 several primary care practices in rural and urban areas  
11 throughout the state, to provide staffing to administer  
12 the model, and to provide staff training and database  
13 management to track and manage patient outcomes.  
14 q. Of the funds appropriated in this subsection,  
15 \$100,000 shall be used by the department of public  
16 health to develop recommendations to be submitted in  
17 a report by December 15, 2016, as otherwise described  
18 in this division of this Act, including those for  
19 a broader, more systematic and strategic workforce  
20 initiative, which may include a comprehensive study of

21 workforce program needs and the establishment of an  
 22 advisory workgroup.  
 23 5. HEALTHY AGING  
 24 To provide public health services that reduce risks  
 25 and invest in promoting and protecting good health over  
 26 the course of a lifetime with a priority given to older  
 27 Iowans and vulnerable populations:  
 28 ..... \$ ~~3,648,571~~  
 29 7,297,142  
 30 6. INFECTIOUS DISEASES  
 31 For reducing the incidence and prevalence of  
 32 communicable diseases, and for not more than the  
 33 following full-time equivalent positions:  
 34 ..... \$ ~~667,577~~  
 35 1,335,155

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1 ..... FTEs 4.00  
 2 7. PUBLIC PROTECTION  
 3 For protecting the health and safety of the  
 4 public through establishing standards and enforcing  
 5 regulations, and for not more than the following  
 6 full-time equivalent positions:  
 7 ..... \$ ~~2,169,595~~  
 8 4,399,191  
 9 ..... FTEs ~~136.00~~  
 10 137.00

11 a. Of the funds appropriated in this subsection,  
 12 not more than ~~\$227,350~~ \$454,700 shall be credited to  
 13 the emergency medical services fund created in section  
 14 135.25. Moneys in the emergency medical services fund  
 15 are appropriated to the department to be used for the  
 16 purposes of the fund.

17 b. Of the funds appropriated in this subsection,  
 18 ~~\$101,516~~ \$203,032 shall be used for sexual violence  
 19 prevention programming through a statewide organization  
 20 representing programs serving victims of sexual  
 21 violence through the department's sexual violence  
 22 prevention program. The amount allocated in this  
 23 paragraph "b" shall not be used to supplant funding  
 24 administered for other sexual violence prevention or  
 25 victims assistance programs.

26 c. Of the funds appropriated in this subsection,  
 27 ~~\$299,375~~ \$598,751 shall be used for the state poison  
 28 control center. Pursuant to the directive under 2014  
 29 Iowa Acts, chapter 1140, section 102, the federal  
 30 matching funds available to the state poison control  
 31 center from the department of human services under  
 32 the federal Children's Health Insurance Program  
 33 Reauthorization Act allotment shall be subject to  
 34 the federal administrative cap rule of 10 percent

35 applicable to funding provided under Tit. XXI of the

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1 federal Social Security Act and included within the  
2 department's calculations of the cap.  
3 d. Of the funds appropriated in this subsection,  
4 ~~\$268,875~~ \$537,750 shall be used for childhood lead  
5 poisoning provisions.

6 8. RESOURCE MANAGEMENT  
7 For establishing and sustaining the overall  
8 ability of the department to deliver services to the  
9 public, and for not more than the following full-time  
10 equivalent positions:

11 .....	\$	427,536
12 .....		1,005,072
13 .....	FTEs	4.00

14 9. MISCELLANEOUS PROVISIONS

15 a. The university of Iowa hospitals and clinics  
16 under the control of the state board of regents shall  
17 not receive indirect costs from the funds appropriated  
18 in this section. The university of Iowa hospitals and  
19 clinics billings to the department shall be on at least  
20 a quarterly basis.

21 b. The department of public health shall conduct a  
22 sampling of the entities to which appropriated funds  
23 are allocated, granted, or otherwise distributed under  
24 this section and shall require such entities to submit  
25 a progress report to the department by September 1,  
26 2016, which includes the objectives and results of the  
27 program since the initial receipt of state funding and  
28 how the funds are assisting the program in meeting the  
29 objectives, specifying the target population served  
30 and the type of services provided, and identifying  
31 the continuing needs of the recipient entity and the  
32 service population. The department shall review the  
33 information reported and shall make recommendations to  
34 the governor and the general assembly by December 15,  
35 2016, to realign, bundle, or otherwise redistribute

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1 funding to meet the needs identified and improve  
2 services during the subsequent fiscal year.

3 c. The department of public health shall submit a  
4 report to the individuals identified in this Act for  
5 submission of reports by December 15, 2016, regarding  
6 a proposal for realigning, bundling, redistributing,  
7 or otherwise adjusting the department's funding  
8 streams to reflect the department's priorities and  
9 goals and to provide increased flexibility in the  
10 distribution of funding to meet these priorities



11 and goals. The proposal shall specifically include  
 12 recommendations for a broader, more systematic and  
 13 strategic workforce initiative which may include a  
 14 comprehensive study of workforce program needs and the  
 15 establishment of an advisory workgroup. The proposal  
 16 shall also specifically include strategies, developed  
 17 in collaboration with the department of education, to  
 18 encourage elementary and secondary education students  
 19 to pursue careers in the fields of health and health  
 20 care.

21 DIVISION IV

22 DEPARTMENT OF VETERANS AFFAIRS — FY 2016-2017

23 Sec. 4. 2015 Iowa Acts, chapter 137, section 124,  
 24 is amended to read as follows:

25 SEC. 124. DEPARTMENT OF VETERANS AFFAIRS. There  
 26 is appropriated from the general fund of the state to  
 27 the department of veterans affairs for the fiscal year  
 28 beginning July 1, 2016, and ending June 30, 2017, the  
 29 following amounts, or so much thereof as is necessary,  
 30 to be used for the purposes designated:

31 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

32 For salaries, support, maintenance, and  
 33 miscellaneous purposes, and for not more than the  
 34 following full-time equivalent positions:

35 ..... \$ 600,273

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1 ..... 1,200,546

2 ..... FTEs 15.00

3 2. IOWA VETERANS HOME

4 For salaries, support, maintenance, and  
 5 miscellaneous purposes:

6 ..... \$ 3,797,498

7 ..... 7,594,996

8 a. The Iowa veterans home billings involving the  
 9 department of human services shall be submitted to the  
 10 department on at least a monthly basis.

11 c. Within available resources and in conformance  
 12 with associated state and federal program eligibility  
 13 requirements, the Iowa veterans home may implement  
 14 measures to provide financial assistance to or  
 15 on behalf of veterans or their spouses who are  
 16 participating in the community reentry program.

17 e. The Iowa veterans home shall expand the annual  
 18 discharge report to also include applicant information  
 19 and to provide for the collection of demographic  
 20 information including but not limited to the number  
 21 of individuals applying for admission and admitted or  
 22 denied admittance and the basis for the admission or  
 23 denial; the age, gender, and race of such individuals;  
 24 and the level of care for which such individuals

25 applied for admission including residential or nursing  
 26 level of care.  
 27 3. HOME OWNERSHIP ASSISTANCE PROGRAM  
 28 For transfer to the Iowa finance authority for the  
 29 continuation of the home ownership assistance program  
 30 for persons who are or were eligible members of the  
 31 armed forces of the United States, pursuant to section  
 32 16.54:  
 33 ..... \$ 1,250,000  
 34 2,500,000  
 35 Sec. 5. 2015 Iowa Acts, chapter 137, section 125,

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1 is amended to read as follows:  
 2 SEC. 125. LIMITATION OF COUNTY  
 3 COMMISSIONS OF VETERAN AFFAIRS FUND STANDING  
 4 APPROPRIATIONS. Notwithstanding the standing  
 5 appropriation in section 35A.16 for the fiscal year  
 6 beginning July 1, 2016, and ending June 30, 2017, the  
 7 amount appropriated from the general fund of the state  
 8 pursuant to that section for the following designated  
 9 purposes shall not exceed the following amount:  
 10 For the county commissions of veteran affairs fund  
 11 under section 35A.16:  
 12 ..... \$ 495,000  
 13 990,000

14 DIVISION V

15 DEPARTMENT OF HUMAN SERVICES — FY 2016-2017

16 Sec. 6. 2015 Iowa Acts, chapter 137, section 126,  
 17 is amended to read as follows:  
 18 SEC. 126. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
 19 BLOCK GRANT. There is appropriated from the fund  
 20 created in section 8.41 to the department of human  
 21 services for the fiscal year beginning July 1, 2016,  
 22 and ending June 30, 2017, from moneys received under  
 23 the federal temporary assistance for needy families  
 24 (TANF) block grant pursuant to the federal Personal  
 25 Responsibility and Work Opportunity Reconciliation  
 26 Act of 1996, Pub. L. No. 104-193, and successor  
 27 legislation, the following amounts, or so much  
 28 thereof as is necessary, to be used for the purposes  
 29 designated:  
 30 1. To be credited to the family investment program  
 31 account and used for assistance under the family  
 32 investment program under chapter 239B:  
 33 ..... \$ 2,568,497  
 34 5,112,462  
 35 2. To be credited to the family investment program

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1 account and used for the job opportunities and  
 2 basic skills (JOBS) program and implementing family  
 3 investment agreements in accordance with chapter 239B:  
 4 ..... \$ 5,069,089  
 5 ..... 5,575,693

6 3. To be used for the family development and  
 7 self-sufficiency grant program in accordance with  
 8 section 216A.107:  
 9 ..... \$ 1,449,490  
 10 ..... 2,898,980

11 Notwithstanding section 8.33, moneys appropriated in  
 12 this subsection that remain unencumbered or unobligated  
 13 at the close of the fiscal year shall not revert but  
 14 shall remain available for expenditure for the purposes  
 15 designated until the close of the succeeding fiscal  
 16 year. However, unless such moneys are encumbered or  
 17 obligated on or before September 30, ~~2016~~ 2017, the  
 18 moneys shall revert.

19 4. For field operations:  
 20 ..... \$ 15,648,116  
 21 ..... 35,774,331

22 5. For general administration:  
 23 ..... \$ 1,872,000  
 24 ..... 3,744,000

25 6. For state child care assistance:  
 26 ..... \$ 17,523,555  
 27 ..... 46,866,826

28 a. Of the funds appropriated in this subsection,  
 29 ~~\$13,164,048~~ \$26,328,097 is transferred to the child  
 30 care and development block grant appropriation made  
 31 by the Eighty-sixth General Assembly, 2016 Session,  
 32 for the federal fiscal year beginning October 1,  
 33 2016, and ending September 30, 2017. Of this amount,  
 34 ~~\$100,000~~ \$200,000 shall be used for provision of  
 35 educational opportunities to registered child care

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1 home providers in order to improve services and  
 2 programs offered by this category of providers and  
 3 to increase the number of providers. The department  
 4 may contract with institutions of higher education or  
 5 child care resource and referral centers to provide the  
 6 educational opportunities. Allowable administrative  
 7 costs under the contracts shall not exceed 5 percent.  
 8 The application for a grant shall not exceed two pages  
 9 in length.

10 b. Any funds appropriated in this subsection  
 11 remaining unallocated shall be used for state child  
 12 care assistance payments for families who are employed

13 including but not limited to individuals enrolled in  
 14 the family investment program.  
 15 ~~7. For distribution to counties and regions through~~  
 16 ~~the property tax relief fund for mental health and~~  
 17 ~~disability services as provided in an appropriation~~  
 18 ~~made for this purpose:~~  
 19 ..... \$ ~~2,447,026~~  
 20 8. For child and family services:  
 21 ..... \$ ~~16,042,215~~  
 22 36,256,580  
 23 9. For child abuse prevention grants:  
 24 ..... \$ ~~62,500~~  
 25 125,000  
 26 10. For pregnancy prevention grants on the  
 27 condition that family planning services are funded:  
 28 ..... \$ ~~965,033~~  
 29 1,930,067  
 30 Pregnancy prevention grants shall be awarded to  
 31 programs in existence on or before July 1, 2016, if the  
 32 programs have demonstrated positive outcomes. Grants  
 33 shall be awarded to pregnancy prevention programs  
 34 which are developed after July 1, 2016, if the programs  
 35 are based on existing models that have demonstrated

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1 positive outcomes. Grants shall comply with the  
 2 requirements provided in 1997 Iowa Acts, chapter  
 3 208, section 14, subsections 1 and 2, including the  
 4 requirement that grant programs must emphasize sexual  
 5 abstinence. Priority in the awarding of grants shall  
 6 be given to programs that serve areas of the state  
 7 which demonstrate the highest percentage of unplanned  
 8 pregnancies of females of childbearing age within the  
 9 geographic area to be served by the grant.  
 10 11. For technology needs and other resources  
 11 necessary to meet federal welfare reform reporting,  
 12 tracking, and case management requirements:  
 13 ..... \$ ~~518,593~~  
 14 1,037,186  
 15 12. For the family investment program share of  
 16 the costs to continue to develop and maintain a new,  
 17 integrated eligibility determination system:  
 18 ..... \$ ~~3,327,440~~  
 19 6,654,880  
 20 13. a. Notwithstanding any provision to the  
 21 contrary, including but not limited to requirements  
 22 in section 8.41 or provisions in 2015 or 2016 Iowa  
 23 Acts regarding the receipt and appropriation of  
 24 federal block grants, federal funds from the temporary  
 25 assistance for needy families block grant received  
 26 by the state and not otherwise appropriated in this

27 section and remaining available for the fiscal year  
 28 beginning July 1, 2016, are appropriated to the  
 29 department of human services to the extent as may  
 30 be necessary to be used in the following priority  
 31 order: the family investment program, for state child  
 32 care assistance program payments for families who are  
 33 employed, and for the family investment program share  
 34 of costs to develop and maintain a new, integrated  
 35 eligibility determination system. The federal funds

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1 appropriated in this paragraph "a" shall be expended  
 2 only after all other funds appropriated in subsection  
 3 1 for the assistance under the family investment  
 4 program, in subsection 6 for child care assistance,  
 5 or in subsection 12 for the family investment program  
 6 share of the costs to continue to develop and  
 7 maintain a new, integrated eligibility determination  
 8 system, as applicable, have been expended. For the  
 9 purposes of this subsection, the funds appropriated  
 10 in subsection 6, paragraph "a", for transfer to the  
 11 child care and development block grant appropriation  
 12 are considered fully expended when the full amount has  
 13 been transferred.

14 b. The department shall, on a quarterly basis,  
 15 advise the legislative services agency and department  
 16 of management of the amount of funds appropriated in  
 17 this subsection that was expended in the prior quarter.

18 14. Of the amounts appropriated in this section,  
 19 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning  
 20 July 1, 2016, is transferred to the appropriation of  
 21 the federal social services block grant made to the  
 22 department of human services for that fiscal year.

23 15. For continuation of the program providing  
 24 categorical eligibility for the food assistance program  
 25 as specified for the program in the section of this  
 26 division of this 2016 Act relating to the family  
 27 investment program account:

28 .....	\$ <u>12,500</u>
29 .....	<u>25,000</u>

30 16. The department may transfer funds allocated  
 31 in this section to the appropriations made in this  
 32 division of this Act for the same fiscal year for  
 33 general administration and field operations for  
 34 resources necessary to implement and operate the  
 35 services referred to in this section and those funded

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1 in the appropriation made in this division of this Act  
 2 for the same fiscal year for the family investment

3 program from the general fund of the state.

4 Sec. 7. 2015 Iowa Acts, chapter 137, section 127,  
5 is amended to read as follows:

6 SEC. 127. FAMILY INVESTMENT PROGRAM ACCOUNT.

7 1. Moneys credited to the family investment program  
8 (FIP) account for the fiscal year beginning July  
9 1, 2016, and ending June 30, 2017, shall be used to  
10 provide assistance in accordance with chapter 239B.

11 2. The department may use a portion of the moneys  
12 credited to the FIP account under this section as  
13 necessary for salaries, support, maintenance, and  
14 miscellaneous purposes.

15 3. The department may transfer funds allocated  
16 in subsection 4 to the appropriations made in this  
17 division of this Act for the same fiscal year for  
18 general administration and field operations for  
19 resources necessary to implement and operate the family  
20 investment program services referred to in this section  
21 and those funded in the appropriation made in this  
22 division of this Act for the same fiscal year for the  
23 family investment program from the general fund of the  
24 state.

25 4. Moneys appropriated in this division of this Act  
26 and credited to the FIP account for the fiscal year  
27 beginning July 1, 2016, and ending June 30, 2017, are  
28 allocated as follows:

29 a. To be retained by the department of human  
30 services to be used for coordinating with the  
31 department of human rights to more effectively serve  
32 participants in FIP and other shared clients and to  
33 meet federal reporting requirements under the federal  
34 temporary assistance for needy families block grant:  
35 ..... \$ 10,000

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1 ..... 20,000  
2 b. To the department of human rights for staffing,  
3 administration, and implementation of the family  
4 development and self-sufficiency grant program in  
5 accordance with section 216A.107:  
6 ..... \$ 3,096,417  
7 ..... 6,192,834

8 (1) Of the funds allocated for the family  
9 development and self-sufficiency grant program in this  
10 paragraph "b", not more than 5 percent of the funds  
11 shall be used for the administration of the grant  
12 program.

13 (2) The department of human rights may continue to  
14 implement the family development and self-sufficiency  
15 grant program statewide during fiscal year 2016-2017.

16 (3) The department of human rights may engage in

17 activities to strengthen and improve family outcomes  
18 measures and data collection systems under the family  
19 development and self-sufficiency grant program.

20 c. For the diversion subaccount of the FIP account:  
21 ..... \$ 407,500  
22 ..... 815,000

23 A portion of the moneys allocated for the subaccount  
24 may be used for field operations, salaries, data  
25 management system development, and implementation  
26 costs and support deemed necessary by the director of  
27 human services in order to administer the FIP diversion  
28 program. To the extent moneys allocated in this  
29 paragraph "c" are not deemed by the department to be  
30 necessary to support diversion activities, such moneys  
31 may be used for other efforts intended to increase  
32 engagement by family investment program participants in  
33 work, education, or training activities.

34 d. For the food assistance employment and training  
35 program:

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1 ..... \$ 33,204  
2 ..... 66,588

3 (1) The department shall apply the federal  
4 supplemental nutrition assistance program (SNAP)  
5 employment and training state plan in order to maximize  
6 to the fullest extent permitted by federal law the use  
7 of the 50 percent federal reimbursement provisions  
8 for the claiming of allowable federal reimbursement  
9 funds from the United States department of agriculture  
10 pursuant to the federal SNAP employment and training  
11 program for providing education, employment, and  
12 training services for eligible food assistance program  
13 participants, including but not limited to related  
14 dependent care and transportation expenses.

15 (2) The department shall continue the categorical  
16 federal food assistance program eligibility at 160  
17 percent of the federal poverty level and continue to  
18 eliminate the asset test from eligibility requirements,  
19 consistent with federal food assistance program  
20 requirements. The department shall include as many  
21 food assistance households as is allowed by federal  
22 law. The eligibility provisions shall conform to all  
23 federal requirements including requirements addressing  
24 individuals who are incarcerated or otherwise  
25 ineligible.

26 e. For the JOBS program:  
27 ..... \$ 8,770,199  
28 ..... 16,129,101

29 5. Of the child support collections assigned under  
30 FIP, an amount equal to the federal share of support

31 collections shall be credited to the child support  
32 recovery appropriation made in this division of this  
33 Act. Of the remainder of the assigned child support  
34 collections received by the child support recovery  
35 unit, a portion shall be credited to the FIP account,

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1 a portion may be used to increase recoveries, and a  
2 portion may be used to sustain cash flow in the child  
3 support payments account. If as a consequence of the  
4 appropriations and allocations made in this section  
5 the resulting amounts are insufficient to sustain  
6 cash assistance payments and meet federal maintenance  
7 of effort requirements, the department shall seek  
8 supplemental funding. If child support collections  
9 assigned under FIP are greater than estimated or are  
10 otherwise determined not to be required for maintenance  
11 of effort, the state share of either amount may  
12 be transferred to or retained in the child support  
13 payments account.

14 6. The department may adopt emergency rules for the  
15 family investment, JOBS, food assistance, and medical  
16 assistance programs if necessary to comply with federal  
17 requirements.

18 Sec. 8. 2015 Iowa Acts, chapter 137, section 128,  
19 is amended to read as follows:

20 SEC. 128. FAMILY INVESTMENT PROGRAM GENERAL

21 FUND. There is appropriated from the general fund of  
22 the state to the department of human services for the  
23 fiscal year beginning July 1, 2016, and ending June 30,  
24 2017, the following amount, or so much thereof as is  
25 necessary, to be used for the purpose designated:

26 To be credited to the family investment program  
27 (FIP) account and used for family investment program  
28 assistance under chapter 239B:  
29 ..... \$ 24,336,937  
30 ..... 48,673,875

31 1. Of the funds appropriated in this section,  
32 ~~\$3,701,110~~ \$10,553,408 is allocated for the JOBS  
33 program.

34 2. Of the funds appropriated in this section,  
35 ~~\$1,656,927~~ \$3,313,854 is allocated for the family

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1 development and self-sufficiency grant program.  
2 3. Notwithstanding section 8.39, for the fiscal  
3 year beginning July 1, 2016, if necessary to meet  
4 federal maintenance of effort requirements; or to  
5 transfer federal temporary assistance for needy  
6 families block grant funding to be used for purposes



7 of the federal social services block grant; or to meet  
 8 cash flow needs resulting from delays in receiving  
 9 federal funding; or to implement, in accordance with  
 10 this division of this Act, activities currently funded  
 11 with juvenile court services, county, or community  
 12 moneys and state moneys used in combination with such  
 13 moneys; ~~to comply with federal requirements; or to~~  
 14 maximize the use of federal funds, the department of  
 15 human services may transfer funds within or between  
 16 any of the appropriations made in this division of  
 17 this Act and appropriations in law for the federal  
 18 social services block grant to the department for the  
 19 following purposes, provided that the combined amount  
 20 of state and federal temporary assistance for needy  
 21 families block grant funding for each appropriation  
 22 remains the same before and after the transfer:

- 23 a. For the family investment program.
- 24 b. For child care assistance.
- 25 c. For child and family services.
- 26 d. For field operations.
- 27 e. For general administration.
- 28 ~~f. For distribution to counties or regions through~~  
 29 ~~the property tax relief fund for mental health and~~  
 30 ~~disability services as provided in an appropriation for~~  
 31 ~~this purpose.~~

32 This subsection shall not be construed to prohibit  
 33 the use of existing state transfer authority for other  
 34 purposes. The department shall report any transfers  
 35 made pursuant to this subsection to the legislative

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1 services agency.

- 2 4. Of the funds appropriated in this section,  
 3 ~~\$97,839~~ \$195,678 shall be used for continuation of a  
 4 grant to an Iowa-based nonprofit organization with a  
 5 history of providing tax preparation assistance to  
 6 low-income Iowans in order to expand the usage of the  
 7 earned income tax credit. The purpose of the grant is  
 8 to supply this assistance to underserved areas of the  
 9 state.
- 10 5. Of the funds appropriated in this section,  
 11 ~~\$30,000~~ \$60,000 shall be used for the continuation  
 12 of an unfunded pilot project, as defined in 441 IAC  
 13 100.1, relating to parental obligations, in which the  
 14 child support recovery unit participates, to support  
 15 the efforts of a nonprofit organization committed to  
 16 strengthening the community through youth development,  
 17 healthy living, and social responsibility headquartered  
 18 in a county with a population over 350,000. The funds  
 19 allocated in this subsection shall be used by the  
 20 recipient organization to develop a larger community

21 effort, through public and private partnerships,  
22 to support a broad-based multi-county fatherhood  
23 initiative that promotes payment of child support  
24 obligations, improved family relationships, and  
25 full-time employment.

26 6. The department may transfer funds appropriated  
27 in this section to the appropriations made in this  
28 division of this Act for general administration and  
29 field operations as necessary to administer this  
30 section and the overall family investment program.

31 Sec. 9. 2015 Iowa Acts, chapter 137, section 129,  
32 is amended to read as follows:

33 SEC. 129. CHILD SUPPORT RECOVERY. There is  
34 appropriated from the general fund of the state to  
35 the department of human services for the fiscal year

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1 beginning July 1, 2016, and ending June 30, 2017, the  
2 following amount, or so much thereof as is necessary,  
3 to be used for the purposes designated:

4 For child support recovery, including salaries,  
5 support, maintenance, and miscellaneous purposes, and  
6 for not more than the following full-time equivalent  
7 positions:

8 .....	\$ 7,331,686
9 .....	<u>14,663,373</u>
10 .....	FTEs 464.00

11 1. The department shall expend up to ~~\$12,164~~  
12 \$24,329, including federal financial participation, for  
13 the fiscal year beginning July 1, 2016, for a child  
14 support public awareness campaign. The department and  
15 the office of the attorney general shall cooperate in  
16 continuation of the campaign. The public awareness  
17 campaign shall emphasize, through a variety of media  
18 activities, the importance of maximum involvement of  
19 both parents in the lives of their children as well as  
20 the importance of payment of child support obligations.

21 2. Federal access and visitation grant moneys shall  
22 be issued directly to private not-for-profit agencies  
23 that provide services designed to increase compliance  
24 with the child access provisions of court orders,  
25 including but not limited to neutral visitation sites  
26 and mediation services.

27 3. The appropriation made to the department for  
28 child support recovery may be used throughout the  
29 fiscal year in the manner necessary for purposes of  
30 cash flow management, and for cash flow management  
31 purposes the department may temporarily draw more  
32 than the amount appropriated, provided the amount  
33 appropriated is not exceeded at the close of the fiscal  
34 year.

35 4. With the exception of the funding amount

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1 specified, the requirements established under 2001  
2 Iowa Acts, chapter 191, section 3, subsection 5,  
3 paragraph "c", subparagraph (3), shall be applicable  
4 to parental obligation pilot projects for the fiscal  
5 year beginning July 1, 2016, and ending June 30,  
6 2017. Notwithstanding 441 IAC 100.8, providing for  
7 termination of rules relating to the pilot projects,  
8 the rules shall remain in effect until June 30, 2017.

9 Sec. 10. 2015 Iowa Acts, chapter 137, section 132,  
10 is amended to read as follows:

11 SEC. 132. MEDICAL ASSISTANCE. There is  
12 appropriated from the general fund of the state to  
13 the department of human services for the fiscal year  
14 beginning July 1, 2016, and ending June 30, 2017, the  
15 following amount, or so much thereof as is necessary,  
16 to be used for the purpose designated:

17 For medical assistance program reimbursement and  
18 associated costs as specifically provided in the  
19 reimbursement methodologies in effect on June 30,  
20 2016, except as otherwise expressly authorized by  
21 law, consistent with options under federal law and  
22 regulations, and contingent upon receipt of approval  
23 from the office of the governor of reimbursement for  
24 each abortion performed under the program:

25 ..... ~~\$651,595,782~~  
26 1,318,246,446

27 1. Iowans support reducing the number of abortions  
28 performed in our state. Funds appropriated under  
29 this section shall not be used for abortions, unless  
30 otherwise authorized under this section.

31 2. The provisions of this section relating to  
32 abortions shall also apply to the Iowa health and  
33 wellness plan created pursuant to chapter 249N.

34 3. The department shall utilize not more than  
35 ~~\$30,000~~ \$60,000 of the funds appropriated in this

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1 section to continue the AIDS/HIV health insurance  
2 premium payment program as established in 1992 Iowa  
3 Acts, Second Extraordinary Session, chapter 1001,  
4 section 409, subsection 6. Of the funds allocated in  
5 this subsection, not more than ~~\$2,500~~ \$5,000 may be  
6 expended for administrative purposes.

7 4. Of the funds appropriated in this Act to the  
8 department of public health for addictive disorders,  
9 ~~\$475,000~~ \$950,000 for the fiscal year beginning July  
10 1, 2016, is transferred to the department of human

11 services for an integrated substance-related disorder  
12 managed care system. The department shall not assume  
13 management of the substance-related disorder system  
14 in place of the managed care contractor unless such  
15 a change in approach is specifically authorized in  
16 law. The departments of human services and public  
17 health shall work together to maintain the level  
18 of mental health and substance-related disorder  
19 treatment services provided by the managed care  
20 contractor through the Iowa plan for behavioral health  
21 contractors. Each department shall take the steps  
22 necessary to continue the federal waivers as necessary  
23 to maintain the level of services.

24 5. a. The department shall aggressively pursue  
25 options for providing medical assistance or other  
26 assistance to individuals with special needs who become  
27 ineligible to continue receiving services under the  
28 early and periodic screening, diagnostic, and treatment  
29 program under the medical assistance program due  
30 to becoming 21 years of age who have been approved  
31 for additional assistance through the department's  
32 exception to policy provisions, but who have health  
33 care needs in excess of the funding available through  
34 the exception to policy provisions.

35 b. Of the funds appropriated in this section,

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1 ~~\$50,000~~ \$100,000 shall be used for participation in one  
2 or more pilot projects operated by a private provider  
3 to allow the individual or individuals to receive  
4 service in the community in accordance with principles  
5 established in *Olmstead v. L.C.*, 527 U.S. 581 (1999),  
6 for the purpose of providing medical assistance or  
7 other assistance to individuals with special needs  
8 who become ineligible to continue receiving services  
9 under the early and periodic screening, diagnostic, and  
10 treatment program under the medical assistance program  
11 due to becoming 21 years of age who have been approved  
12 for additional assistance through the department's  
13 exception to policy provisions, but who have health  
14 care needs in excess of the funding available through  
15 the exception to the policy provisions.

16 6. Of the funds appropriated in this section, up to  
17 ~~\$1,525,044~~ \$3,050,082 may be transferred to the field  
18 operations or general administration appropriations  
19 in this division of this Act for operational costs  
20 associated with Part D of the federal Medicare  
21 Prescription Drug Improvement and Modernization Act of  
22 2003, Pub. L. No. 108-173.

23 7. Of the funds appropriated in this section,  
24 up to ~~\$221,050~~ \$442,100 may be transferred to the

25 appropriation in this division of this Act for medical  
26 contracts to be used for clinical assessment services  
27 and prior authorization of services.

28 8. A portion of the funds appropriated in this  
29 section may be transferred to the appropriations in  
30 this division of this Act for general administration,  
31 medical contracts, the children’s health insurance  
32 program, or field operations to be used for the  
33 state match cost to comply with the payment error  
34 rate measurement (PERM) program for both the medical  
35 assistance and children’s health insurance programs

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1 as developed by the centers for Medicare and Medicaid  
2 services of the United States department of health and  
3 human services to comply with the federal Improper  
4 Payments Information Act of 2002, Pub. L. No. 107-300.

5 9. The department shall continue to implement the  
6 recommendations of the assuring better child health  
7 and development initiative II (ABCDII) clinical panel  
8 to the Iowa early and periodic screening, diagnostic,  
9 and treatment services healthy mental development  
10 collaborative board regarding changes to billing  
11 procedures, codes, and eligible service providers.

12 10. Of the funds appropriated in this section,  
13 a sufficient amount is allocated to supplement  
14 the incomes of residents of nursing facilities,  
15 intermediate care facilities for persons with mental  
16 illness, and intermediate care facilities for persons  
17 with an intellectual disability, with incomes of less  
18 than \$50 in the amount necessary for the residents to  
19 receive a personal needs allowance of \$50 per month  
20 pursuant to section 249A.30A.

21 ~~11. Of the funds appropriated in this section, the~~  
22 ~~following amounts are transferred to the appropriations~~  
23 ~~made in this division of this Act for the state mental~~  
24 ~~health institutes:~~

- 25 a. Cherokee mental health institute – \$ 4,549,212
- 26 b. Independence mental health institute
- 27 ..... \$ 4,522,947

28 12. a. Of the funds appropriated in this section,  
29 ~~\$2,041,939~~ \$3,000,000 is allocated for the state  
30 match for a disproportionate share hospital payment of  
31 ~~\$4,544,712~~ \$6,861,848 to hospitals that meet both of  
32 the conditions specified in subparagraphs (1) and (2).  
33 In addition, the hospitals that meet the conditions  
34 specified shall either certify public expenditures  
35 or transfer to the medical assistance program an

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1 amount equal to provide the nonfederal share for a  
2 disproportionate share hospital payment of ~~\$8,772,000~~  
3 ~~\$19,771,582~~. The hospitals that meet the conditions  
4 specified shall receive and retain 100 percent of  
5 the total disproportionate share hospital payment of  
6 ~~\$13,316,715~~ ~~\$26,633,430~~.

7 (1) The hospital qualifies for disproportionate  
8 share and graduate medical education payments.

9 (2) The hospital is an Iowa state-owned hospital  
10 with more than 500 beds and eight or more distinct  
11 residency specialty or subspecialty programs recognized  
12 by the American college of graduate medical education.

13 b. Distribution of the disproportionate share  
14 payments shall be made on a monthly basis. The total  
15 amount of disproportionate share payments including  
16 graduate medical education, enhanced disproportionate  
17 share, and Iowa state-owned teaching hospital payments  
18 shall not exceed the amount of the state's allotment  
19 under Pub. L. No. 102-234. In addition, the total  
20 amount of all disproportionate share payments shall not  
21 exceed the hospital-specific disproportionate share  
22 limits under Pub. L. No. 103-66.

23 c. The university of Iowa hospitals and clinics  
24 shall either certify public expenditures or transfer  
25 to the appropriations made in this division of this  
26 Act for medical assistance an amount equal to provide  
27 the nonfederal share for increased medical assistance  
28 payments for inpatient and outpatient hospital services  
29 of ~~\$4,950,000~~ ~~\$9,900,000~~. The university of Iowa  
30 hospitals and clinics shall receive and retain 100  
31 percent of the total increase in medical assistance  
32 payments.

33 d. Payment methodologies utilized for  
34 disproportionate share hospitals and graduate medical  
35 education, and other supplemental payments under

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1 the Medicaid program may be adjusted or converted to  
2 other methodologies or payment types to provide these  
3 payments ~~through Medicaid managed care after April 1,~~  
4 ~~2016~~. The department of human services shall obtain  
5 approval from the centers for Medicare and Medicaid  
6 services of the United States department of health and  
7 human services prior to implementation of any such  
8 adjusted or converted methodologies or payment types.

9 13. One hundred percent of the nonfederal share of  
10 payments to area education agencies that are medical  
11 assistance providers for medical assistance-covered  
12 services provided to medical assistance-covered

13 children, shall be made from the appropriation made in  
14 this section.

15 14. Any new or renewed contract entered into by the  
16 department with a third party to administer services  
17 under the medical assistance program shall provide  
18 that any interest earned on payments from the state  
19 during the state fiscal year shall be remitted to the  
20 department and treated as recoveries to offset the  
21 costs of the medical assistance program.

22 15. A portion of the funds appropriated in this  
23 section may be transferred to the appropriation in this  
24 division of this Act for medical contracts to be used  
25 for administrative activities associated with the money  
26 follows the person demonstration project.

27 16. Of the funds appropriated in this section,  
28 ~~\$174,505~~ \$349,011 shall be used for the administration  
29 of the health insurance premium payment program,  
30 including salaries, support, maintenance, and  
31 miscellaneous purposes.

32 17. a. The department may increase the amounts  
33 allocated for salaries, support, maintenance, and  
34 miscellaneous purposes associated with the medical  
35 assistance program, as necessary, to implement cost

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1 containment strategies. The department shall report  
2 any such increase to the legislative services agency  
3 and the department of management.

4 b. If the savings to the medical assistance program  
5 from cost containment efforts exceed the cost for the  
6 fiscal year beginning July 1, 2016, the department may  
7 transfer any savings generated for the fiscal year due  
8 to medical assistance program cost containment efforts  
9 to the appropriation made in this division of this Act  
10 for medical contracts or general administration to  
11 defray the increased contract costs associated with  
12 implementing such efforts.

13 18. For the fiscal year beginning July 1, 2016,  
14 and ending June 30, 2017, the replacement generation  
15 tax revenues required to be deposited in the property  
16 tax relief fund pursuant to section 437A.8, subsection  
17 4, paragraph "d", and section 437A.15, subsection  
18 3, paragraph "f", shall instead be credited to and  
19 supplement the appropriation made in this section and  
20 used for the allocations made in this section.

21 ~~19. The department shall continue to administer the~~  
22 ~~state balancing incentive payments program as specified~~  
23 ~~in 2012 Iowa Acts, chapter 1133, section 14.~~

24 20. a. Of the funds appropriated in this section,  
25 up to ~~\$25,000~~ \$50,000 may be transferred by the  
26 department to the appropriation made in this division

27 of this Act to the department for the same fiscal year  
28 for general administration to be used for associated  
29 administrative expenses and for not more than one  
30 full-time equivalent position, in addition to those  
31 authorized for the same fiscal year, to be assigned to  
32 implementing the children's mental health home project.  
33 b. Of the funds appropriated in this section,  
34 up to ~~\$200,000~~ \$400,000 may be transferred by the  
35 department to the appropriation made to the department

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1 in this division of this Act for the same fiscal year  
2 for Medicaid program-related general administration  
3 planning and implementation activities. The funds may  
4 be used for contracts or for personnel in addition  
5 to the amounts appropriated for and the positions  
6 authorized for general administration for the fiscal  
7 year.  
8 c. Of the funds appropriated in this section,  
9 up to ~~\$1,500,000~~ \$3,000,000 may be transferred by  
10 the department to the appropriations made in this  
11 division of this Act for the same fiscal year for  
12 general administration or medical contracts to be  
13 used to support the development and implementation of  
14 standardized assessment tools for persons with mental  
15 illness, an intellectual disability, a developmental  
16 disability, or a brain injury.  
17 21. Of the funds appropriated in this section,  
18 ~~\$125,000~~ \$250,000 shall be used for lodging expenses  
19 associated with care provided at the university of  
20 Iowa hospitals and clinics for patients with cancer  
21 whose travel distance is 30 miles or more and whose  
22 income is at or below 200 percent of the federal  
23 poverty level as defined by the most recently revised  
24 poverty income guidelines published by the United  
25 States department of health and human services. The  
26 department of human services shall establish the  
27 maximum number of overnight stays and the maximum rate  
28 reimbursed for overnight lodging, which may be based on  
29 the state employee rate established by the department  
30 of administrative services. The funds allocated in  
31 this subsection shall not be used as nonfederal share  
32 matching funds.  
33 23. The department of human services shall not  
34 implement the following cost containment strategies  
35 as recommended by the governor for the fiscal year

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1 beginning July 1, 2016:  
2 a. A policy to ensure that reimbursement for



3 Medicare Part A and Medicare Part B crossover claims is  
4 limited to the Medicaid reimbursement rate.  
5 b. An adjustment to the reimbursement policy in  
6 order to end the primary care physician rate increase  
7 originally authorized by the federal Health Care and  
8 Education Reconciliation Act of 2010, section 1202,  
9 Pub. L. No. 111-152, 42 U.S.C. §1396a(a)(13)(C) that  
10 allows qualified primary care physicians to receive  
11 the greater of the Medicare rate or Medicaid rate for  
12 a specified set of codes.  
13 24. The department shall report the implementation  
14 of any cost containment strategies to the individuals  
15 specified in this division of this Act for submission  
16 of reports upon implementation.  
17 25. The department shall report the implementation  
18 of any improved processing changes and any related  
19 cost reductions to the individuals specified in this  
20 division of this Act for submission of reports upon  
21 implementation.  
22 26. Of the funds appropriated in this section,  
23 \$2,000,000 shall be used to implement reductions in  
24 the waiting lists of all medical assistance home and  
25 community-based services waivers.  
26 27. The department shall submit a report to the  
27 individuals identified in this Act for submission of  
28 reports, regarding the impact of changes in home and  
29 community-based services waiver supported employment  
30 and prevocational services by December 15, 2016.  
31 28. Any dental benefit manager contracting with the  
32 department of human services for the dental wellness  
33 plan on or after July 1, 2016, shall meet the same  
34 contract requirements. Readiness review of such a  
35 dental benefit manager shall be based on the criteria

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1 applicable to the dental wellness plan when implemented  
2 on May 1, 2014, including but not limited to network  
3 adequacy, access to services, performance measures,  
4 benefit design, and other requirements as determined by  
5 the department for the dental wellness program. Any  
6 dental benefit manager that has been approved by a  
7 readiness review prior to July 1, 2016, shall not be  
8 required to repeat such review for the department.  
9 29. The department of human services shall review  
10 the fiscal impact and potential benefit to Medicaid  
11 recipients of including single-tablet regimens or  
12 long-acting alternatives for various drug categories  
13 on the preferred drug list, as an alternative to  
14 multi-tablet regimens for these same drug categories.  
15 The department shall pursue manufacturer supplemental  
16 rebate offers to determine if opportunities are

17 available to align the cost of such single-tablet  
18 regimens with the corresponding multi-tablet regimens.  
19 The department shall submit the department's findings  
20 and recommendations to the individuals specified in  
21 this Act for submission of reports by December 15,  
22 2016.

23 Sec. 11. 2015 Iowa Acts, chapter 137, section 133,  
24 is amended to read as follows:

25 SEC. 133. MEDICAL CONTRACTS. There is appropriated  
26 from the general fund of the state to the department of  
27 human services for the fiscal year beginning July 1,  
28 2016, and ending June 30, 2017, the following amount,  
29 or so much thereof as is necessary, to be used for the  
30 purpose designated:

31 For medical contracts:  
32 ..... \$ 9,806,982  
33 ..... 17,045,964

34 1. The department of inspections and appeals  
35 shall provide all state matching funds for survey and

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1 certification activities performed by the department  
2 of inspections and appeals. The department of human  
3 services is solely responsible for distributing the  
4 federal matching funds for such activities.

5 2. Of the funds appropriated in this section,  
6 ~~\$25,000~~ \$50,000 shall be used for continuation of home  
7 and community-based services waiver quality assurance  
8 programs, including the review and streamlining of  
9 processes and policies related to oversight and quality  
10 management to meet state and federal requirements.

11 3. Of the amount appropriated in this section,  
12 up to ~~\$100,000~~ \$200,000 may be transferred to the  
13 appropriation for general administration in this  
14 division of this Act to be used for additional  
15 full-time equivalent positions in the development  
16 of key health initiatives such as cost containment,  
17 development and oversight of managed care programs,  
18 and development of health strategies targeted toward  
19 improved quality and reduced costs in the Medicaid  
20 program.

21 4. Of the funds appropriated in this section,  
22 ~~\$500,000~~ \$1,000,000 shall be used for planning and  
23 development, in cooperation with the department of  
24 public health, of a phased-in program to provide a  
25 dental home for children.

26 5. Of the funds appropriated in this section,  
27 \$1,000,000 ~~\$2,000,000~~ shall be credited to the autism  
28 support program fund created in section 225D.2 to be  
29 used for the autism support program created in chapter  
30 225D, with the exception of the following amounts of

31 this allocation which shall be used as follows:  
 32 a. Of the funds allocated in this subsection,  
 33 ~~\$125,000~~ \$250,000 shall be deposited in the  
 34 board-certified behavior analyst and board-certified  
 35 assistant behavior analyst grants program fund created

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1 in section 135.181, ~~as enacted in this Act~~, to be used  
 2 for the purposes of the fund.  
 3 b. Of the funds allocated in this subsection,  
 4 ~~\$12,500~~ \$25,000 shall be used for the public purpose  
 5 of continuation of a grant to a child welfare services  
 6 provider headquartered in a county with a population  
 7 between 205,000 and 215,000 in the latest certified  
 8 federal census that provides multiple services  
 9 including but not limited to a psychiatric medical  
 10 institution for children, shelter, residential  
 11 treatment, after school programs, school-based  
 12 programming, and an Asperger's syndrome program, to  
 13 be used for support services for children with autism  
 14 spectrum disorder and their families.  
 15 c. Of the funds allocated in this subsection,  
 16 ~~\$12,500~~ \$25,000 shall be used for the public purpose  
 17 of continuing a grant to a hospital-based provider  
 18 headquartered in a county with a population between  
 19 90,000 and 95,000 in the latest certified federal  
 20 census that provides multiple services including but  
 21 not limited to diagnostic, therapeutic, and behavioral  
 22 services to individuals with autism spectrum disorder  
 23 across one's lifespan. The grant recipient shall  
 24 utilize the funds to continue the pilot project to  
 25 determine the necessary support services for children  
 26 with autism spectrum disorder and their families to  
 27 be included in the children's disabilities services  
 28 system. The grant recipient shall submit findings and  
 29 recommendations based upon the results of the pilot  
 30 project to the individuals specified in this division  
 31 of this Act for submission of reports by December 31,  
 32 ~~2015~~ 2016.  
 33 Sec. 12. 2015 Iowa Acts, chapter 137, section 134,  
 34 is amended to read as follows:  
 35 SEC. 134. STATE SUPPLEMENTARY ASSISTANCE.

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1 1. There is appropriated from the general fund of  
 2 the state to the department of human services for the  
 3 fiscal year beginning July 1, 2016, and ending June 30,  
 4 2017, the following amount, or so much thereof as is  
 5 necessary, to be used for the purpose designated:  
 6 For the state supplementary assistance program:

7 ..... \$ 6,498,593  
8 11,611,442

9 2. The department shall increase the personal needs  
10 allowance for residents of residential care facilities  
11 by the same percentage and at the same time as federal  
12 supplemental security income and federal social  
13 security benefits are increased due to a recognized  
14 increase in the cost of living. The department may  
15 adopt emergency rules to implement this subsection.

16 3. If during the fiscal year beginning July 1,  
17 2016, the department projects that state supplementary  
18 assistance expenditures for a calendar year will not  
19 meet the federal pass-through requirement specified  
20 in Tit. XVI of the federal Social Security Act,  
21 section 1618, as codified in 42 U.S.C. §1382g,  
22 the department may take actions including but not  
23 limited to increasing the personal needs allowance  
24 for residential care facility residents and making  
25 programmatic adjustments or upward adjustments of the  
26 residential care facility or in-home health-related  
27 care reimbursement rates prescribed in this division of  
28 this Act to ensure that federal requirements are met.  
29 In addition, the department may make other programmatic  
30 and rate adjustments necessary to remain within the  
31 amount appropriated in this section while ensuring  
32 compliance with federal requirements. The department  
33 may adopt emergency rules to implement the provisions  
34 of this subsection.

35 Sec. 13. 2015 Iowa Acts, chapter 137, section 135,

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1 is amended to read as follows:

2 SEC. 135. CHILDREN'S HEALTH INSURANCE PROGRAM.

3 1. There is appropriated from the general fund of  
4 the state to the department of human services for the  
5 fiscal year beginning July 1, 2016, and ending June 30,  
6 2017, the following amount, or so much thereof as is  
7 necessary, to be used for the purpose designated:

8 For maintenance of the healthy and well kids in Iowa  
9 (hawk-i) program pursuant to chapter 514I, including  
10 supplemental dental services, for receipt of federal  
11 financial participation under Tit. XXI of the federal  
12 Social Security Act, which creates the children's  
13 health insurance program:

14 ..... \$ 10,206,922  
15 9,176,652

16 2. Of the funds appropriated in this section,  
17 \$21,400 ~~\$42,800~~ is allocated for continuation of the  
18 contract for outreach with the department of public  
19 health.

20 Sec. 14. 2015 Iowa Acts, chapter 137, section 136,

21 is amended to read as follows:

22 SEC. 136. CHILD CARE ASSISTANCE. There is  
23 appropriated from the general fund of the state to  
24 the department of human services for the fiscal year  
25 beginning July 1, 2016, and ending June 30, 2017, the  
26 following amount, or so much thereof as is necessary,  
27 to be used for the purpose designated:

28 For child care programs:  
29 ..... \$ ~~25,704,334~~  
30 36,389,561

31 1. Of the funds appropriated in this section,  
32 ~~\$21,844,620~~ \$30,039,561 shall be used for state child  
33 care assistance in accordance with section 237A.13.

34 2. Nothing in this section shall be construed or  
35 is intended as or shall imply a grant of entitlement

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1 for services to persons who are eligible for assistance  
2 due to an income level consistent with the waiting  
3 list requirements of section 237A.13. Any state  
4 obligation to provide services pursuant to this section  
5 is limited to the extent of the funds appropriated in  
6 this section.

7 ~~3. Of the funds appropriated in this section,~~  
8 ~~\$216,226 is allocated for the statewide grant program~~  
9 ~~for child care resource and referral services under~~  
10 ~~section 237A.26.~~ A list of the registered and licensed  
11 child care facilities operating in the area served by a  
12 child care resource and referral service shall be made  
13 available to the families receiving state child care  
14 assistance in that area.

15 ~~4. Of the funds appropriated in this section,~~  
16 ~~\$468,487 is allocated for child care quality~~  
17 ~~improvement initiatives including but not limited to~~  
18 ~~the voluntary quality rating system in accordance with~~  
19 ~~section 237A.30.~~

20 5. Of the funds appropriated in this section,  
21 ~~\$3,175,000~~ \$6,350,000 shall be credited to the  
22 early childhood programs grants account in the early  
23 childhood Iowa fund created in section 256I.11.  
24 The moneys shall be distributed for funding of  
25 community-based early childhood programs targeted to  
26 children from birth through five years of age developed  
27 by early childhood Iowa areas in accordance with  
28 approved community plans as provided in section 256I.8.

29 6. The department may use any of the funds  
30 appropriated in this section as a match to obtain  
31 federal funds for use in expanding child care  
32 assistance and related programs. For the purpose of  
33 expenditures of state and federal child care funding,  
34 funds shall be considered obligated at the time

35 expenditures are projected or are allocated to the

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1 department's service areas. Projections shall be based  
2 on current and projected caseload growth, current and  
3 projected provider rates, staffing requirements for  
4 eligibility determination and management of program  
5 requirements including data systems management,  
6 staffing requirements for administration of the  
7 program, contractual and grant obligations and any  
8 transfers to other state agencies, and obligations for  
9 decategorization or innovation projects.

10 7. A portion of the state match for the federal  
11 child care and development block grant shall be  
12 provided as necessary to meet federal matching  
13 funds requirements through the state general fund  
14 appropriation made for child development grants and  
15 other programs for at-risk children in section 279.51.

16 8. If a uniform reduction ordered by the governor  
17 under section 8.31 or other operation of law,  
18 transfer, or federal funding reduction reduces the  
19 appropriation made in this section for the fiscal year,  
20 the percentage reduction in the amount paid out to or  
21 on behalf of the families participating in the state  
22 child care assistance program shall be equal to or  
23 less than the percentage reduction made for any other  
24 purpose payable from the appropriation made in this  
25 section and the federal funding relating to it. The  
26 percentage reduction to the other allocations made in  
27 this section shall be the same as the uniform reduction  
28 ordered by the governor or the percentage change of the  
29 federal funding reduction, as applicable. If there is  
30 an unanticipated increase in federal funding provided  
31 for state child care assistance, the entire amount  
32 of the increase shall be used for state child care  
33 assistance payments. If the appropriations made for  
34 purposes of the state child care assistance program for  
35 the fiscal year are determined to be insufficient, it

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1 is the intent of the general assembly to appropriate  
2 sufficient funding for the fiscal year in order to  
3 avoid establishment of waiting list requirements.

4 9. Notwithstanding section 8.33, moneys advanced  
5 for purposes of the programs developed by early  
6 childhood Iowa areas, advanced for purposes of  
7 wraparound child care, or received from the federal  
8 appropriations made for the purposes of this section  
9 that remain unencumbered or unobligated at the close  
10 of the fiscal year shall not revert to any fund but

11 shall remain available for expenditure for the purposes  
12 designated until the close of the succeeding fiscal  
13 year.

14 Sec. 15. 2015 Iowa Acts, chapter 137, section 137,  
15 is amended to read as follows:

16 SEC. 137. JUVENILE INSTITUTION. There is  
17 appropriated from the general fund of the state to  
18 the department of human services for the fiscal year  
19 beginning July 1, 2016, and ending June 30, 2017, the  
20 following amounts, or so much thereof as is necessary,  
21 to be used for the purposes designated:

22	1. For operation of the state training school at	
23	Eldora and for salaries, support, maintenance, and	
24	miscellaneous purposes, and for not more than the	
25	following full-time equivalent positions:	
26	.....	\$ 6,116,710
27		<u>12,233,420</u>
28	..... FTEs	169.30

29 Of the funds appropriated in this subsection,  
30 ~~\$45,575~~ \$91,150 shall be used for distribution  
31 to licensed classroom teachers at this and other  
32 institutions under the control of the department of  
33 human services based upon the average student yearly  
34 enrollment at each institution as determined by the  
35 department.

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1 2. A portion of the moneys appropriated in this  
2 section shall be used by the state training school at  
3 Eldora for grants for adolescent pregnancy prevention  
4 activities at the institution in the fiscal year  
5 beginning July 1, 2016.

6 Sec. 16. 2015 Iowa Acts, chapter 137, section 138,  
7 is amended to read as follows:

8 SEC. 138. CHILD AND FAMILY SERVICES.

9 1. There is appropriated from the general fund of  
10 the state to the department of human services for the  
11 fiscal year beginning July 1, 2016, and ending June 30,  
12 2017, the following amount, or so much thereof as is  
13 necessary, to be used for the purpose designated:

14	For child and family services:	
15	.....	\$ 42,670,969
16		<u>84,482,419</u>

17 2. ~~Up to \$2,600,000 of~~ Of the amount of federal  
18 ~~temporary assistance for needy families block grant~~  
19 ~~funding~~ appropriated in this ~~division of this Act for~~  
20 ~~child and family services section~~, \$5,200,000 shall be  
21 ~~made available~~ used for purposes of juvenile delinquent  
22 graduated sanction services.

23 3. The department may transfer funds appropriated  
24 in this section as necessary to pay the nonfederal

25 costs of services reimbursed under the medical  
26 assistance program, state child care assistance  
27 program, or the family investment program which are  
28 provided to children who would otherwise receive  
29 services paid under the appropriation in this section.  
30 The department may transfer funds appropriated in this  
31 section to the appropriations made in this division  
32 of this Act for general administration and for field  
33 operations for resources necessary to implement and  
34 operate the services funded in this section.  
35 4. a. Of the funds appropriated in this section,

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1 up to ~~\$17,910,893~~ \$35,736,649 is allocated as the  
2 statewide expenditure target under section 232.143  
3 for group foster care maintenance and services. If  
4 the department projects that such expenditures for  
5 the fiscal year will be less than the target amount  
6 allocated in this paragraph "a", the department may  
7 reallocate the excess to provide additional funding for  
8 shelter care or the child welfare emergency services  
9 addressed with the allocation for shelter care.  
10 b. If at any time after September 30, 2016,  
11 annualization of a service area's current expenditures  
12 indicates a service area is at risk of exceeding its  
13 group foster care expenditure target under section  
14 232.143 by more than 5 percent, the department and  
15 juvenile court services shall examine all group  
16 foster care placements in that service area in order  
17 to identify those which might be appropriate for  
18 termination. In addition, any aftercare services  
19 believed to be needed for the children whose  
20 placements may be terminated shall be identified. The  
21 department and juvenile court services shall initiate  
22 action to set dispositional review hearings for the  
23 placements identified. In such a dispositional review  
24 hearing, the juvenile court shall determine whether  
25 needed aftercare services are available and whether  
26 termination of the placement is in the best interest of  
27 the child and the community.  
28 5. In accordance with the provisions of section  
29 232.188, the department shall continue the child  
30 welfare and juvenile justice funding initiative during  
31 fiscal year 2016-2017. Of the funds appropriated  
32 in this section, ~~\$858,876~~ \$1,717,753 is allocated  
33 specifically for expenditure for fiscal year 2016-2017  
34 through the decategorization services funding pools  
35 and governance boards established pursuant to section



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1 232.188.

2 6. A portion of the funds appropriated in this  
3 section may be used for emergency family assistance  
4 to provide other resources required for a family  
5 participating in a family preservation or reunification  
6 project or successor project to stay together or to be  
7 reunified.

8 7. Notwithstanding section 234.35 or any other  
9 provision of law to the contrary, state funding for  
10 shelter care and the child welfare emergency services  
11 contracting implemented to provide for or prevent the  
12 need for shelter care shall be limited to ~~\$4,034,237~~  
13 \$8,096,158.

14 8. Federal funds received by the state during  
15 the fiscal year beginning July 1, 2016, as the  
16 result of the expenditure of state funds appropriated  
17 during a previous state fiscal year for a service or  
18 activity funded under this section are appropriated  
19 to the department to be used as additional funding  
20 for services and purposes provided for under this  
21 section. Notwithstanding section 8.33, moneys  
22 received in accordance with this subsection that remain  
23 unencumbered or unobligated at the close of the fiscal  
24 year shall not revert to any fund but shall remain  
25 available for the purposes designated until the close  
26 of the succeeding fiscal year.

27 9. a. Of the funds appropriated in this section,  
28 up to ~~\$1,645,000~~ \$3,290,000 is allocated for the  
29 payment of the expenses of court-ordered services  
30 provided to juveniles who are under the supervision of  
31 juvenile court services, which expenses are a charge  
32 upon the state pursuant to section 232.141, subsection  
33 4. Of the amount allocated in this paragraph "a",  
34 up to ~~\$778,143~~ \$1,556,287 shall be made available  
35 to provide school-based supervision of children

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1 adjudicated under chapter 232, of which not more than  
2 ~~\$7,500~~ \$15,000 may be used for the purpose of training.  
3 A portion of the cost of each school-based liaison  
4 officer shall be paid by the school district or other  
5 funding source as approved by the chief juvenile court  
6 officer.

7 b. Of the funds appropriated in this section, up to  
8 ~~\$374,492~~ \$748,985 is allocated for the payment of the  
9 expenses of court-ordered services provided to children  
10 who are under the supervision of the department,  
11 which expenses are a charge upon the state pursuant to  
12 section 232.141, subsection 4.

13 c. Notwithstanding section 232.141 or any other  
14 provision of law to the contrary, the amounts allocated  
15 in this subsection shall be distributed to the  
16 judicial districts as determined by the state court  
17 administrator and to the department's service areas  
18 as determined by the administrator of the department  
19 of human services' division of child and family  
20 services. The state court administrator and the  
21 division administrator shall make the determination of  
22 the distribution amounts on or before June 15, 2016.  
23 d. Notwithstanding chapter 232 or any other  
24 provision of law to the contrary, a district or  
25 juvenile court shall not order any service which is  
26 a charge upon the state pursuant to section 232.141  
27 if there are insufficient court-ordered services  
28 funds available in the district court or departmental  
29 service area distribution amounts to pay for the  
30 service. The chief juvenile court officer and the  
31 departmental service area manager shall encourage use  
32 of the funds allocated in this subsection such that  
33 there are sufficient funds to pay for all court-related  
34 services during the entire year. The chief juvenile  
35 court officers and departmental service area managers

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1 shall attempt to anticipate potential surpluses and  
2 shortfalls in the distribution amounts and shall  
3 cooperatively request the state court administrator  
4 or division administrator to transfer funds between  
5 the judicial districts' or departmental service areas'  
6 distribution amounts as prudent.  
7 e. Notwithstanding any provision of law to the  
8 contrary, a district or juvenile court shall not order  
9 a county to pay for any service provided to a juvenile  
10 pursuant to an order entered under chapter 232 which  
11 is a charge upon the state under section 232.141,  
12 subsection 4.  
13 f. Of the funds allocated in this subsection, not  
14 more than ~~\$41,500~~ \$83,000 may be used by the judicial  
15 branch for administration of the requirements under  
16 this subsection.  
17 g. Of the funds allocated in this subsection,  
18 ~~\$8,500~~ \$17,000 shall be used by the department of human  
19 services to support the interstate commission for  
20 juveniles in accordance with the interstate compact for  
21 juveniles as provided in section 232.173.  
22 10. Of the funds appropriated in this section,  
23 ~~\$4,026,613~~ \$8,053,227 is allocated for juvenile  
24 delinquent graduated sanctions services. Any state  
25 funds saved as a result of efforts by juvenile court  
26 services to earn a federal Tit. IV-E match for juvenile

27 court services administration may be used for the  
 28 juvenile delinquent graduated sanctions services.  
 29 11. Of the funds appropriated in this section,  
 30 ~~804,142~~ 1,658,285 is transferred to the department  
 31 of public health to be used for the child protection  
 32 center grant program for child protection centers  
 33 located in Iowa in accordance with section 135.118.  
 34 The grant amounts under the program shall be equalized  
 35 so that each center receives a uniform base amount

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1 of ~~122,500~~ 245,000, so that \$50,000 is awarded to  
 2 establish a satellite child protection center in a  
 3 city in north central Iowa that is the county seat of  
 4 a county with a population between 44,000 and 45,000  
 5 according to the 2010 federal decennial census, and so  
 6 ~~that~~ the remaining funds ~~shall be~~ are awarded through  
 7 a funding formula based upon the volume of children  
 8 served.

9 12. If the department receives federal approval  
 10 to implement a waiver under Tit. IV-E of the federal  
 11 Social Security Act to enable providers to serve  
 12 children who remain in the children's families and  
 13 communities, for purposes of eligibility under the  
 14 medical assistance program through 25 years of age,  
 15 children who participate in the waiver shall be  
 16 considered to be placed in foster care.

17 13. Of the funds appropriated in this section,  
 18 ~~2,012,583~~ 4,025,167 is allocated for the preparation  
 19 for adult living program pursuant to section 234.46.

20 14. Of the funds appropriated in this section,  
 21 ~~113,668~~ 227,337 shall be used for the public purpose  
 22 of continuing a grant to a nonprofit human services  
 23 organization providing services to individuals and  
 24 families in multiple locations in southwest Iowa and  
 25 Nebraska for support of a project providing immediate,  
 26 sensitive support and forensic interviews, medical  
 27 exams, needs assessments, and referrals for victims of  
 28 child abuse and their nonoffending family members.

29 15. Of the funds appropriated in this section,  
 30 ~~150,310~~ 300,620 is allocated for the foster care  
 31 youth council approach of providing a support network  
 32 to children placed in foster care.

33 16. Of the funds appropriated in this section,  
 34 ~~101,000~~ 202,000 is allocated for use pursuant to  
 35 section 235A.1 for continuation of the initiative to

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1 address child sexual abuse implemented pursuant to 2007  
 2 Iowa Acts, chapter 218, section 18, subsection 21.

- 3 17. Of the funds appropriated in this section,  
4 ~~\$315,120~~ \$630,240 is allocated for the community  
5 partnership for child protection sites.
- 6 18. Of the funds appropriated in this section,  
7 ~~\$185,625~~ \$371,250 is allocated for the department's  
8 minority youth and family projects under the redesign  
9 of the child welfare system.
- 10 19. Of the funds appropriated in this section,  
11 ~~\$593,297~~ \$1,186,595 is allocated for funding of the  
12 community circle of care collaboration for children and  
13 youth in northeast Iowa.
- 14 20. Of the funds appropriated in this section,  
15 at least ~~\$73,579~~ \$147,158 shall be used for the  
16 continuation of the child welfare provider training  
17 academy, a collaboration between the coalition  
18 for family and children's services in Iowa and the  
19 department.
- 20 21. Of the funds appropriated in this section,  
21 ~~\$105,936~~ \$211,872 shall be used for continuation of the  
22 central Iowa system of care program grant through June  
23 30, 2017.
- 24 22. Of the funds appropriated in this section,  
25 ~~\$117,500~~ \$235,000 shall be used for the public  
26 purpose of the continuation and expansion of a system  
27 of care program grant implemented in Cerro Gordo  
28 and Linn counties to utilize a comprehensive and  
29 long-term approach for helping children and families by  
30 addressing the key areas in a child's life of childhood  
31 basic needs, education and work, family, and community.
- 32 23. Of the funds appropriated in this section, at  
33 least ~~\$12,500~~ \$25,000 shall be used to continue and  
34 to expand the foster care respite pilot program in  
35 which postsecondary students in social work and other

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- 1 human services-related programs receive experience by  
2 assisting family foster care providers with respite and  
3 other support.
- 4 24. Of the funds appropriated in this section,  
5 ~~\$55,000~~ \$110,000 shall be used for the public purpose  
6 of funding community-based services and other supports  
7 with a system of care approach for children with a  
8 serious emotional disturbance and their families  
9 through a nonprofit provider of child welfare services  
10 that has been in existence for more than 115 years,  
11 is located in a county with a population of more  
12 than 200,000 but less than 220,000 according to the  
13 latest census information issued by the United States  
14 census bureau, is licensed as a psychiatric medical  
15 institution for children, and was a system of care  
16 grantee prior to July 1, 2016.

17 Sec. 17. 2015 Iowa Acts, chapter 137, section 139,  
18 is amended to read as follows:

19 SEC. 139. ADOPTION SUBSIDY.

20 1. There is appropriated from the general fund of  
21 the state to the department of human services for the  
22 fiscal year beginning July 1, 2016, and ending June 30,  
23 2017, the following amount, or so much thereof as is  
24 necessary, to be used for the purpose designated:

25	<u>a.</u>	For adoption subsidy payments and services:	
26		.....	\$ <del>21,499,143</del>
27			<u>43,046,664</u>

28 b. (1) The funds appropriated in this section  
29 shall be used as authorized or allowed by federal law  
30 or regulation for any of the following purposes:

31 (a) For adoption subsidy payments and related  
32 costs.

33 (b) For post-adoption services and for other  
34 purposes under Tit. IV-B or Tit. IV-E of the federal  
35 Social Security Act.

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1 (2) The department of human services may transfer  
2 funds appropriated in this subsection to the  
3 appropriation for child and family services in this Act  
4 for the purposes of post-adoption services as specified  
5 in this paragraph "b".

6 2. The department may transfer funds appropriated  
7 in this section to the appropriation made in this  
8 division of this Act for general administration for  
9 costs paid from the appropriation relating to adoption  
10 subsidy.

11 3. Federal funds received by the state during the  
12 fiscal year beginning July 1, 2016, as the result of  
13 the expenditure of state funds during a previous state  
14 fiscal year for a service or activity funded under  
15 this section are appropriated to the department to  
16 be used as additional funding for the services and  
17 activities funded under this section. Notwithstanding  
18 section 8.33, moneys received in accordance with this  
19 subsection that remain unencumbered or unobligated at  
20 the close of the fiscal year shall not revert to any  
21 fund but shall remain available for expenditure for the  
22 purposes designated until the close of the succeeding  
23 fiscal year.

24 Sec. 18. 2015 Iowa Acts, chapter 137, section 141,  
25 is amended to read as follows:

26 SEC. 141. FAMILY SUPPORT SUBSIDY PROGRAM.

27 1. There is appropriated from the general fund of  
28 the state to the department of human services for the  
29 fiscal year beginning July 1, 2016, and ending June 30,  
30 2017, the following amount, or so much thereof as is

31 necessary, to be used for the purpose designated:  
 32 For the family support subsidy program subject  
 33 to the enrollment restrictions in section 225C.37,  
 34 subsection 3:  
 35 ..... \$ 536,966

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1 ..... 1,069,282  
 2 2. ~~The department shall use at least \$320,750~~  
 3 ~~\$727,500~~ of the moneys appropriated in this section is  
 4 transferred to the department of public health for the  
 5 family support center component of the comprehensive  
 6 family support program under ~~section 225C.47 chapter~~  
 7 ~~225C, subchapter V. Not more than \$12,500 of the~~  
 8 ~~amount allocated in this subsection shall be used for~~  
 9 ~~administrative costs. The department of human services~~  
 10 ~~shall submit a report to the individuals identified~~  
 11 ~~in this Act for submission of reports by December~~  
 12 ~~15, 2016, regarding the outcomes of the program and~~  
 13 ~~recommendations for future program improvement.~~

14 3. If at any time during the fiscal year, the  
 15 amount of funding available for the family support  
 16 subsidy program is reduced from the amount initially  
 17 used to establish the figure for the number of family  
 18 members for whom a subsidy is to be provided at any one  
 19 time during the fiscal year, notwithstanding section  
 20 225C.38, subsection 2, the department shall revise the  
 21 figure as necessary to conform to the amount of funding  
 22 available.

23 Sec. 19. 2015 Iowa Acts, chapter 137, section 142,  
 24 is amended to read as follows:

25 SEC. 142. CONNER DECREE. There is appropriated  
 26 from the general fund of the state to the department of  
 27 human services for the fiscal year beginning July 1,  
 28 2016, and ending June 30, 2017, the following amount,  
 29 or so much thereof as is necessary, to be used for the  
 30 purpose designated:

31 For building community capacity through the  
 32 coordination and provision of training opportunities  
 33 in accordance with the consent decree of Conner v.  
 34 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):  
 35 ..... \$ 16,816

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1 ..... 33,632  
 2 Sec. 20. 2015 Iowa Acts, chapter 137, section 143,  
 3 is amended to read as follows:  
 4 SEC. 143. MENTAL HEALTH INSTITUTES. There is  
 5 appropriated from the general fund of the state to  
 6 the department of human services for the fiscal year

7 beginning July 1, 2016, and ending June 30, 2017, the  
 8 following amounts, or so much thereof as is necessary,  
 9 to be used for the purposes designated which amounts  
 10 shall not be transferred or expended for any purpose  
 11 other than the purposes designated, notwithstanding  
 12 section 218.6 to the contrary:

13 1. For operation of the state mental health  
 14 institute at Cherokee as required by chapters 218  
 15 and 226 for salaries, support, maintenance, and  
 16 miscellaneous purposes, and for not more than the  
 17 following full-time equivalent positions:  
 18 ..... \$ 2,772,808  
 19 ..... 14,644.041  
 20 ..... FTEs 169.20

21 2. For operation of the state mental health  
 22 institute at Independence as required by chapters  
 23 218 and 226 for salaries, support, maintenance, and  
 24 miscellaneous purposes, and for not more than the  
 25 following full-time equivalent positions:  
 26 ..... \$ 5,162,104  
 27 ..... 18,552.103  
 28 ..... FTEs 233.00

29 Sec. 21. 2015 Iowa Acts, chapter 137, section 144,  
 30 is amended to read as follows:

31 SEC. 144. STATE RESOURCE CENTERS.

32 1. There is appropriated from the general fund of  
 33 the state to the department of human services for the  
 34 fiscal year beginning July 1, 2016, and ending June 30,  
 35 2017, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:  
 2 a. For the state resource center at Glenwood for  
 3 salaries, support, maintenance, and miscellaneous  
 4 purposes:  
 5 ..... \$ 10,762,241  
 6 ..... 20,719.486  
 7 b. For the state resource center at Woodward for  
 8 salaries, support, maintenance, and miscellaneous  
 9 purposes:  
 10 ..... \$ 7,291,903  
 11 ..... 14,053.011

12 2. The department may continue to bill for state  
 13 resource center services utilizing a scope of services  
 14 approach used for private providers of intermediate  
 15 care facilities for persons with an intellectual  
 16 disability services, in a manner which does not shift  
 17 costs between the medical assistance program, counties,  
 18 or other sources of funding for the state resource  
 19 centers.

20 3. The state resource centers may expand the

21 time-limited assessment and respite services during the  
22 fiscal year.

23 4. If the department's administration and the  
24 department of management concur with a finding by a  
25 state resource center's superintendent that projected  
26 revenues can reasonably be expected to pay the salary  
27 and support costs for a new employee position, or  
28 that such costs for adding a particular number of new  
29 positions for the fiscal year would be less than the  
30 overtime costs if new positions would not be added, the  
31 superintendent may add the new position or positions.  
32 If the vacant positions available to a resource center  
33 do not include the position classification desired to  
34 be filled, the state resource center's superintendent  
35 may reclassify any vacant position as necessary to

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1 fill the desired position. The superintendents of the  
2 state resource centers may, by mutual agreement, pool  
3 vacant positions and position classifications during  
4 the course of the fiscal year in order to assist one  
5 another in filling necessary positions.

6 5. If existing capacity limitations are reached  
7 in operating units, a waiting list is in effect  
8 for a service or a special need for which a payment  
9 source or other funding is available for the service  
10 or to address the special need, and facilities for  
11 the service or to address the special need can be

12 provided within the available payment source or other  
13 funding, the superintendent of a state resource center  
14 may authorize opening not more than two units or  
15 other facilities and begin implementing the service  
16 or addressing the special need during fiscal year  
17 2016-2017.

18 Sec. 22. 2015 Iowa Acts, chapter 137, section 145,  
19 is amended to read as follows:

20 SEC. 145. SEXUALLY VIOLENT PREDATORS.

21 1. There is appropriated from the general fund of  
22 the state to the department of human services for the  
23 fiscal year beginning July 1, 2016, and ending June 30,  
24 2017, the following amount, or so much thereof as is  
25 necessary, to be used for the purpose designated:

26 For costs associated with the commitment and  
27 treatment of sexually violent predators in the unit  
28 located at the state mental health institute at  
29 Cherokee, including costs of legal services and  
30 other associated costs, including salaries, support,  
31 maintenance, and miscellaneous purposes, and for not  
32 more than the following full-time equivalent positions:  
33 ..... \$ 4,946,539



34		<u>10,193,079</u>
35	..... FTEs	132.50

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1 2. Unless specifically prohibited by law, if the  
2 amount charged provides for recoupment of at least  
3 the entire amount of direct and indirect costs, the  
4 department of human services may contract with other  
5 states to provide care and treatment of persons placed  
6 by the other states at the unit for sexually violent  
7 predators at Cherokee. The moneys received under such  
8 a contract shall be considered to be repayment receipts  
9 and used for the purposes of the appropriation made in  
10 this section.

11 Sec. 23. 2015 Iowa Acts, chapter 137, section 146,  
12 is amended to read as follows:

13 SEC. 146. FIELD OPERATIONS. There is appropriated  
14 from the general fund of the state to the department of  
15 human services for the fiscal year beginning July 1,  
16 2016, and ending June 30, 2017, the following amount,  
17 or so much thereof as is necessary, to be used for the  
18 purposes designated:

19	For field operations, including salaries, support,	
20	maintenance, and miscellaneous purposes, and for not	
21	more than the following full-time equivalent positions:	
22	.....	\$ <del>29,460,488</del>
23		<u>54,442,877</u>
24	..... FTEs	1,837.00

25 2. Priority in filling full-time equivalent  
26 positions shall be given to those positions related to  
27 child protection services and eligibility determination  
28 for low-income families.

29 Sec. 24. 2015 Iowa Acts, chapter 137, section 147,  
30 is amended to read as follows:

31 SEC. 147. GENERAL ADMINISTRATION. There is  
32 appropriated from the general fund of the state to  
33 the department of human services for the fiscal year  
34 beginning July 1, 2016, and ending June 30, 2017, the  
35 following amount, or so much thereof as is necessary,

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1 to be used for the purpose designated:

2	For general administration, including salaries,	
3	support, maintenance, and miscellaneous purposes, and	
4	for not more than the following full-time equivalent	
5	positions:	
6	.....	\$ 7,449,099
7		<u>15,673,198</u>

8	..... FTEs	309.00
---	------------	--------

9 2. Of the funds appropriated in this section,

10 ~~\$75,000~~ \$150,000 shall be used to continue the contract  
11 for the provision of a program to provide technical  
12 assistance, support, and consultation to providers of  
13 habilitation services and home and community-based  
14 services waiver services for adults with disabilities  
15 under the medical assistance program.

16 3. Of the funds appropriated in this section,  
17 ~~\$25,000~~ \$50,000 is transferred to the Iowa finance  
18 authority to be used for administrative support of the  
19 council on homelessness established in section 16.2D  
20 and for the council to fulfill its duties in addressing  
21 and reducing homelessness in the state.

22 4. Of the funds appropriated in this section,  
23 ~~\$125,000~~ \$250,000 shall be transferred to and deposited  
24 in the administrative fund of the Iowa ABLE savings  
25 plan trust created in section 12I.4, ~~if enacted in this~~  
26 ~~or any other Act~~, to be used for implementation and  
27 administration activities of the Iowa ABLE savings plan  
28 trust.

29 5. Of the funds appropriated in this section,  
30 \$300,000 shall be used to contract for planning grants  
31 for the development and implementation of children's  
32 mental health crisis services as provided in this Act.

33 6. Of the funds appropriated in this section,  
34 \$200,000 shall be used to continue to expand the  
35 provision of nationally accredited and recognized

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1 internet-based training to include mental health and  
2 disability services providers.

3 7. Of the funds appropriated in this section,  
4 \$300,000 is transferred to the economic development  
5 authority for the Iowa commission on volunteer services  
6 to be used for RefugeeRISE AmeriCorps program member  
7 recruitment and training to improve the economic  
8 well-being and health of economically disadvantaged  
9 refugees in local communities across Iowa. Funds  
10 transferred may be used to supplement federal funds  
11 under federal regulations.

12 Sec. 25. 2015 Iowa Acts, chapter 137, is amended by  
13 adding the following new section:

14 NEW SECTION. SEC. 147A. DEPARTMENT-WIDE  
15 DUTIES. There is appropriated from the general fund of  
16 the state to the department of human services for the  
17 fiscal year beginning July 1, 2016, and ending June 30,  
18 2017, the following amount, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 For salaries, support, maintenance, and  
21 miscellaneous purposes at facilities under the purview  
22 of the department of human services:  
23 ..... \$ 2,879,274

24 Sec. 26. 2015 Iowa Acts, chapter 137, section 148,  
 25 is amended to read as follows:  
 26 SEC. 148. VOLUNTEERS. There is appropriated from  
 27 the general fund of the state to the department of  
 28 human services for the fiscal year beginning July 1,  
 29 2016, and ending June 30, 2017, the following amount,  
 30 or so much thereof as is necessary, to be used for the  
 31 purpose designated:  
 32 For development and coordination of volunteer  
 33 services:  
 34 ..... \$ 42,343  
 35 ..... 84,686

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1 Sec. 27. 2015 Iowa Acts, chapter 137, section 149,  
 2 is amended to read as follows:  
 3 SEC. 149. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
 4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
 5 UNDER THE DEPARTMENT OF HUMAN SERVICES.  
 6 1. a. ~~(1) For the fiscal year beginning July 1,~~  
 7 ~~2016, the total state funding amount for the nursing~~  
 8 ~~facility budget shall not exceed \$151,421,458.~~  
 9 (2) The department, in cooperation with nursing  
 10 facility representatives, shall review projections for  
 11 state funding expenditures for reimbursement of nursing  
 12 facilities on a quarterly basis and the department  
 13 shall determine if an adjustment to the medical  
 14 assistance reimbursement rate is necessary in order to  
 15 provide reimbursement within the state funding amount  
 16 for the fiscal year. Notwithstanding 2001 Iowa Acts,  
 17 chapter 192, section 4, subsection 2, paragraph “c”,  
 18 and subsection 3, paragraph “a”, subparagraph (2), if  
 19 the state funding expenditures for the nursing facility  
 20 budget for the fiscal year are projected to exceed the  
 21 amount specified in subparagraph (1), the department  
 22 shall adjust the reimbursement for nursing facilities  
 23 reimbursed under the case-mix reimbursement system to  
 24 maintain expenditures of the nursing facility budget  
 25 within the specified amount for the fiscal year.  
 26 (3) (a) For the fiscal year beginning July 1,  
 27 2016, case-mix, non-case mix, and special population  
 28 nursing facilities shall be reimbursed in accordance  
 29 with the methodology in effect on June 30, 2016.  
 30 (b) For managed care claims, the department of  
 31 human services shall adjust the payment rate floor for  
 32 nursing facilities every six months, on July 1 and  
 33 January 1, to maintain a rate floor that is no lower  
 34 than the Medicaid fee-for-service case-mix adjusted  
 35 rate calculated in accordance with 441 IAC 81.6. The

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1 department shall then calculate adjusted reimbursement  
2 rates, including but not limited to add-on-payments,  
3 for each six-month period, and shall notify  
4 Medicaid managed care organizations of the adjusted  
5 reimbursement rates within 30 days of determining  
6 the adjusted reimbursement rates. Any adjustment of  
7 reimbursement rates under this subparagraph division  
8 shall be budget neutral to the state budget.

9 (4) For any open or unsettled nursing facility  
10 cost report for a fiscal year prior to and including  
11 the fiscal year beginning July 1, 2015, including any  
12 cost report remanded on judicial review for inclusion  
13 of prescription drug, laboratory, or x-ray costs, the  
14 department shall offset all reported prescription drug,  
15 laboratory, and x-ray costs with any revenue received  
16 from Medicare or other revenue source for any purpose.  
17 For purposes of this subparagraph, a nursing facility  
18 cost report is not considered open or unsettled if the  
19 facility did not initiate an administrative appeal  
20 under chapter 17A or if any appeal rights initiated  
21 have been exhausted.

22 b. (1) For the fiscal year beginning July 1, 2016,  
23 the department shall establish the pharmacy dispensing  
24 fee reimbursement at \$11.73 per prescription, until a  
25 cost of dispensing survey is completed. The actual  
26 dispensing fee shall be determined by a cost of  
27 dispensing survey performed by the department and  
28 required to be completed by all medical assistance  
29 program participating pharmacies every two years,  
30 adjusted as necessary to maintain expenditures within  
31 the amount appropriated to the department for this  
32 purpose for the fiscal year.

33 (2) The department shall utilize an average  
34 acquisition cost reimbursement methodology for all  
35 drugs covered under the medical assistance program in

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1 accordance with 2012 Iowa Acts, chapter 1133, section  
2 33.

3 (3) Notwithstanding subparagraph (2), if the  
4 centers for Medicare and Medicaid services of the  
5 United States department of health and human services  
6 (CMS) requires, as a condition of federal Medicaid  
7 funding, that the department implement an aggregate  
8 federal upper limit (FUL) for drug reimbursement  
9 based on the average manufacturer's price (AMP), the  
10 department may utilize a reimbursement methodology for  
11 all drugs covered under the Medicaid program based on  
12 the national average drug acquisition cost (NADAC)

13 methodology published by CMS, in order to assure  
14 compliance with the aggregate FUL, minimize outcomes  
15 of drug reimbursements below pharmacy acquisition  
16 costs, limit administrative costs, and minimize any  
17 change in the aggregate reimbursement for drugs. The  
18 department may adopt emergency rules to implement this  
19 subparagraph.

20 c. (1) For the fiscal year beginning July 1, 2016,  
21 reimbursement rates for outpatient hospital services  
22 shall remain at the rates in effect on June 30, 2016,  
23 subject to Medicaid program upper payment limit rules,  
24 and adjusted as necessary to maintain expenditures  
25 within the amount appropriated to the department for  
26 this purpose for the fiscal year.

27 (2) For the fiscal year beginning July 1, 2016,  
28 reimbursement rates for inpatient hospital services  
29 shall remain at the rates in effect on June 30, 2016,  
30 subject to Medicaid program upper payment limit rules,  
31 and adjusted as necessary to maintain expenditures  
32 within the amount appropriated to the department for  
33 this purpose for the fiscal year.

34 (3) For the fiscal year beginning July 1, 2016,  
35 the graduate medical education and disproportionate

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1 share hospital fund shall remain at the amount in  
2 effect on June 30, 2016, except that the portion of  
3 the fund attributable to graduate medical education  
4 shall be reduced in an amount that reflects the  
5 elimination of graduate medical education payments made  
6 to out-of-state hospitals.

7 (4) In order to ensure the efficient use of limited  
8 state funds in procuring health care services for  
9 low-income lowans, funds appropriated in this Act for  
10 hospital services shall not be used for activities  
11 which would be excluded from a determination of  
12 reasonable costs under the federal Medicare program  
13 pursuant to 42 U.S.C. §1395x(v)(1)(N).

14 d. For the fiscal year beginning July 1, 2016,  
15 reimbursement rates for rural health clinics, hospices,  
16 and acute mental hospitals shall be increased in  
17 accordance with increases under the federal Medicare  
18 program or as supported by their Medicare audited  
19 costs.

20 e. For the fiscal year beginning July 1, 2016,  
21 independent laboratories and rehabilitation agencies  
22 shall be reimbursed using the same methodology in  
23 effect on June 30, 2016.

24 f. (1) For the fiscal year beginning July 1, 2016,  
25 reimbursement rates for home health agencies shall  
26 continue to be based on the Medicare low utilization

27 payment adjustment (LUPA) methodology with state  
 28 geographic wage adjustments, and ~~updated to reflect~~  
 29 ~~the most recent Medicare LUPA rates shall be adjusted~~  
 30 to increase the rates to the extent possible within  
 31 the \$1,000,000 of state funding appropriated for this  
 32 purpose. The department shall continue to update  
 33 the rates every two years to reflect the most recent  
 34 Medicare LUPA rates.  
 35 (2) For the fiscal year beginning July 1, 2016,

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1 rates for private duty nursing and personal care  
 2 services under the early and periodic screening,  
 3 diagnostic, and treatment program benefit shall be  
 4 calculated based on the methodology in effect on June  
 5 30, 2016.  
 6 g. For the fiscal year beginning July 1, 2016,  
 7 federally qualified health centers and rural health  
 8 clinics shall receive cost-based reimbursement for 100  
 9 percent of the reasonable costs for the provision of  
 10 services to recipients of medical assistance.  
 11 h. For the fiscal year beginning July 1, 2016, the  
 12 reimbursement rates for dental services shall remain at  
 13 the rates in effect on June 30, 2016.  
 14 i. (1) For the fiscal year beginning July 1,  
 15 2016, state-owned psychiatric medical institutions  
 16 for children shall receive cost-based reimbursement  
 17 for 100 percent of the actual and allowable costs for  
 18 the provision of services to recipients of medical  
 19 assistance.  
 20 (2) For the nonstate-owned psychiatric medical  
 21 institutions for children, reimbursement rates shall be  
 22 based on the reimbursement methodology ~~developed by the~~  
 23 ~~Medicaid managed care contractor for behavioral health~~  
 24 ~~services as required for federal compliance in effect~~  
 25 on June 30, 2016.  
 26 (3) As a condition of participation in the medical  
 27 assistance program, enrolled providers shall accept the  
 28 medical assistance reimbursement rate for any covered  
 29 goods or services provided to recipients of medical  
 30 assistance who are children under the custody of a  
 31 psychiatric medical institution for children.  
 32 j. For the fiscal year beginning July 1,  
 33 2016, unless otherwise specified in this Act,  
 34 all noninstitutional medical assistance provider  
 35 reimbursement rates shall remain at the rates in effect

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1 on June 30, 2016, except for area education agencies,  
 2 local education agencies, infant and toddler services

3 providers, home and community-based services providers  
 4 including consumer-directed attendant care providers  
 5 under a section 1915(c) or 1915(i) waiver, targeted  
 6 case management providers, and those providers whose  
 7 rates are required to be determined pursuant to section  
 8 249A.20.

9 k. Notwithstanding any provision to the contrary,  
 10 for the fiscal year beginning July 1, 2016, the  
 11 reimbursement rate for anesthesiologists shall remain  
 12 at the rate in effect on June 30, 2016.

13 l. Notwithstanding section 249A.20, for the fiscal  
 14 year beginning July 1, 2016, the average reimbursement  
 15 rate for health care providers eligible for use of the  
 16 federal Medicare resource-based relative value scale  
 17 reimbursement methodology under section 249A.20 shall  
 18 remain at the rate in effect on June 30, 2016; however,  
 19 this rate shall not exceed the maximum level authorized  
 20 by the federal government.

21 m. For the fiscal year beginning July 1, 2016, the  
 22 reimbursement rate for residential care facilities  
 23 shall not be less than the minimum payment level as  
 24 established by the federal government to meet the  
 25 federally mandated maintenance of effort requirement.  
 26 The flat reimbursement rate for facilities electing not  
 27 to file annual cost reports shall not be less than the  
 28 minimum payment level as established by the federal  
 29 government to meet the federally mandated maintenance  
 30 of effort requirement.

31 n. For the fiscal year beginning July 1, 2016,  
 32 the reimbursement rates for inpatient mental health  
 33 services provided at hospitals shall remain at the  
 34 rates in effect on June 30, 2016, subject to Medicaid  
 35 program upper payment limit rules; and psychiatrists

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1 shall be reimbursed at the medical assistance program  
 2 fee-for-service rate in effect on June 30, 2016.

3 o. For the fiscal year beginning July 1, 2016,  
 4 community mental health centers may choose to be  
 5 reimbursed for the services provided to recipients of  
 6 medical assistance through either of the following  
 7 options:

8 (1) For 100 percent of the reasonable costs of the  
 9 services.

10 (2) In accordance with the alternative  
 11 reimbursement rate methodology established by the  
 12 ~~medical assistance program's managed care contractor~~  
 13 ~~for mental health services and approved by the~~  
 14 ~~department of human services in effect on June 30,~~  
 15 ~~2016.~~

16 p. For the fiscal year beginning July 1, 2016, the

17 reimbursement rate for providers of family planning  
 18 services that are eligible to receive a 90 percent  
 19 federal match shall remain at the rates in effect on  
 20 June 30, 2016.

21 q. For the fiscal year beginning July 1, 2016, the  
 22 upper limits ~~on~~ and reimbursement rates for providers  
 23 of home and community-based services waiver services  
 24 ~~shall remain at the limits in effect on June 30,~~  
 25 2016 for which the rate floor is based on the average  
 26 aggregate reimbursement rate for the fiscal year  
 27 beginning July 1, 2014, shall be determined as follows:

28 (1) For fee-for-service claims, the reimbursement  
 29 rate shall be increased by 1 percent over the rates in  
 30 effect on June 30, 2016.

31 (2) For managed care claims, the reimbursement rate  
 32 floor shall be increased by 1 percent over the rate  
 33 floor in effect on April 1, 2016.

34 r. For the fiscal year beginning July 1, 2016,  
 35 the reimbursement rates for emergency medical service

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1 providers shall remain at the rates in effect on June  
 2 30, 2016.

3 2. For the fiscal year beginning July 1, 2016, the  
 4 reimbursement rate for providers reimbursed under the  
 5 in-home-related care program shall not be less than the  
 6 minimum payment level as established by the federal  
 7 government to meet the federally mandated maintenance  
 8 of effort requirement.

9 3. Unless otherwise directed in this section, when  
 10 the department's reimbursement methodology for any  
 11 provider reimbursed in accordance with this section  
 12 includes an inflation factor, this factor shall not  
 13 exceed the amount by which the consumer price index for  
 14 all urban consumers increased during the calendar year  
 15 ending December 31, 2002.

16 4. ~~For Notwithstanding section 234.38, for the~~  
 17 fiscal year beginning July 1, 2016, the foster family  
 18 basic daily maintenance rate and the maximum adoption  
 19 subsidy rate for children ages 0 through 5 years shall  
 20 be \$16.78, the rate for children ages 6 through 11  
 21 years shall be \$17.45, the rate for children ages 12  
 22 through 15 years shall be \$19.10, and the rate for  
 23 children and young adults ages 16 and older shall  
 24 be \$19.35. For youth ages 18 to 21 who have exited  
 25 foster care, the preparation for adult living program  
 26 maintenance rate shall be \$602.70 per month. The  
 27 maximum payment for adoption subsidy nonrecurring  
 28 expenses shall be limited to \$500 and the disallowance  
 29 of additional amounts for court costs and other related  
 30 legal expenses implemented pursuant to 2010 Iowa Acts,



31 chapter 1031, section 408, shall be continued.  
 32 5. For the fiscal year beginning July 1, 2016,  
 33 the maximum reimbursement rates for social services  
 34 providers under contract shall remain at the rates  
 35 in effect on June 30, 2016, or the provider's actual

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1 and allowable cost plus inflation for each service,  
 2 whichever is less. However, if a new service or  
 3 service provider is added after June 30, 2016, the  
 4 initial reimbursement rate for the service or provider  
 5 shall be based upon a weighted average of provider  
 6 rates for similar services.  
 7 6. For the fiscal year beginning July 1, 2016, the  
 8 reimbursement rates for resource family recruitment and  
 9 retention contractors, child welfare emergency services  
 10 contractors, and supervised apartment living foster  
 11 care providers shall remain at the rates in effect on  
 12 June 30, 2016.  
 13 7. a. For the purposes of this subsection,  
 14 "combined reimbursement rate" means the combined  
 15 service and maintenance reimbursement rate for a  
 16 service level under the department's reimbursement  
 17 methodology. Effective July 1, 2016, the combined  
 18 reimbursement rate for a group foster care service  
 19 level shall be the amount designated in this  
 20 subsection. However, if a group foster care provider's  
 21 reimbursement rate for a service level as of June  
 22 30, 2016, is more than the rate designated in this  
 23 subsection, the provider's reimbursement shall remain  
 24 at the higher rate.  
 25 b. Unless a group foster care provider is subject  
 26 to the exception provided in paragraph "a", effective  
 27 July 1, 2016, the combined reimbursement rates for the  
 28 service levels under the department's reimbursement  
 29 methodology shall be as follows:  
 30 (1) For service level, community - D1, the daily  
 31 rate shall be at least \$84.17.  
 32 (2) For service level, comprehensive - D2, the  
 33 daily rate shall be at least \$119.09.  
 34 (3) For service level, enhanced - D3, the daily  
 35 rate shall be at least \$131.09.

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1 8. The group foster care reimbursement rates  
 2 paid for placement of children out of state shall  
 3 be calculated according to the same rate-setting  
 4 principles as those used for in-state providers,  
 5 unless the director of human services or the director's  
 6 designee determines that appropriate care cannot be

7 provided within the state. The payment of the daily  
 8 rate shall be based on the number of days in the  
 9 calendar month in which service is provided.

10 9. a. For the fiscal year beginning July 1, 2016,  
 11 the reimbursement rate paid for shelter care and  
 12 the child welfare emergency services implemented to  
 13 provide or prevent the need for shelter care shall be  
 14 established by contract.

15 b. For the fiscal year beginning July 1, 2016,  
 16 the combined service and maintenance components of  
 17 the reimbursement rate paid for shelter care services  
 18 shall be based on the financial and statistical report  
 19 submitted to the department. The maximum reimbursement  
 20 rate shall be \$101.83 per day. The department shall  
 21 reimburse a shelter care provider at the provider's  
 22 actual and allowable unit cost, plus inflation, not to  
 23 exceed the maximum reimbursement rate.

24 c. Notwithstanding section 232.141, subsection 8,  
 25 for the fiscal year beginning July 1, 2016, the amount  
 26 of the statewide average of the actual and allowable  
 27 rates for reimbursement of juvenile shelter care homes  
 28 that is utilized for the limitation on recovery of  
 29 unpaid costs shall remain at the amount in effect for  
 30 this purpose in the fiscal year beginning July 1, 2015.

31 10. For the fiscal year beginning July 1, 2016,  
 32 the department shall calculate reimbursement rates  
 33 for intermediate care facilities for persons with  
 34 an intellectual disability at the 80th percentile.  
 35 Beginning July 1, 2016, the rate calculation

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1 ~~methodology shall utilize~~ shall remain at the rates in  
 2 effect on June 30, 2016, as adjusted by the consumer  
 3 price index inflation factor applicable to the fiscal  
 4 year beginning July 1, 2016.

5 11. For the fiscal year beginning July 1, 2016,  
 6 for child care providers reimbursed under the state  
 7 child care assistance program, the department shall  
 8 set provider reimbursement rates based on the rate  
 9 reimbursement survey completed in December 2004.  
 10 Effective July 1, 2016, the child care provider  
 11 reimbursement rates shall remain at the rates in effect  
 12 on June 30, 2016. The department shall set rates in a  
 13 manner so as to provide incentives for a nonregistered  
 14 provider to become registered by applying the increase  
 15 only to registered and licensed providers.

16 11A. For the fiscal year beginning July 1, 2016,  
 17 with the exception of any provider or service to which  
 18 a reimbursement increase is applicable for the fiscal  
 19 year under this section, notwithstanding any provision  
 20 to the contrary under this section, affected providers

21 or services shall instead be reimbursed as follows:  
 22 a. For fee-for-service claims, reimbursement  
 23 shall be calculated based on the methodology otherwise  
 24 specified in this section for the fiscal year beginning  
 25 July 1, 2016, for the respective provider or service.  
 26 b. For claims subject to a managed care contract,  
 27 reimbursement shall be based on the methodology  
 28 established by the managed care contract. However, any  
 29 reimbursement established under such contract shall not  
 30 be lower than the rate floor approved by the department  
 31 of human services as the managed care organization  
 32 provider reimbursement rate floor for the respective  
 33 provider or service, in effect on April 1, 2016.  
 34 13. The department may adopt emergency rules to  
 35 implement this section.

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1 Sec. 28. 2015 Iowa Acts, chapter 137, is amended by  
 2 adding the following new section:  
 3 NEW SECTION. SEC. 151A. TRANSFER OF MEDICAID  
 4 MODERNIZATION SAVINGS BETWEEN APPROPRIATIONS FY  
 5 2016-2017. Notwithstanding section 8.39, subsection 1,  
 6 for the fiscal year beginning July 1, 2016, if savings  
 7 resulting from the governor's Medicaid modernization  
 8 initiative accrue to the medical contracts or  
 9 children's health insurance program appropriation from  
 10 the general fund of the state and not to the medical  
 11 assistance appropriation from the general fund of the  
 12 state under this division of this Act, such savings may  
 13 be transferred to such medical assistance appropriation  
 14 for the same fiscal year without prior written consent  
 15 and approval of the governor and the director of the  
 16 department of management. The department of human  
 17 services shall report any transfers made pursuant to  
 18 this section to the legislative services agency.

19 DIVISION VI

20 HEALTH CARE ACCOUNTS AND FUNDS — FY 2016-2017  
 21 Sec. 29. 2015 Iowa Acts, chapter 137, section 152,  
 22 is amended to read as follows:  
 23 SEC. 152. PHARMACEUTICAL SETTLEMENT ACCOUNT. There  
 24 is appropriated from the pharmaceutical settlement  
 25 account created in section 249A.33 to the department of  
 26 human services for the fiscal year beginning July 1,  
 27 2016, and ending June 30, 2017, the following amount,  
 28 or so much thereof as is necessary, to be used for the  
 29 purpose designated:  
 30 Notwithstanding any provision of law to the  
 31 contrary, to supplement the appropriations made in this  
 32 Act for medical contracts under the medical assistance  
 33 program for the fiscal year beginning July 1, 2016, and  
 34 ending June 30, 2017:

35 ..... \$ 1,001,088

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1 1,300,000

2 Sec. 30. 2015 Iowa Acts, chapter 137, section 153,  
3 is amended to read as follows:

4 SEC. 153. QUALITY ASSURANCE TRUST FUND —  
5 DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
6 any provision to the contrary and subject to the  
7 availability of funds, there is appropriated from the  
8 quality assurance trust fund created in section 249L.4  
9 to the department of human services for the fiscal year  
10 beginning July 1, 2016, and ending June 30, 2017, the  
11 following amounts, or so much thereof as is necessary,  
12 for the purposes designated:

13 To supplement the appropriation made in this Act  
14 from the general fund of the state to the department  
15 of human services for medical assistance for the same  
16 fiscal year:

17 ..... \$ 18,602,604

18 36,705,208

19 Sec. 31. 2015 Iowa Acts, chapter 137, section 154,  
20 is amended to read as follows:

21 SEC. 154. HOSPITAL HEALTH CARE ACCESS TRUST FUND  
22 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
23 any provision to the contrary and subject to the  
24 availability of funds, there is appropriated from  
25 the hospital health care access trust fund created in  
26 section 249M.4 to the department of human services for  
27 the fiscal year beginning July 1, 2016, and ending June  
28 30, 2017, the following amounts, or so much thereof as  
29 is necessary, for the purposes designated:

30 To supplement the appropriation made in this Act  
31 from the general fund of the state to the department  
32 of human services for medical assistance for the same  
33 fiscal year:

34 ..... \$ 17,350,000

35 34,700,000

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1 DIVISION VII  
2 PROPERTY TAX RELIEF FUND BLOCK GRANT MONEY — FY  
3 2016-2017

4 Sec. 32. 2015 Iowa Acts, chapter 137, section 157,  
5 is amended to read as follows:

6 SEC. 157. PROPERTY TAX RELIEF FUND BLOCK GRANT  
7 MONEYS. The moneys transferred to the property tax  
8 relief fund for the fiscal year beginning July 1, 2015  
9 2016, from the federal social services block grant  
10 pursuant to 2015 Iowa Acts, House File 630, and from

11 the federal temporary assistance for needy families  
 12 block grant, totaling at least \$11,774,2757,456,296,  
 13 are appropriated to the department of human services  
 14 for the fiscal year beginning July 1, ~~2015~~ 2016, and  
 15 ending June 30, ~~2016~~ 2017, to be used for the purposes  
 16 designated, notwithstanding any provision of law to the  
 17 contrary:

18 1. ~~For distribution to any mental health and~~  
 19 ~~disability services region where 25 percent of the~~  
 20 ~~region's projected expenditures exceeds the region's~~  
 21 ~~projected fund balance:~~  
 22 ..... \$ ~~480,000~~

23 a. For purposes of this subsection:  
 24 (1) "Available funds" means a county mental health  
 25 and services fund balance on June 30, 2015, plus the  
 26 maximum amount a county was allowed to levy for the  
 27 fiscal year beginning July 1, 2015.

28 (2) "Projected expenditures" means the actual  
 29 expenditures of a mental health and disability services  
 30 region as of June 30, 2015, multiplied by an annual  
 31 inflation rate of 2 percent plus the projected costs  
 32 for new core services administered by the region  
 33 as provided in a region's regional service system  
 34 management plan approved pursuant to section 331.393  
 35 for the fiscal year beginning July 1, 2015.

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1 (3) ~~"Projected fund balance" means the difference~~  
 2 ~~between a mental health and disability services~~  
 3 ~~region's available funds and projected expenditures.~~  
 4 b. ~~If sufficient funds are not available to~~  
 5 ~~implement this subsection, the department of human~~  
 6 ~~services shall distribute funds to a region in~~  
 7 ~~proportion to the availability of funds.~~

8 2. To be transferred to the appropriation in this  
 9 Act for child and family services for the fiscal year  
 10 beginning July 1, 2016, to be used for the purpose of  
 11 that appropriation:  
 12 ..... \$ 5,407,137  
 13 ..... 6,880,223

14 DIVISION VIII  
 15 PRIOR YEAR APPROPRIATIONS AND OTHER PROVISIONS  
 16 FAMILY INVESTMENT PROGRAM ACCOUNT FY 2015-2016  
 17 Sec. 33. 2015 Iowa Acts, chapter 137, section  
 18 7, subsection 4, paragraph e, is amended to read as  
 19 follows:  
 20 e. For the JOBS program:  
 21 ..... \$ 17,540,398  
 22 ..... 17,140,398  
 23 FAMILY INVESTMENT PROGRAM GENERAL FUND FY 2015-2016

24 Sec. 34. 2015 Iowa Acts, chapter 137, section 8,  
25 unnumbered paragraph 2, is amended to read as follows:

26 To be credited to the family investment program  
27 (FIP) account and used for family investment program  
28 assistance under chapter 239B:  
29 ..... \$ 48,673,875  
30 44,773,875

31 Sec. 35. 2015 Iowa Acts, chapter 137, section 8,  
32 subsection 1, is amended to read as follows:

33 1. Of the funds appropriated in this section,  
34 ~~\$7,402,220~~ \$7,002,220 is allocated for the JOBS  
35 program.

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1 MEDICAL ASSISTANCE APPROPRIATION — FY 2015-2016

2 Sec. 36. 2015 Iowa Acts, chapter 137, section 12,  
3 unnumbered paragraph 2, is amended to read as follows:

4 For medical assistance program reimbursement and  
5 associated costs as specifically provided in the  
6 reimbursement methodologies in effect on June 30,  
7 2015, except as otherwise expressly authorized by  
8 law, consistent with options under federal law and  
9 regulations, and contingent upon receipt of approval  
10 from the office of the governor of reimbursement for  
11 each abortion performed under the program:  
12 ..... \$ 1,303,191,564  
13 1,318,191,564

14 MODERNIZATION EMERGENCY RULES FY 2015-2016

15 Sec. 37. 2015 Iowa Acts, chapter 137, section 12,  
16 subsection 24, is amended to read as follows:

17 ~~24. The department of human services may adopt  
18 emergency rules as necessary to implement the  
19 governor's Medicaid modernization initiative beginning  
20 January 1, 2016.~~

21 STATE SUPPLEMENTARY ASSISTANCE FY 2015-2016

22 Sec. 38. 2015 Iowa Acts, chapter 137, section 14,  
23 unnumbered paragraph 2, is amended to read as follows:

24 For the state supplementary assistance program:  
25 ..... \$ 12,997,187  
26 11,897,187

27 AUTISM SUPPORT PROGRAM FUND FY 2015-2016

28 Sec. 39. 2015 Iowa Acts, chapter 137, section 13,  
29 subsection 5, unnumbered paragraph 1, is amended to  
30 read as follows:

31 Of the funds appropriated in this section,  
32 \$2,000,000 shall be credited to the autism support  
33 program fund created in section 225D.2 to be used for  
34 the autism support program created in chapter 225D,  
35 with the exception of the following amounts of this

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1 allocation which shall be used as follows:  
2 CHILD CARE ASSISTANCE FY 2015-2016  
3 Sec. 40. 2015 Iowa Acts, chapter 137, section 16,  
4 unnumbered paragraph 2, is amended to read as follows:

5 For child care programs:  
6 ..... \$ ~~51,408,668~~  
7 41,408,668

8 Sec. 41. 2015 Iowa Acts, chapter 137, section 16,  
9 subsection 1, is amended to read as follows:

10 1. Of the funds appropriated in this section,  
11 ~~\$43,689,241~~ \$33,689,241 shall be used for state child  
12 care assistance in accordance with section 237A.13.

13 Sec. 42. 2015 Iowa Acts, chapter 137, section 16,  
14 subsection 9, is amended to read as follows:

15 9. Notwithstanding section 8.33, moneys ~~advanced~~  
16 ~~for purposes of the programs developed by early~~  
17 ~~childhood Iowa areas, advanced for purposes of~~  
18 ~~wraparound child care, appropriated in this section~~  
19 or received from the federal appropriations made for  
20 the purposes of this section that remain unencumbered  
21 or unobligated at the close of the fiscal year shall  
22 not revert to any fund but shall remain available for  
23 expenditure for the purposes designated until the close  
24 of the succeeding fiscal year.

25 NURSING FACILITY BUDGET FY 2015-2016

26 Sec. 43. 2015 Iowa Acts, chapter 137, section 29,  
27 subsection 1, paragraph a, subparagraph (1), is amended  
28 to read as follows:

29 (1) For the fiscal year beginning July 1, 2015, the  
30 total state funding amount for the nursing facility  
31 budget shall not exceed ~~\$151,421,158~~ \$227,131,737.

32 Sec. 44. EFFECTIVE UPON ENACTMENT. This division  
33 of this Act, being deemed of immediate importance,  
34 takes effect upon enactment.

35 Sec. 45. RETROACTIVE APPLICABILITY. This division

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1 of this Act is retroactively applicable to July 1,  
2 2015.

3 DIVISION IX  
4 DECATEGORIZATION

5 Sec. 46. DECATEGORIZATION CARRYOVER FUNDING —  
6 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section  
7 232.188, subsection 5, paragraph “b”, any state  
8 appropriated moneys in the funding pool that remained  
9 unencumbered or unobligated at the close of the fiscal  
10 year beginning July 1, 2013, and were deemed carryover  
11 funding to remain available for the two succeeding  
12 fiscal years that still remain unencumbered or

13 unobligated at the close of the fiscal year beginning  
 14 July 1, 2015, shall not revert but shall be transferred  
 15 to the medical assistance program for the fiscal year  
 16 beginning July 1, 2015.

17 Sec. 47. EFFECTIVE UPON ENACTMENT. This division  
 18 of this Act, being deemed of immediate importance,  
 19 takes effect upon enactment.

20 Sec. 48. RETROACTIVE APPLICABILITY. This division  
 21 of this Act is retroactively applicable to July 1,  
 22 2015.

#### 23 DIVISION X

#### 24 CODE CHANGES

#### 25 LOCAL OFFICES OF SUBSTITUTE DECISION MAKER

26 Sec. 49. Section 231E.4, subsection 3, paragraph a,  
 27 Code 2016, is amended to read as follows:

28 a. Select persons through a request for proposals  
 29 process to establish local offices of substitute  
 30 decision maker in each of the planning and service  
 31 areas. Local offices shall be established statewide on  
 32 or before July 1, ~~2017~~ 2018.

#### 33 INSTITUTIONS FOR PERSONS WITH AN INTELLECTUAL 34 DISABILITY — ASSESSMENT

35 Sec. 50. Section 222.60A, Code 2016, is amended to

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1 read as follows:

#### 2 **222.60A Cost of assessment.**

3 Notwithstanding any provision of this chapter to the  
 4 contrary, any amount attributable to any ~~fee assessed~~  
 5 assessment pursuant to section 249A.21 that would  
 6 otherwise be the liability of any county shall be paid  
 7 by the state. The department may transfer funds from  
 8 the appropriation for medical assistance to pay any  
 9 amount attributable to any ~~fee assessed~~ assessment  
 10 pursuant to section 249A.21 that is a liability of the  
 11 state.

12 Sec. 51. Section 249A.12, subsection 3, paragraph  
 13 c, Code 2016, is amended to read as follows:

14 c. ~~Effective February 1, 2002, the~~ The state shall  
 15 be responsible for all of the nonfederal share of the  
 16 costs of intermediate care facility for persons with  
 17 an intellectual disability services provided under  
 18 medical assistance attributable to the assessment fee  
 19 for intermediate care facilities for individuals with  
 20 an intellectual disability imposed pursuant to section  
 21 249A.21. ~~Effective February 1, 2003, a~~ A county is not  
 22 required to reimburse the department and shall not be  
 23 billed for the nonfederal share of the costs of such  
 24 services attributable to the assessment fee.

25 Sec. 52. Section 249A.21, Code 2016, is amended to  
 26 read as follows:



27 **249A.21 Intermediate care facilities for persons**  
 28 **with an intellectual disability — assessment.**  
 29 1. ~~The department may assess An intermediate care~~  
 30 ~~facilities facility for persons with an intellectual~~  
 31 ~~disability, as defined in section 135C.1, a fee in~~  
 32 ~~shall be assessed an amount for the preceding calendar~~  
 33 ~~quarter, not to exceed six percent of the total annual~~  
 34 ~~revenue of the facility for the preceding fiscal year~~  
 35 ~~actual paid claims for the previous quarter.~~

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1 2. The assessment shall be paid by each  
 2 intermediate care facility for persons with an  
 3 intellectual disability to the department in equal  
 4 monthly amounts on or before the fifteenth day of each  
 5 month on a quarterly basis. The department may deduct  
 6 the monthly amount from medical assistance payments  
 7 to a facility described in subsection 1. The amount  
 8 deducted from payments shall not exceed the total  
 9 amount of the assessments due An intermediate care  
 10 facility for persons with an intellectual disability  
 11 shall submit the assessment amount no later than thirty  
 12 days following the end of each calendar quarter.  
 13 3. ~~Revenue from the assessments shall be credited~~  
 14 The department shall collect the assessment imposed  
 15 and shall credit all revenues collected to the state  
 16 medical assistance appropriation. This revenue may  
 17 be used only for services for which federal financial  
 18 participation under the medical assistance program is  
 19 available to match state funds.  
 20 4. If the department determines that an  
 21 intermediate care facility for persons with an  
 22 intellectual disability has underpaid or overpaid  
 23 the assessment, the department shall notify the  
 24 intermediate care facility for persons with an  
 25 intellectual disability of the amount of the unpaid  
 26 assessment or refund due. Such payment or refund shall  
 27 be due or refunded within thirty days of the issuance  
 28 of the notice.  
 29 5. An intermediate care facility for persons  
 30 with an intellectual disability that fails to pay the  
 31 assessment within the time frame specified in this  
 32 section shall pay, in addition to the outstanding  
 33 assessment, a penalty in the amount of one and  
 34 five-tenths percent of the assessment amount owed for  
 35 each month or portion of each month the payment is

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1 overdue. However, if the department determines that  
 2 good cause is shown for failure to comply with payment

3 of the assessment, the department shall waive the  
4 penalty or a portion of the penalty.

5 6. If an assessment has not been received by the  
6 department by the last day of the third month after the  
7 payment is due, the department shall suspend payment  
8 due the intermediate care facility for persons with an  
9 intellectual disability under the medical assistance  
10 program including payments made on behalf of the  
11 medical assistance program by a Medicaid managed care  
12 contractor.

13 7. The assessment imposed under this section  
14 constitutes a debt due and owing the state and may be  
15 collected by civil action, including but not limited to  
16 the filing of tax liens, and any other method provided  
17 for by law.

18 8. If federal financial participation to match the  
19 assessments made under subsection 1 becomes unavailable  
20 under federal law, the department shall terminate the  
21 imposing of the assessments beginning on the date that  
22 the federal statutory, regulatory, or interpretive  
23 change takes effect.

24 ~~5. 9. The department of human services may procure~~  
25 ~~a sole source contract to implement the provisions of~~  
26 ~~this section.~~

27 ~~6. 10. The department may adopt administrative~~  
28 ~~rules under section 17A.4, subsection 3, and section~~  
29 ~~17A.5, subsection 2, paragraph "b", to implement this~~  
30 ~~section, and any fee assessed pursuant to this section~~  
31 ~~against an intermediate care facility for persons with~~  
32 ~~an intellectual disability that is operated by the~~  
33 ~~state may be made retroactive to October 1, 2003.~~

#### 34 DIVISION XI

### 35 HOSPITAL HEALTH CARE ACCESS ASSESSMENT

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1 Sec. 53. Section 249M.5, Code 2016, is amended to  
2 read as follows:

#### 3 **249M.5 Future repeal.**

4 This chapter is repealed ~~June 30, 2016~~ July 1, 2017.

5 Sec. 54. REVIEW OF ALTERNATIVE ASSESSMENT  
6 METHODOLOGY. The department of human services shall  
7 explore alternative hospital health care access  
8 assessment methodologies and shall make recommendations  
9 to the governor and the general assembly by December  
10 15, 2016, regarding continuation of the hospital  
11 health care access assessment program beyond July 1,  
12 2017, and an alternative assessment methodology. Any  
13 continuation of the program and assessment methodology  
14 shall meet all of the following guidelines:

15 1. All funds generated by the assessment shall  
16 be returned to participating hospitals in the form of

- 17 higher Medicaid payments.
- 18 2. Continuation of the program and any new  
19 assessment methodology shall be subject to any required  
20 federal approval.
- 21 3. Any new assessment methodology shall minimize  
22 the negative financial impact on participating  
23 hospitals to the greatest extent possible.
- 24 4. Any new assessment methodology shall result in  
25 at least the same if not a greater aggregate financial  
26 benefit to participating hospitals compared with the  
27 benefit existing under the program prior to July 1,  
28 2016.
- 29 5. Only participating hospitals subject to  
30 imposition of the assessment shall receive a financial  
31 return from the program.
- 32 6. Any continuation of the program shall include a  
33 means of tracking the financial return to individual  
34 participating hospitals.
- 35 7. Any quality metrics utilized by the program,

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- 1 if continued, shall align with similar metrics being  
2 used under Medicare and the state innovation model  
3 initiative process.
- 4 8. Any new assessment methodology shall incorporate  
5 a recognition of the increased costs attributable to  
6 care and services such as inpatient psychiatric care,  
7 rehabilitation services, and neonatal intensive care  
8 units.
- 9 9. Any continuation of the program shall include  
10 oversight and review by the hospital health care  
11 access trust fund board created in section 249M.4  
12 and representatives of participating hospitals to  
13 ensure appropriate administration and to provide  
14 recommendations for future modifications.
- 15 Sec. 55. EFFECTIVE UPON ENACTMENT. This division  
16 of this Act, being deemed of immediate importance,  
17 takes effect upon enactment.
- 18 Sec. 56. RETROACTIVE APPLICABILITY. The section of  
19 this division of this Act amending section 249M.5, Code  
20 2016, is retroactively applicable to June 30, 2016.
- 21 DIVISION XII  
22 AUTISM SUPPORT PROGRAM
- 23 Sec. 57. Section 135.181, subsections 1 and 2, Code  
24 2016, are amended to read as follows:
- 25 1. The department shall establish a board-certified  
26 behavior analyst and board-certified assistant behavior  
27 analyst grants program to provide grants to Iowa  
28 resident and nonresident applicants who have been  
29 accepted for admission or are attending a ~~board of~~  
30 ~~regents~~ university, community college, or an accredited

31 private institution, within or outside the state of  
32 Iowa, are enrolled in a program that is accredited and  
33 meets coursework requirements to prepare the applicant  
34 to be eligible for board certification as a behavior  
35 analyst or assistant behavior analyst, and demonstrate

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1 financial need. Priority in the awarding of a grant  
2 shall be given to applicants who are residents of Iowa.

3 2. The department, in cooperation with the  
4 department of education, shall adopt rules pursuant  
5 to chapter 17A to establish minimum standards for  
6 applicants to be eligible for a grant that address all  
7 of the following:

8 a. Eligibility requirements for and qualifications  
9 of an applicant to receive a grant. The applicant  
10 shall agree to practice in the state of Iowa for a  
11 period of time, not to exceed four years, as specified  
12 in the contract entered into between the applicant and  
13 the department at the time the grant is awarded. In  
14 addition, the applicant shall agree, as specified in  
15 the contract, that during the contract period, the  
16 applicant will assist in supervising an individual  
17 working toward board certification as a behavior  
18 analyst or assistant behavior analyst or to consult  
19 with schools and service providers that provide  
20 services and supports to individuals with autism.

21 b. The application process for the grant.

22 c. Criteria for preference in awarding of the  
23 grants. Priority in the awarding of a grant shall be  
24 given to applicants who are residents of Iowa.

25 d. Determination of the amount of a grant. The  
26 amount of funding awarded to each applicant shall be  
27 based on the applicant's enrollment status, the number  
28 of applicants, and the total amount of available funds.  
29 The total amount of funds awarded to an individual  
30 applicant shall not exceed fifty percent of the  
31 total costs attributable to program tuition and fees,  
32 annually.

33 e. Use of the funds awarded. Funds awarded may be  
34 used to offset the costs attributable to tuition and  
35 fees for the accredited behavior analyst or assistant

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1 behavior analyst program.

2 Sec. 58. Section 135.181, Code 2016, is amended by  
3 adding the following new subsection:

4 NEW SUBSECTION. 4. The department shall submit  
5 a report to the governor and the general assembly no  
6 later than January 1, annually, that includes but is

7 not limited to all of the following:

- 8     a. The number of applications received for the  
9 immediately preceding fiscal year.
- 10    b. The number of applications approved and the  
11 total amount of funding awarded in grants in the  
12 immediately preceding fiscal year.
- 13     c. The cost of administering the program in the  
14 immediately preceding fiscal year.
- 15     d. Recommendations for any changes to the program.

16 Sec. 59. Section 225D.1, subsection 8, Code 2016,  
17 is amended to read as follows:

18     8. “*Eligible individual*” means a child less than  
19 ~~nine~~ fourteen years of age who has been diagnosed with  
20 autism based on a diagnostic assessment of autism,  
21 is not otherwise eligible for coverage for applied  
22 behavioral analysis treatment under the medical  
23 assistance program, section 514C.28, or private  
24 insurance coverage, and whose household income does not  
25 exceed ~~four~~ five hundred percent of the federal poverty  
26 level.

27 Sec. 60. Section 225D.2, subsection 2, paragraphs c  
28 and d, Code 2016, are amended to read as follows:

29     c. Notwithstanding the age limitation for an  
30 eligible individual, a provision that if an eligible  
31 individual reaches ~~nine~~ fourteen years of age prior to  
32 completion of the maximum applied behavioral analysis  
33 treatment period specified in paragraph “b”, the  
34 individual may complete such treatment in accordance  
35 with the individual’s treatment plan, not to exceed the

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1 maximum treatment period.

2     d. A graduated schedule for cost-sharing by an  
3 eligible individual based on a percentage of the total  
4 benefit amount expended for the eligible individual,  
5 annually. Cost-sharing shall be applicable to  
6 eligible individuals with household incomes at or  
7 above two hundred percent of the federal poverty level  
8 in incrementally increased amounts up to a maximum  
9 of ~~ten~~ fifteen percent. The rules shall provide  
10 a financial hardship exemption from payment of the  
11 cost-sharing based on criteria established by rule of  
12 the department.

13 Sec. 61. AUTISM SUPPORT FUND — TRANSFER.

14 Notwithstanding section 225D.2, moneys credited to  
15 the autism support fund that remain unexpended or  
16 unobligated at the close of the fiscal year beginning  
17 July 1, 2015, shall be transferred to the appropriation  
18 in this Act for medical contracts to be used for the  
19 purpose of that appropriation for the succeeding fiscal  
20 year.

21 Sec. 62. EFFECTIVE DATE. The section of this  
 22 division of this Act providing for transfer of moneys  
 23 in the autism support fund that remain unexpended or  
 24 unobligated at the close of the fiscal year beginning  
 25 July 1, 2015, being deemed of immediate importance,  
 26 takes effect upon enactment.

27 Sec. 63. RETROACTIVE APPLICABILITY. The section  
 28 of this division of this Act providing for transfer  
 29 of moneys in the autism support fund that remain  
 30 unexpended or unobligated at the close of the  
 31 fiscal year beginning July 1, 2015, is retroactively  
 32 applicable to July 1, 2015.

33 DIVISION XIII  
 34 MEDICAID MANAGED CARE OVERSIGHT  
 35 HEALTH POLICY OVERSIGHT COMMITTEE

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1 Sec. 64. Section 2.45, subsection 6, Code 2016, is  
 2 amended to read as follows:

3 6. The legislative health policy oversight  
 4 committee, which shall be composed of ten members of  
 5 the general assembly, consisting of five members from  
 6 each house, to be appointed by the legislative council.  
 7 The legislative health policy oversight committee  
 8 shall ~~receive updates and review data, public input and~~  
 9 ~~concerns, and make recommendations for improvements to~~  
 10 ~~and changes in law or rule regarding Medicaid managed~~  
 11 ~~care meet at least four times annually to evaluate~~  
 12 state health policy and provide continuing oversight  
 13 for publicly funded programs, including but not limited  
 14 to all facets of the Medicaid and hawk-i programs  
 15 to, at a minimum, ensure effective and efficient  
 16 administration of these programs, address stakeholder  
 17 concerns, monitor program costs and expenditures, and  
 18 make recommendations relative to the programs.

19 Sec. 65. HEALTH POLICY OVERSIGHT COMMITTEE  
 20 — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE  
 21 INTERIM. During the 2016 legislative interim, the  
 22 health policy oversight committee created in section  
 23 2.45 shall, as part of the committee's evaluation  
 24 of state health policy and review of all facets of  
 25 the Medicaid and hawk-i programs, review and make  
 26 recommendations regarding, at a minimum, all of the  
 27 following:

28 1. The resources and duties of the office of  
 29 long-term care ombudsman relating to the provision of  
 30 assistance to and advocacy for Medicaid recipients  
 31 to determine the designation of duties and level of  
 32 resources necessary to appropriately address the needs  
 33 of such individuals. The committee shall consider the  
 34 health consumer ombudsman alliance report submitted to

35 the general assembly in December 2015, as well as input

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1 from the office of long-term care ombudsman and other  
2 entities in making recommendations.

3 2. The health benefits and health benefit  
4 utilization management criteria for the Medicaid  
5 and hawk-i programs to determine the sufficiency  
6 and appropriateness of the benefits offered and the  
7 utilization of these benefits.

8 3. Prior authorization requirements relative  
9 to benefits provided under the Medicaid and hawk-i  
10 programs, including but not limited to pharmacy  
11 benefits.

12 4. Consistency and uniformity in processes,  
13 procedures, forms, and other activities across all  
14 Medicaid and hawk-i program participating insurers and  
15 managed care organizations, including but not limited  
16 to cost and quality reporting, credentialing, billing,  
17 prior authorization, and critical incident reporting.

18 5. Provider network adequacy including the use of  
19 out-of-network and out-of-state providers.

20 6. The role and interplay of other advisory and  
21 oversight entities, including but not limited to the  
22 medical assistance advisory council and the hawk-i  
23 board.

24 REVIEW OF PROGRAM INTEGRITY DUTIES

25 Sec. 66. REVIEW OF PROGRAM INTEGRITY DUTIES —  
26 WORKGROUP — REPORT.

27 1. The director of human services shall convene  
28 a workgroup comprised of members including the  
29 commissioner of insurance, the auditor of state, the  
30 Medicaid director and bureau chiefs of the managed care  
31 organization oversight and supports bureau, the Iowa  
32 Medicaid enterprise support bureau, and the medical  
33 and long-term services and supports bureau, and a  
34 representative of the program integrity unit, or their  
35 designees; and representatives of other appropriate

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1 state agencies or other entities including but not  
2 limited to the office of the attorney general, the  
3 office of long-term care ombudsman, and the Medicaid  
4 fraud control unit of the investigations division  
5 of the department of inspections and appeals. The  
6 workgroup shall do all of the following:

7 a. Review the duties of each entity with  
8 responsibilities relative to Medicaid program integrity  
9 and managed care organizations; review state and  
10 federal laws, regulations, requirements, guidance, and

11 policies relating to Medicaid program integrity and  
12 managed care organizations; and review the laws of  
13 other states relating to Medicaid program integrity  
14 and managed care organizations. The workgroup shall  
15 determine areas of duplication, fragmentation,  
16 and gaps; shall identify possible integration,  
17 collaboration and coordination of duties; and shall  
18 determine whether existing general state Medicaid  
19 program and fee-for-service policies, laws, and  
20 rules are sufficient, or if changes or more specific  
21 policies, laws, and rules are required to provide  
22 for comprehensive and effective administration and  
23 oversight of the Medicaid program including under the  
24 fee-for-service and managed care methodologies.  
25 b. Review historical uses of the Medicaid  
26 fraud fund created in section 249A.50 and make  
27 recommendations for future uses of the moneys in the  
28 fund and any changes in law necessary to adequately  
29 address program integrity.  
30 c. Review medical loss ratio provisions relative  
31 to Medicaid managed care contracts and make  
32 recommendations regarding, at a minimum, requirements  
33 for the necessary collection, maintenance, retention,  
34 reporting, and sharing of data and information by  
35 Medicaid managed care organizations for effective

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1 determination of compliance, and to identify the  
2 costs and activities that should be included in the  
3 calculation of administrative costs, medical costs or  
4 benefit expenses, health quality improvement costs,  
5 and other costs and activities incidental to the  
6 determination of a medical loss ratio.  
7 d. Review the capacity of state agencies, including  
8 the need for specialized training and expertise, to  
9 address Medicaid and managed care organization program  
10 integrity and provide recommendations for the provision  
11 of necessary resources and infrastructure, including  
12 annual budget projections.  
13 e. Review the incentives and penalties applicable  
14 to violations of program integrity requirements to  
15 determine their adequacy in combating waste, fraud,  
16 abuse, and other violations that divert limited  
17 resources that would otherwise be expended to safeguard  
18 the health and welfare of Medicaid recipients, and make  
19 recommendations for necessary adjustments to improve  
20 compliance.  
21 f. Make recommendations regarding the quarterly and  
22 annual auditing of financial reports required to be  
23 performed for each Medicaid managed care organization  
24 to ensure that the activities audited provide



25 sufficient information to the division of insurance  
 26 of the department of commerce and the department  
 27 of human services to ensure program integrity. The  
 28 recommendations shall also address the need for  
 29 additional audits or other reviews of managed care  
 30 organizations.

31 g. Review and make recommendations to prohibit  
 32 cost-shifting between state and local and public and  
 33 private funding sources for services and supports  
 34 provided to Medicaid recipients whether directly or  
 35 indirectly through the Medicaid program.

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1 2. The department of human services shall submit  
 2 a report of the workgroup to the governor, the health  
 3 policy oversight committee created in section 2.45,  
 4 and the general assembly initially, on or before  
 5 November 15, 2016, and on or before November 15,  
 6 on an annual basis thereafter, to provide findings  
 7 and recommendations for a coordinated approach  
 8 to comprehensive and effective administration and  
 9 oversight of the Medicaid program including under the  
 10 fee-for-service and managed care methodologies.

11 **MEDICAID OMBUDSMAN**

12 Sec. 67. Section 231.44, Code 2016, is amended to  
 13 read as follows:

14 **231.44 Utilization of resources — assistance and**  
 15 **advocacy related to long-term services and supports**  
 16 **under the Medicaid program.**

17 1. The office of long-term care ombudsman ~~may~~  
 18 shall utilize its available resources to provide  
 19 assistance and advocacy services to eligible recipients  
 20 of long-term services and supports, or individuals  
 21 seeking long-term services and supports, and the  
 22 families or legal representatives of such eligible  
 23 recipients, ~~of long-term services and supports provided~~  
 24 ~~through individuals under~~ the Medicaid program. Such  
 25 assistance and advocacy shall include but is not  
 26 limited to all of the following:

27 a. Assisting recipients such individuals in  
 28 understanding the services, coverage, and access  
 29 provisions and their rights under Medicaid managed  
 30 care.

31 b. Developing procedures for the tracking and  
 32 reporting of the outcomes of individual requests for  
 33 assistance, the obtaining of necessary services and  
 34 supports, and other aspects of the services provided to  
 35 ~~eligible recipients such individuals.~~

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- 1 c. Providing advice and assistance relating to the  
2 preparation and filing of complaints, grievances, and  
3 appeals of complaints or grievances, including through  
4 processes available under managed care plans and the  
5 state appeals process, relating to long-term services  
6 and supports under the Medicaid program.
- 7 d. Accessing the results of a review of a level  
8 of care assessment or reassessment by a managed care  
9 organization in which the managed care organization  
10 recommends denial or limited authorization of a  
11 service, including the type or level of service, the  
12 reduction, suspension, or termination of a previously  
13 authorized service, or a change in level of care, upon  
14 the request of an affected individual.
- 15 e. Receiving notices of disenrollment or notices  
16 that would result in a change in level of care for  
17 affected individuals, including involuntary and  
18 voluntary discharges or transfers, from the department  
19 of human services or a managed care organization.
- 20 2. A representative of the office of long-term care  
21 ombudsman providing assistance and advocacy services  
22 authorized under this section for an individual,  
23 shall be provided access to the individual, and shall  
24 be provided access to the individual's medical and  
25 social records as authorized by the individual or the  
26 individual's legal representative, as necessary to  
27 carry out the duties specified in this section.
- 28 3. A representative of the office of long-term care  
29 ombudsman providing assistance and advocacy services  
30 authorized under this section for an individual, shall  
31 be provided access to administrative records related to  
32 the provision of the long-term services and supports to  
33 the individual, as necessary to carry out the duties  
34 specified in this section.
- 35 4. The office of long-term care ombudsman and

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- 1 representatives of the office, when providing  
2 assistance and advocacy services under this section,  
3 shall be considered a health oversight agency as  
4 defined in 45 C.F.R. §164.501 for the purposes of  
5 health oversight activities as described in 45 C.F.R.  
6 §164.512(d) including access to the health records  
7 and other appropriate information of an individual,  
8 including from the department of human services or  
9 the applicable Medicaid managed care organization,  
10 as necessary to fulfill the duties specified under  
11 this section. The department of human services,  
12 in collaboration with the office of long-term care

13 ombudsman, shall adopt rules to ensure compliance  
 14 by affected entities with this subsection and to  
 15 ensure recognition of the office of long-term care  
 16 ombudsman as a duly authorized and identified agent or  
 17 representative of the state.

18 5. The department of human services and Medicaid  
 19 managed care organizations shall inform eligible  
 20 and potentially eligible Medicaid recipients of the  
 21 advocacy services and assistance available through the  
 22 office of long-term care ombudsman and shall provide  
 23 contact and other information regarding the advocacy  
 24 services and assistance to eligible and potentially  
 25 eligible Medicaid recipients as directed by the office  
 26 of long-term care ombudsman.

27 6. When providing assistance and advocacy services  
 28 under this section, the office of long-term care  
 29 ombudsman shall act as an independent agency, and the  
 30 office of long-term care ombudsman and representatives  
 31 of the office shall be free of any undue influence that  
 32 restrains the ability of the office or the office's  
 33 representatives from providing such services and  
 34 assistance.

35 7. The office of long-term care ombudsman shall, in

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1 addition to other duties prescribed and at a minimum,  
 2 do all of the following in the furtherance of the  
 3 provision of advocacy services and assistance under  
 4 this section:

5 a. Represent the interests of eligible and  
 6 potentially eligible Medicaid recipients before  
 7 governmental agencies.

8 b. Analyze, comment on, and monitor the development  
 9 and implementation of federal, state, and local laws,  
 10 regulations, and other governmental policies and  
 11 actions, and recommend any changes in such laws,  
 12 regulations, policies, and actions as determined  
 13 appropriate by the office of long-term care ombudsman.

14 c. To maintain transparency and accountability for  
 15 activities performed under this section, including  
 16 for the purposes of claiming federal financial  
 17 participation for activities that are performed to  
 18 assist with administration of the Medicaid program:

19 (1) Have complete and direct responsibility for the  
 20 administration, operation, funding, fiscal management,  
 21 and budget related to such activities, and directly  
 22 employ, oversee, and supervise all paid and volunteer  
 23 staff associated with these activities.

24 (2) Establish separation-of-duties requirements,  
 25 provide limited access to work space and work  
 26 product for only necessary staff, and limit access to

27 documents and information as necessary to maintain the  
 28 confidentiality of the protected health information of  
 29 individuals served under this section.  
 30 (3) Collect and submit, annually, to the governor,  
 31 the health policy oversight committee created in  
 32 section 2.45, and the general assembly, all of the  
 33 following with regard to those seeking advocacy  
 34 services or assistance under this section:  
 35 (a) The number of contacts by contact type and

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1 geographic location.  
 2 (b) The type of assistance requested including the  
 3 name of the managed care organization involved, if  
 4 applicable.  
 5 (c) The time frame between the time of the initial  
 6 contact and when an initial response was provided.  
 7 (d) The amount of time from the initial contact to  
 8 resolution of the problem or concern.  
 9 (e) The actions taken in response to the request  
 10 for advocacy or assistance.  
 11 (f) The outcomes of requests to address problems or  
 12 concerns.  
 13 4. 8. For the purposes of this section:  
 14 a. *“Institutional setting”* includes a long-term care  
 15 facility, an elder group home, or an assisted living  
 16 program.  
 17 b. *“Long-term services and supports”* means the broad  
 18 range of health, health-related, and personal care  
 19 assistance services and supports, provided in both  
 20 institutional settings and home and community-based  
 21 settings, necessary for older individuals and persons  
 22 with disabilities who experience limitations in their  
 23 capacity for self-care due to a physical, cognitive, or  
 24 mental disability or condition.  
 25 Sec. 68. NEW SECTION. 231.44A Willful interference  
 26 with duties related to long-term services and supports  
 27 — penalty.  
 28 Willful interference with a representative of the  
 29 office of long-term care ombudsman in the performance  
 30 of official duties in accordance with section 231.44  
 31 is a violation of section 231.44, subject to a penalty  
 32 prescribed by rule. The office of long-term care  
 33 ombudsman shall adopt rules specifying the amount of a  
 34 penalty imposed, consistent with the penalties imposed  
 35 under section 231.42, subsection 8, and specifying

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1 procedures for notice and appeal of penalties imposed.  
 2 MEDICAL ASSISTANCE ADVISORY COUNCIL

3 Sec. 69. Section 249A.4B, Code 2016, is amended to  
4 read as follows:

5 **249A.4B Medical assistance advisory council.**

6 1. A medical assistance advisory council is  
7 created to comply with 42 C.F.R. §431.12 based on  
8 section 1902(a)(4) of the federal Social Security Act  
9 and to advise the director about health and medical  
10 care services under the ~~medical assistance~~ Medicaid  
11 program, participate in Medicaid policy development  
12 and program administration, and provide guidance on  
13 key issues related to the Medicaid program, whether  
14 administered under a fee-for-service, managed care, or  
15 other methodology, including but not limited to access  
16 to care, quality of care, and service delivery.

17 a. The council shall have the opportunity for  
18 participation in policy development and program  
19 administration, including furthering the participation  
20 of recipients of the program, and without limiting this  
21 general authority shall specifically do all of the  
22 following:

23 (1) Formulate, review, evaluate, and recommend  
24 policies, rules, agency initiatives, and legislation  
25 pertaining to the Medicaid program. The council shall  
26 have the opportunity to comment on proposed rules  
27 prior to commencement of the rulemaking process and on  
28 waivers and state plan amendment applications.

29 (2) Prior to the annual budget development process,  
30 engage in setting priorities, including consideration  
31 of the scope and utilization management criteria  
32 for benefits, beneficiary eligibility, provider and  
33 services reimbursement rates, and other budgetary  
34 issues.

35 (3) Provide oversight for and review of the

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1 administration of the Medicaid program.

2 (4) Ensure that the membership of the council  
3 effectively represents all relevant and concerned  
4 viewpoints, particularly those of consumers, providers,  
5 and the general public; create public understanding;  
6 and ensure that the services provided under the  
7 Medicaid program meet the needs of the people served.

8 b. The council shall meet no more than at least  
9 quarterly, and prior to the next subsequent meeting  
10 of the executive committee. The director of public  
11 health The public member acting as a co-chairperson  
12 of the executive committee and the professional or  
13 business entity member acting as a co-chairperson of  
14 the executive committee, shall serve as chairperson  
15 co-chairpersons of the council.

16 2. The council shall include all of the following

17 voting members:

- 18     a. The president, or the president's  
19 representative, of each of the following professional  
20 or business entities, or a member of each of the  
21 following professional or business entities, selected  
22 by the entity:  
23     (1) The Iowa medical society.  
24     (2) The Iowa osteopathic medical association.  
25     (3) The Iowa academy of family physicians.  
26     (4) The Iowa chapter of the American academy of  
27 pediatrics.  
28     (5) The Iowa physical therapy association.  
29     (6) The Iowa dental association.  
30     (7) The Iowa nurses association.  
31     (8) The Iowa pharmacy association.  
32     (9) The Iowa podiatric medical society.  
33     (10) The Iowa optometric association.  
34     (11) The Iowa association of community providers.  
35     (12) The Iowa psychological association.

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- 1     (13) The Iowa psychiatric society.  
2     (14) The Iowa chapter of the national association  
3 of social workers.  
4     (15) The coalition for family and children's  
5 services in Iowa.  
6     (16) The Iowa hospital association.  
7     (17) The Iowa association of rural health clinics.  
8     (18) The Iowa primary care association.  
9     (19) Free clinics of Iowa.  
10     (20) The opticians' association of Iowa, inc.  
11     (21) The Iowa association of hearing health  
12 professionals.  
13     (22) The Iowa speech and hearing association.  
14     (23) The Iowa health care association.  
15     (24) The Iowa association of area agencies on  
16 aging.  
17     (25) AARP.  
18     (26) The Iowa caregivers association.  
19     (27) The Iowa coalition of home and community-based  
20 services for seniors.  
21     (28) The Iowa adult day services association.  
22     (29) Leading age Iowa.  
23     (30) The Iowa association for home care.  
24     (31) The Iowa council of health care centers.  
25     (32) The Iowa physician assistant society.  
26     (33) The Iowa association of nurse practitioners.  
27     (34) The Iowa nurse practitioner society.  
28     (35) The Iowa occupational therapy association.  
29     (36) The ARC of Iowa, formerly known as the  
30 association for retarded citizens of Iowa.

- 31 (37) The national alliance for the mentally ill on  
 32 mental illness of Iowa.  
 33 (38) The Iowa state association of counties.  
 34 (39) The Iowa developmental disabilities council.  
 35 (40) The Iowa chiropractic society.

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- 1 (41) The Iowa academy of nutrition and dietetics.  
 2 (42) The Iowa behavioral health association.  
 3 (43) The midwest association for medical equipment  
 4 services or an affiliated Iowa organization.  
 5 (44) The Iowa public health association.  
 6 (45) The epilepsy foundation.  
 7 (46) The Iowa podiatric medical society.  
 8 (47) The child and family policy center.  
 9 (48) Early childhood Iowa.  
 10 *b.* Public representatives which may include members  
 11 of consumer groups, including recipients of medical  
 12 assistance or their families, consumer organizations,  
 13 and others, which shall be appointed by the governor  
 14 in equal number to the number of representatives of  
 15 the professional and business entities specifically  
 16 represented under paragraph "a", appointed by the  
 17 governor for staggered terms of two years each, none  
 18 of whom shall be members of, or practitioners of, or  
 19 have a pecuniary interest in any of the professional  
 20 or business entities specifically represented under  
 21 paragraph "a", and a majority of whom shall be current  
 22 or former recipients of medical assistance or members  
 23 of the families of current or former recipients.  
 24 3. The council shall include all of the following  
 25 nonvoting members:  
 26 *e. a.* The director of public health, or the  
 27 director's designee.  
 28 ~~*b.*~~ *b.* The director of the department on aging, or  
 29 the director's designee.  
 30 *c.* The state long-term care ombudsman, or the  
 31 ombudsman's designee.  
 32 *d.* The ombudsman appointed pursuant to section  
 33 2C.3, or the ombudsman's designee.  
 34 *e.* The dean of Des Moines university — osteopathic  
 35 medical center, or the dean's designee.

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- 1 *f.* The dean of the university of Iowa college of  
 2 medicine, or the dean's designee.  
 3 *g.* The following members of the general assembly,  
 4 each for a term of two years as provided in section  
 5 69.16B:  
 6 (1) Two members of the house of representatives,

7 one appointed by the speaker of the house of  
8 representatives and one appointed by the minority  
9 leader of the house of representatives from their  
10 respective parties.

11 (2) Two members of the senate, one appointed by the  
12 president of the senate after consultation with the  
13 majority leader of the senate and one appointed by the  
14 minority leader of the senate.

15 ~~3.~~ 4. *a.* An executive committee of the council is  
16 created and shall consist of the following members of  
17 the council:

18 (1) As voting members:

19 (a) Five of the professional or business entity  
20 members designated pursuant to subsection 2, paragraph  
21 “a”, and selected by the members specified under that  
22 paragraph.

23 (2) (b) Five of the public members appointed  
24 pursuant to subsection 2, paragraph “b”, and selected  
25 by the members specified under that paragraph. Of the  
26 five public members, at least one member shall be a  
27 recipient of medical assistance.

28 (3) (2) As nonvoting members:

29 (a) The director of public health, or the  
30 director’s designee.

31 (b) The director of the department on aging, or the  
32 director’s designee.

33 (c) The state long-term care ombudsman, or the  
34 ombudsman’s designee.

35 (d) The ombudsman appointed pursuant to section

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1 2C.3, or the ombudsman’s designee.

2 *b.* The executive committee shall meet on a monthly  
3 basis. ~~The director of public health~~ A public member  
4 of the executive committee selected by the public  
5 members appointed pursuant to subsection 2, paragraph  
6 “b”, and a professional or business entity member of  
7 the executive committee selected by the professional  
8 or business entity members appointed pursuant to  
9 subsection 2, paragraph “a”, shall serve as chairperson  
10 co-chairpersons of the executive committee.

11 *c.* Based upon the deliberations of the council and  
12 the executive committee, the council and the executive  
13 committee, respectively, shall make recommendations to  
14 the director, to the health policy oversight committee  
15 created in section 2.45, to the general assembly’s  
16 joint appropriations subcommittee on health and human  
17 services, and to the general assembly’s standing  
18 committees on human resources regarding the budget,  
19 policy, and administration of the medical assistance  
20 program.



21 5. The council shall review Medicaid program  
 22 policies, administration, budget, and other factors  
 23 and issues including but not limited to stakeholder  
 24 safeguards; long-term services and supports;  
 25 transparency, data, and program evaluation; program  
 26 integrity; and the health workforce.

27 4. 6. For each council meeting or executive  
 28 committee meeting, a quorum shall consist of fifty  
 29 percent of the membership qualified to vote. Where a  
 30 quorum is present, a position is carried by a majority  
 31 of the members qualified to vote.

32 7. For each council meeting, other than those  
 33 held during the time the general assembly is in  
 34 session, each legislative member of the council shall  
 35 be reimbursed for actual travel and other necessary

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1 expenses and shall receive a per diem as specified  
 2 in section 7E.6 for each day in attendance, as shall  
 3 the members of the council or the executive committee,  
 4 for each day in attendance at a council or executive  
 5 committee meeting, who are recipients or the family  
 6 members of recipients of medical assistance, regardless  
 7 of whether the general assembly is in session.

8 5. 8. The department shall provide staff support  
 9 and independent technical assistance to the council and  
 10 the executive committee.

11 6. 9. The director shall ~~consider~~ comply with the  
 12 requirements of this section regarding the duties of  
 13 the council, and the deliberations and recommendations  
 14 offered by of the council and the executive committee  
 15 shall be reflected in the director's preparation  
 16 of medical assistance budget recommendations to  
 17 the council on human services pursuant to section  
 18 217.3, and in implementation of medical assistance  
 19 program policies, and in administration of the Medicaid  
 20 program.

21 10. The council and executive committee shall  
 22 jointly submit quarterly reports to the health policy  
 23 oversight committee created in section 2.45 and shall  
 24 jointly submit a report to the governor and the general  
 25 assembly initially by January 1, 2017, and annually,  
 26 therefore, summarizing the outcomes and findings of  
 27 their respective deliberations and any recommendations  
 28 including but not limited to those for changes in law  
 29 or policy.

30 11. The council and executive committee may enlist  
 31 the services of persons who are qualified by education,  
 32 expertise, or experience to advise, consult with, or  
 33 otherwise assist the council or executive committee  
 34 in the performance of their duties. The council

35 or executive committee may specifically enlist the

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1 assistance of entities such as the university of Iowa  
 2 public policy center to provide ongoing evaluation  
 3 of the Medicaid program and to make evidence-based  
 4 recommendations to improve the program. The council  
 5 and the executive committee shall enlist input from  
 6 the patient-centered health advisory council created  
 7 in section 135.159, the mental health and disabilities  
 8 services commission created in section 225C.5, the  
 9 commission on aging created in section 231.11, the  
 10 bureau of substance abuse of the department of public  
 11 health, the Iowa developmental disabilities council,  
 12 and other appropriate state and local entities to  
 13 provide advice to the council and executive committee.  
 14 12. The department, in accordance with 42 C.F.R.  
 15 §431.12, shall seek federal financial participation  
 16 for the activities of the council and the executive  
 17 committee.

18 HAWK-I PROGRAM

19 Sec. 70. Section 514I.5, subsection 3, Code 2016,  
 20 is amended to read as follows:

21 3. Members appointed by the governor shall serve  
 22 two-year staggered terms as designated by the governor,  
 23 and legislative members of the board shall serve  
 24 two-year terms. The filling of positions reserved  
 25 for the public representatives, vacancies, membership  
 26 terms, payment of compensation and expenses, and  
 27 removal of the members are governed by chapter 69.  
 28 Additionally, a vacancy of a member appointed by the  
 29 governor or of a legislative member shall be filled as  
 30 expeditiously as possible, and no later than within six  
 31 months following a resignation, expiration of a term,  
 32 or a notice of a vacancy. Members of the board are  
 33 entitled to receive reimbursement of actual expenses  
 34 incurred in the discharge of their duties. Public  
 35 members of the board are also eligible to receive

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1 compensation as provided in section 7E.6. A majority  
 2 of the voting members constitutes a quorum and the  
 3 affirmative vote of a majority of the voting members is  
 4 necessary for any substantive action to be taken by the  
 5 board. The members shall select a chairperson on an  
 6 annual basis from among the membership of the board.  
 7 Sec. 71. Section 514I.5, subsection 8, paragraph  
 8 d, Code 2016, is amended by adding the following new  
 9 subparagraph:  
 10 NEW SUBPARAGRAPH. (17) Occupational therapy.

11 Sec. 72. Section 514I.5, subsection 8, Code 2016,  
 12 is amended by adding the following new paragraph:  
 13 NEW PARAGRAPH. *m.* The definition of medically  
 14 necessary and the utilization management criteria under  
 15 the hawk-i program in order to ensure that benefits  
 16 are uniformly and consistently provided across all  
 17 participating insurers in the type and manner that  
 18 reflects and appropriately meets the needs, including  
 19 but not limited to the habilitative and rehabilitative  
 20 needs, of the child population including those children  
 21 with special health care needs.

22 MEDICAID PROGRAM POLICY IMPROVEMENT  
 23 Sec. 73. DIRECTIVES FOR MEDICAID PROGRAM POLICY  
 24 IMPROVEMENTS. In order to safeguard the interests

25 of Medicaid recipients, encourage the participation  
 26 of Medicaid providers, and protect the interests  
 27 of all taxpayers, the department of human services  
 28 shall comply with or ensure that the specified entity  
 29 complies with all of the following and shall amend  
 30 Medicaid managed care contract provisions as necessary  
 31 to reflect all of the following:

32 1. CONSUMER PROTECTIONS.

33 a. In accordance with 42 C.F.R. §438.420, a  
 34 Medicaid managed care organization shall continue a  
 35 recipient's benefits during an appeal process. If, as

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1 allowed when final resolution of an appeal is adverse  
 2 to the Medicaid recipient, the Medicaid managed care  
 3 organization chooses to recover the costs of the  
 4 services furnished to the recipient while an appeal is  
 5 pending, the Medicaid managed care organization shall  
 6 provide adequate prior notice of potential recovery  
 7 of costs to the recipient at the time the appeal is  
 8 filed, and any costs recovered shall be remitted to the  
 9 department of human services.

10 b. Ensure that each Medicaid managed care  
 11 organization provides, at a minimum, all the benefits  
 12 and services deemed medically necessary including  
 13 transportation that were covered, including to the  
 14 extent and in the same manner and subject to the same  
 15 prior authorization criteria, by the state program  
 16 directly under fee for service prior to January 1,  
 17 2016. Benefits covered through Medicaid managed care  
 18 shall comply with the specific requirements in state  
 19 law applicable to the respective Medicaid recipient  
 20 population under fee for service.

21 c. Enhance monitoring of the reduction in or  
 22 suspension or termination of services provided to  
 23 Medicaid recipients, including reductions in the  
 24 provision of home and community-based services waiver

25 services or increases in home and community-based  
26 services waiver waiting lists. Medicaid managed care  
27 organizations shall provide data to the department  
28 as necessary for the department to compile periodic  
29 reports on the numbers of individuals transferred from  
30 state institutions and long-term care facilities to  
31 home and community-based services, and the associated  
32 savings. Any savings resulting from the transfers as  
33 certified by the department shall be remitted to the  
34 department of human services.

35 d. (1) Require each Medicaid managed care

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1 organization to adhere to reasonableness and service  
2 authorization standards that are appropriate for and  
3 do not disadvantage those individuals who have ongoing  
4 chronic conditions or who require long-term services  
5 and supports. Services and supports for individuals  
6 with ongoing chronic conditions or who require  
7 long-term services and supports shall be authorized in  
8 a manner that reflects the recipient's continuing need  
9 for such services and supports, and limits shall be  
10 consistent with a recipient's current needs assessment  
11 and person-centered service plan.

12 (2) In addition to other provisions relating to  
13 community-based case management continuity of care  
14 requirements, Medicaid managed care contractors shall  
15 provide the option to the case manager of a Medicaid  
16 recipient who retained the case manager during the  
17 six months of transition to Medicaid managed care, if  
18 the recipient chooses to continue to retain that case  
19 manager beyond the six-month transition period and  
20 if the case manager is not otherwise a participating  
21 provider of the recipient's managed care organization  
22 provider network, to enter into a single case agreement  
23 to continue to provide case management services to the  
24 Medicaid recipient.

25 e. Ensure that Medicaid recipients are provided  
26 care coordination and case management by appropriately  
27 trained professionals in a conflict-free manner. Care  
28 coordination and case management shall be provided  
29 in a patient-centered and family-centered manner  
30 that requires a knowledge of community supports, a  
31 reasonable ratio of care coordinators and case managers  
32 to Medicaid recipients, standards for frequency of  
33 contact with the Medicaid recipient, and specific and  
34 adequate reimbursement.

35 f. A Medicaid managed care contract shall include

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1 a provision for continuity and coordination of care  
2 for a consumer transitioning to Medicaid managed care,  
3 including maintaining existing provider-recipient  
4 relationships and honoring the amount, duration, and  
5 scope of a recipient's authorized services based on  
6 the recipient's medical history and needs. In the  
7 initial transition to Medicaid managed care, to ensure  
8 the least amount of disruption, Medicaid managed  
9 care organizations shall provide, at a minimum, a  
10 one-year transition of care period for all provider  
11 types, regardless of network status with an individual  
12 Medicaid managed care organization.

13 g. Ensure that a Medicaid managed care organization  
14 does not arbitrarily deny coverage for medically  
15 necessary services based solely on financial reasons  
16 and does not shift the responsibility for provision of  
17 services or payment of costs of services to another  
18 entity to avoid costs or attain savings.

19 h. Ensure that dental coverage, if not integrated  
20 into an overall Medicaid managed care contract, is  
21 part of the overall holistic, integrated coverage  
22 for physical, behavioral, and long-term services and  
23 supports provided to a Medicaid recipient.

24 i. Require each Medicaid managed care organization  
25 to verify the offering and actual utilization of  
26 services and supports and value-added services,  
27 an individual recipient's encounters and the costs  
28 associated with each encounter, and requests and  
29 associated approvals or denials of services.  
30 Verification of actual receipt of services and supports  
31 and value-added services shall, at a minimum, consist  
32 of comparing receipt of service against both what  
33 was authorized in the recipient's benefit or service  
34 plan and what was actually reimbursed. Value-added  
35 services shall not be reportable as allowable medical

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1 or administrative costs or factored into rate setting,  
2 and the costs of value-added services shall not be  
3 passed on to recipients or providers.

4 j. Provide periodic reports to the governor and  
5 the general assembly regarding changes in quality of  
6 care and health outcomes for Medicaid recipients under  
7 managed care compared to quality of care and health  
8 outcomes of the same populations of Medicaid recipients  
9 prior to January 1, 2016.

10 k. Require each Medicaid managed care organization  
11 to maintain records of complaints, grievances, and  
12 appeals, and report the number and types of complaints,

13 grievances, and appeals filed, the resolution of each,  
14 and a description of any patterns or trends identified  
15 to the department of human services and the health  
16 policy oversight committee created in section 2.45,  
17 on a monthly basis. The department shall review and  
18 compile the data on a quarterly basis and make the  
19 compilations available to the public. Following review  
20 of reports submitted by the department, a Medicaid  
21 managed care organization shall take any corrective  
22 action required by the department and shall be subject  
23 to any applicable penalties.

24 1. Require Medicaid managed care organizations to  
25 survey Medicaid recipients, to collect satisfaction  
26 data using a uniform instrument, and to provide a  
27 detailed analysis of recipient satisfaction as well as  
28 various metrics regarding the volume of and timelines  
29 in responding to recipient complaints and grievances as  
30 directed by the department of human services.

31 m. Require managed care organizations to allow a  
32 recipient to request that the managed care organization  
33 enter into a single case agreement with a recipient's  
34 out-of-network provider, including a provider outside  
35 of the state, to provide for continuity of care when

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1 the recipient has an existing relationship with the  
2 provider to provide a covered benefit, or to ensure  
3 adequate or timely access to a provider of a covered  
4 benefit when the managed care organization provider  
5 network cannot ensure such adequate or timely access.

6 2. CHILDREN.

7 a. (1) The hawk-i board shall retain all authority  
8 specified under chapter 514I relative to the children  
9 eligible under section 514I.8 to participate in the  
10 hawk-i program, including but not limited to approving  
11 any contract entered into pursuant to chapter 514I;  
12 approving the benefit package design, reviewing the  
13 benefit package design, and making necessary changes  
14 to reflect the results of the reviews; and adopting  
15 rules for the hawk-i program including those related  
16 to qualifying standards for selecting participating  
17 insurers for the program and the benefits to be  
18 included in a health plan.

19 (2) The hawk-i board shall review benefit plans  
20 and utilization review provisions and ensure that  
21 benefits provided to children under the hawk-i program,  
22 at a minimum, reflect those required by state law as  
23 specified in section 514I.5, include both habilitative  
24 and rehabilitative services, and are provided as  
25 medically necessary relative to the child population  
26 served and based on the needs of the program recipient

27 and the program recipient's medical history.  
 28 (3) The hawk-i board shall work with the department  
 29 of human services to coordinate coverage and care for  
 30 the population of children in the state eligible for  
 31 either Medicaid or hawk-i coverage so that, to the  
 32 greatest extent possible, the two programs provide for  
 33 continuity of care as children transition between the  
 34 two programs or to private health care coverage. To  
 35 this end, all contracts with participating insurers

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1 providing coverage under the hawk-i program and with  
 2 all managed care organizations providing coverage for  
 3 children eligible for Medicaid shall do all of the  
 4 following:  
 5 (a) Specifically and appropriately address  
 6 the unique needs of children and children's health  
 7 delivery.  
 8 (b) Provide for the maintaining of child health  
 9 panels that include representatives of child health,  
 10 welfare, policy, and advocacy organizations in the  
 11 state that address child health and child well-being.  
 12 (c) Address early intervention and prevention  
 13 strategies, the provision of a child health care  
 14 delivery infrastructure for children with special  
 15 health care needs, utilization of current standards  
 16 and guidelines for children's health care and  
 17 pediatric-specific screening and assessment tools,  
 18 the inclusion of pediatric specialty providers in  
 19 the provider network, and the utilization of health  
 20 homes for children and youth with special health  
 21 care needs including intensive care coordination  
 22 and family support and access to a professional  
 23 family-to-family support system. Such contracts  
 24 shall utilize pediatric-specific quality measures  
 25 and assessment tools which shall align with existing  
 26 pediatric-specific measures as determined in  
 27 consultation with the child health panel and approved  
 28 by the hawk-i board.  
 29 (d) Provide special incentives for innovative  
 30 and evidence-based preventive, behavioral, and  
 31 developmental health care and mental health care  
 32 for children's programs that improve the life course  
 33 trajectory of these children.  
 34 (e) Provide that information collected from the  
 35 pediatric-specific assessments be used to identify

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1 health risks and social determinants of health that  
 2 impact health outcomes. Such data shall be used in

3 care coordination and interventions to improve patient  
4 outcomes and to drive program designs that improve the  
5 health of the population. Aggregate assessment data  
6 shall be shared with affected providers on a routine  
7 basis.

8 b. In order to monitor the quality of and access  
9 to health care for children receiving coverage under  
10 the Medicaid program, each Medicaid managed care  
11 organization shall uniformly report, in a template  
12 format designated by the department of human services,  
13 the number of claims submitted by providers and the  
14 percentage of claims approved by the Medicaid managed  
15 care organization for the early and periodic screening,  
16 diagnostic, and treatment (EPSDT) benefit based  
17 on the Iowa EPSDT care for kids health maintenance  
18 recommendations, including but not limited to  
19 physical exams, immunizations, the seven categories of  
20 developmental and behavioral screenings, vision and  
21 hearing screenings, and lead testing.

22 3. PROVIDER PARTICIPATION ENHANCEMENT.

23 a. Ensure that savings achieved through Medicaid  
24 managed care does not come at the expense of further  
25 reductions in provider rates. The department shall  
26 ensure that Medicaid managed care organizations use  
27 reasonable reimbursement standards for all provider  
28 types and compensate providers for covered services at  
29 not less than the minimum reimbursement established  
30 by state law applicable to fee for service for a  
31 respective provider, service, or product for a fiscal  
32 year and as determined in conjunction with actuarially  
33 sound rate setting procedures. Such reimbursement  
34 shall extend for the entire duration of a managed care  
35 contract.

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1 b. To enhance continuity of care in the provision  
2 of pharmacy services, Medicaid managed care  
3 organizations shall utilize the same preferred drug  
4 list, recommended drug list, prior authorization  
5 criteria, and other utilization management strategies  
6 that apply to the state program directly under fee for  
7 service and shall apply other provisions of applicable  
8 state law including those relating to chemically unique  
9 mental health prescription drugs. Reimbursement rates  
10 established under Medicaid managed care contracts for  
11 ingredient cost reimbursement and dispensing fees shall  
12 be subject to and shall reflect provisions of state  
13 and federal law, including the minimum reimbursements  
14 established in state law for fee for service for a  
15 fiscal year.

16 c. Address rate setting and reimbursement of the



17 entire scope of services provided under the Medicaid  
18 program to ensure the adequacy of the provider network  
19 and to ensure that providers that contribute to the  
20 holistic health of the Medicaid recipient, whether  
21 inside or outside of the provider network, are  
22 compensated for their services.

23 d. Managed care contractors shall submit financial  
24 documentation to the department of human services  
25 demonstrating payment of claims and expenses by  
26 provider type.

27 e. Participating Medicaid providers under a managed  
28 care contract shall be allowed to submit claims for up  
29 to 365 days following discharge of a Medicaid recipient  
30 from a hospital or following the date of service.

31 f. (1) Ensure that a Medicaid managed care  
32 organization develops and maintains a provider network  
33 of qualified providers who meet state licensing,  
34 credentialing, and certification requirements, as  
35 applicable, which network shall be sufficient to

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1 provide adequate access to all services covered  
2 including transportation and for all populations served  
3 under the managed care contract. Medicaid managed  
4 care organizations shall incorporate existing and  
5 traditional providers, including but not limited to  
6 those providers that comprise the Iowa collaborative  
7 safety net provider network created in section 135.153,  
8 into their provider networks.

9 (2) Ensure that respective Medicaid populations  
10 are managed at all times within funding limitations  
11 and contract terms. The department shall also  
12 monitor service delivery and utilization to ensure  
13 the responsibility for provision of services to  
14 Medicaid recipients is not shifted to non-Medicaid  
15 covered services to attain savings, and that such  
16 responsibility is not shifted to mental health and  
17 disability services regions, local public health  
18 agencies, aging and disability resource centers,  
19 or other entities unless agreement to provide, and  
20 provision for adequate compensation for, such services  
21 is agreed to between the affected entities in advance.

22 g. Medicaid managed care organizations shall  
23 provide an enrolled Medicaid provider approved by the  
24 department of human services the opportunity to be a  
25 participating network provider.

26 h. Medicaid managed care organizations shall  
27 include provider appeals and grievance procedures  
28 that in part allow a provider to file a grievance  
29 independently but on behalf of a Medicaid recipient  
30 and to appeal claims denials which, if determined to

31 be based on claims for medically necessary services  
32 whether or not denied on an administrative basis, shall  
33 receive appropriate payment.  
34 i. (1) Medicaid managed care organizations  
35 shall include as primary care providers any provider

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1 designated by the state as a primary care provider,  
2 subject to a provider's respective state certification  
3 standards, including but not limited to all of the  
4 following:  
5 (a) A physician who is a family or general  
6 practitioner, a pediatrician, an internist, an  
7 obstetrician, or a gynecologist.  
8 (b) An advanced registered nurse practitioner.  
9 (c) A physician assistant.  
10 (d) A chiropractor licensed pursuant to chapter  
11 151.  
12 (2) A Medicaid managed care organization shall not  
13 impose more restrictive, additional, or different scope  
14 of practice requirements or standards of practice on a  
15 primary care provider than those prescribed by state  
16 law as a prerequisite for participation in the managed  
17 care organization's provider network.  
18 4. CAPITATION RATES AND MEDICAL LOSS RATIO.  
19 a. Capitation rates shall be developed based on all  
20 reasonable, appropriate, and attainable costs. Costs  
21 that are not reasonable, appropriate, or attainable,  
22 including but not limited to improper payment  
23 recoveries, shall not be included in the development  
24 of capitated rates.  
25 b. Capitation rates for Medicaid recipients falling  
26 within different rate cells shall not be expected to  
27 cross-subsidize one another and the data used to set  
28 capitation rates shall be relevant and timely and tied  
29 to the appropriate Medicaid population.  
30 c. Any increase in capitation rates for managed  
31 care contractors is subject to prior statutory approval  
32 and shall not exceed three percent over the existing  
33 capitation rate in any one-year period or five percent  
34 over the existing capitation rate in any two-year  
35 period.

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1 d. A managed care contract shall impose a minimum  
2 Medicaid loss ratio of at least eighty-eight percent.  
3 In calculating the medical loss ratio, medical costs  
4 or benefit expenses shall include only those costs  
5 directly related to patient medical care and not  
6 ancillary expenses, including but not limited to any

- 7 of the following:
- 8 (1) Program integrity activities.
  - 9 (2) Utilization review activities.
  - 10 (3) Fraud prevention activities beyond the scope of
  - 11 those activities necessary to recover incurred claims.
  - 12 (4) Provider network development, education, or
  - 13 management activities.
  - 14 (5) Provider credentialing activities.
  - 15 (6) Marketing expenses.
  - 16 (7) Administrative costs associated with recipient
  - 17 incentives.
  - 18 (8) Clinical data collection activities.
  - 19 (9) Claims adjudication expenses.
  - 20 (10) Customer service or health care professional
  - 21 hotline services addressing nonclinical recipient
  - 22 questions.
  - 23 (11) Value-added or cost-containment services,
  - 24 wellness programs, disease management, and case
  - 25 management or care coordination programs.
  - 26 (12) Health quality improvement activities unless
  - 27 specifically approved as a medical cost by state law.
  - 28 Costs of health quality improvement activities included
  - 29 in determining the medical loss ratio shall be only
  - 30 those activities that are independent improvements
  - 31 measurable in individual patients.
  - 32 (13) Insurer claims review activities.
  - 33 (14) Information technology costs unless they
  - 34 directly and credibly improve the quality of health
  - 35 care and do not duplicate, conflict with, or fail to be

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- 1 compatible with similar health information technology
- 2 efforts of providers.
- 3 (15) Legal department costs including information
- 4 technology costs, expenses incurred for review and
- 5 denial of claims, legal costs related to defending
- 6 claims, settlements for wrongly denied claims, and
- 7 costs related to administrative claims handling
- 8 including salaries of administrative personnel and
- 9 legal costs.
- 10 (16) Taxes unrelated to premiums or the provision
- 11 of medical care. Only state and federal taxes and
- 12 licensing or regulatory fees relevant to actual
- 13 premiums collected, not including such taxes and fees
- 14 as property taxes, taxes on investment income, taxes on
- 15 investment property, and capital gains taxes, may be
- 16 included in determining the medical loss ratio.
- 17 e. (1) Provide enhanced guidance and criteria for
- 18 defining medical and administrative costs, recoveries,
- 19 and rebates including pharmacy rebates, and the
- 20 recording, reporting, and recoupment of such costs,

21 recoveries, and rebates realized.

22 (2) Medicaid managed care organizations shall  
23 offset recoveries, rebates, and refunds against  
24 medical costs, include only allowable administrative  
25 expenses in the determination of administrative costs,  
26 report costs related to subcontractors properly, and  
27 have complete systems checks and review processes to  
28 identify overpayment possibilities.

29 (3) Medicaid managed care contractors shall submit  
30 publicly available, comprehensive financial statements  
31 to the department of human services to verify that the  
32 minimum medical loss ratio is being met and shall be  
33 subject to periodic audits.

34 5. DATA AND INFORMATION, EVALUATION, AND OVERSIGHT.

35 a. Develop and administer a clear, detailed policy

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1 regarding the collection, storage, integration,  
2 analysis, maintenance, retention, reporting, sharing,  
3 and submission of data and information from the  
4 Medicaid managed care organizations and shall require  
5 each Medicaid managed care organization to have in  
6 place a data and information system to ensure that  
7 accurate and meaningful data is available. At a  
8 minimum, the data shall allow the department to  
9 effectively measure and monitor Medicaid managed care  
10 organization performance, quality, outcomes including  
11 recipient health outcomes, service utilization,  
12 finances, program integrity, the appropriateness  
13 of payments, and overall compliance with contract  
14 requirements; perform risk adjustments and determine  
15 actuarially sound capitation rates and appropriate  
16 provider reimbursements; verify that the minimum  
17 medical loss ratio is being met; ensure recipient  
18 access to and use of services; create quality measures;  
19 and provide for program transparency.

20 b. Medicaid managed care organizations shall  
21 directly capture and retain and shall report actual and  
22 detailed medical claims costs and administrative cost  
23 data to the department as specified by the department.  
24 Medicaid managed care organizations shall allow the  
25 department to thoroughly and accurately monitor the  
26 medical claims costs and administrative costs data  
27 Medicaid managed care organizations report to the  
28 department.

29 c. Any audit of Medicaid managed care contracts  
30 shall ensure compliance including with respect to  
31 appropriate medical costs, allowable administrative  
32 costs, the medical loss ratio, cost recoveries,  
33 rebates, overpayments, and with specific contract  
34 performance requirements.

35 d. The external quality review organization

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1 contracting with the department shall review the  
2 Medicaid managed care program to determine if the  
3 state has sufficient infrastructure and controls in  
4 place to effectively oversee the Medicaid managed care  
5 organizations and the Medicaid program in order to  
6 ensure, at a minimum, compliance with Medicaid managed  
7 care organization contracts and to prevent fraud,  
8 abuse, and overpayments. The results of any external  
9 quality review organization review shall be submitted  
10 to the governor, the general assembly, and the health  
11 policy oversight committee created in section 2.45.

12 e. Publish benchmark indicators based on Medicaid  
13 program outcomes from the fiscal year beginning July 1,  
14 2015, to be used to compare outcomes of the Medicaid  
15 program as administered by the state program prior  
16 to July 1, 2015, to those outcomes of the program  
17 under Medicaid managed care. The outcomes shall  
18 include a comparison of actual costs of the program  
19 as administered prior to and after implementation of  
20 Medicaid managed care. The data shall also include  
21 specific detail regarding the actual expenses incurred  
22 by each managed care organization by specific provider  
23 line of service.

24 f. Review and approve or deny approval of contract  
25 amendments on an ongoing basis to provide for  
26 continuous improvement in Medicaid managed care and  
27 to incorporate any changes based on changes in law or  
28 policy.

29 g. (1) Require managed care contractors to track  
30 and report on a monthly basis to the department of  
31 human services, at a minimum, all of the following:

32 (a) The number and details relating to prior  
33 authorization requests and denials.

34 (b) The ten most common reasons for claims denials.  
35 Information reported by a managed care contractor

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1 relative to claims shall also include the number  
2 of claims denied, appealed, and overturned based on  
3 provider type and service type.

4 (c) Utilization of health care services by  
5 diagnostic related group and ambulatory payment  
6 classification as well as total claims volume.

7 (2) The department shall ensure the validity  
8 of all information submitted by a Medicaid managed  
9 care organization and shall make the monthly reports  
10 available to the public.

- 11 h. Medicaid managed care organizations shall  
12 maintain stakeholder panels comprised of an equal  
13 number of Medicaid recipients and providers. Medicaid  
14 managed care organizations shall provide for separate  
15 provider-specific panels to address detailed payment,  
16 claims, process, and other issues as well as grievance  
17 and appeals processes.
- 18 i. Medicaid managed care contracts shall align  
19 economic incentives, delivery system reforms, and  
20 performance and outcome metrics with those of the state  
21 innovation models initiatives and Medicaid accountable  
22 care organizations. The department of human services  
23 shall develop and utilize a common, uniform set of  
24 process, quality, and consumer satisfaction measures  
25 across all Medicaid payors and providers that align  
26 with those developed through the state innovation  
27 models initiative and shall ensure that such measures  
28 are expanded and adjusted to address additional  
29 populations and to meet population health objectives.  
30 Medicaid managed care contracts shall include long-term  
31 performance and outcomes goals that reward success in  
32 achieving population health goals such as improved  
33 community health metrics.
- 34 j. (1) Require consistency and uniformity of  
35 processes, procedures, reports, and forms across

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- 1 all Medicaid managed care organizations to reduce  
2 the administrative burden to providers and consumers  
3 and to increase efficiencies in the program. Such  
4 requirements shall apply to but are not limited to  
5 areas of uniform cost and quality reporting, uniform  
6 prior authorization requirements and procedures,  
7 uniform utilization management criteria, centralized,  
8 uniform, and seamless credentialing requirements and  
9 procedures, and uniform critical incident reporting.
- 10 (2) The department of human services shall  
11 establish a comprehensive provider credentialing  
12 process to be recognized and utilized by all Medicaid  
13 managed care organization contractors. The process  
14 shall meet the national committee for quality assurance  
15 and other appropriate standards. The process shall  
16 ensure that credentialing is completed in a timely  
17 manner without disruption to provider billing  
18 processes.
- 19 k. Medicaid managed care organizations and any  
20 entity with which a managed care organization contracts  
21 for the performance of services shall disclose at no  
22 cost to the department all discounts, incentives,  
23 rebates, fees, free goods, bundling arrangements, and  
24 other agreements affecting the net cost of goods or

25 services provided under a managed care contract.  
26 Sec. 74. RETROACTIVE APPLICABILITY. The section  
27 of this division of this Act relating to directives  
28 for Medicaid program policy improvements applies  
29 retroactively to July 1, 2015.  
30 Sec. 75. EFFECTIVE UPON ENACTMENT. This division  
31 of this Act, being deemed of immediate importance,  
32 takes effect upon enactment.  
33 DIVISION XIV  
34 CHILDREN'S MENTAL HEALTH AND WELL-BEING  
35 Sec. 76. CHILDREN'S MENTAL HEALTH CRISIS SERVICES

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1 — PLANNING GRANTS.  
2 1. The department of human services shall establish  
3 a request for proposals process, in cooperation  
4 with the departments of public health and education  
5 and the judicial branch, which shall be based upon  
6 recommendations for children's mental health crisis  
7 services described in the children's mental health and  
8 well-being workgroup final report submitted to the  
9 department on December 15, 2015.  
10 2. Planning grants shall be awarded to two lead  
11 entities. Each lead entity should be a member of  
12 a specifically designated coalition of three to  
13 four other entities that propose to serve different  
14 geographically defined areas of the state, but a lead  
15 entity shall not be a mental health and disability  
16 services region.  
17 3. The request for proposals shall require each  
18 grantee to develop a plan for children's mental health  
19 crisis services for the grantee's defined geographic  
20 area that includes all of the following:  
21 a. Identification of the existing children's mental  
22 health crisis services in the defined area.  
23 b. Identification of gaps in children's mental  
24 health crisis services in the defined area.  
25 c. A plan for collection of data that demonstrates  
26 the effects of children's mental health crisis services  
27 through the collection of outcome data and surveys of  
28 the children affected and their families.  
29 d. A method for using federal, state, and other  
30 funding including funding currently available, to  
31 implement and support children's mental health crisis  
32 services.  
33 e. Utilization of collaborative processes developed  
34 from the recommendations from the children's mental  
35 health and well-being workgroup final report submitted

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1 to the department on December 15, 2015.  
2 f. A recommendation for any additional state  
3 funding needed to establish a children's mental health  
4 crisis service system in the defined area.  
5 g. A recommendation for statewide standard  
6 requirements for children's mental health crisis  
7 services, as defined in the children's mental health  
8 and well-being workgroup final report submitted to the  
9 department of human services on December 15, 2015,  
10 including but not limited to all of the following:  
11 (1) Standardized primary care practitioner  
12 screenings.  
13 (2) Standardized mental health crisis screenings.  
14 (3) Standardized mental health and substance use  
15 disorder assessments.  
16 (4) Requirements for certain inpatient psychiatric  
17 hospitals and psychiatric medical institutions for  
18 children to accept and treat all children regardless of  
19 the acuity of their condition.  
20 4. Each grantee shall submit a report to the  
21 department by December 15, 2016. The department  
22 shall combine the essentials of each report and shall  
23 submit a report to the general assembly by January  
24 15, 2017, regarding the department's conclusions and  
25 recommendations.  
26 Sec. 77. CHILDREN'S WELL-BEING LEARNING LABS. The  
27 department of human services, utilizing existing  
28 departmental resources and with the continued  
29 assistance of a private child welfare foundation  
30 focused on improving child well-being, shall study  
31 and collect data on emerging, collaborative efforts  
32 in existing programs engaged in addressing well-being  
33 for children with complex needs and their families in  
34 communities across the state. The department shall  
35 establish guidelines based upon recommendations in

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1 the children's mental health and well-being workgroup  
2 final report submitted to the department on December  
3 15, 2015, to select three to five such programs to  
4 be designated learning labs to enable the department  
5 to engage in a multi-site learning process during the  
6 2016 calendar year with a goal of creating an expansive  
7 structured learning network. The department shall  
8 submit a report with recommendations including lessons  
9 learned, suggested program design refinements, and  
10 implications for funding, policy changes, and best  
11 practices to the general assembly by January 15, 2017.  
12 Sec. 78. DEPARTMENT OF HUMAN SERVICES — ADDITIONAL



13 STUDY REPORTS. The department of human services shall,  
 14 in consultation with the department of public health,  
 15 the mental health and disability services commission,  
 16 and the mental health planning council, submit a  
 17 report with recommendations to the general assembly by  
 18 December 15, 2016, regarding all of the following:

19 1. The creation and implementation of a statewide  
 20 children's mental health crisis service system to  
 21 include but not be limited to an inventory of all  
 22 current children's mental health crisis service systems  
 23 in the state including children's mental health crisis  
 24 service system telephone lines. The report shall  
 25 include recommendations regarding proposed changes to  
 26 improve the effectiveness of and access to children's  
 27 mental health crisis services.

28 2. The development and implementation of a  
 29 children's mental health public education and awareness  
 30 campaign that targets the reduction of stigma for  
 31 children with mental illness and that supports children  
 32 with mental illness and their families in seeking  
 33 effective treatment. The plan shall include potential  
 34 methods for funding such a campaign.

35 Sec. 79. CHILDREN'S MENTAL HEALTH AND WELL-BEING

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1 ADVISORY COMMITTEE. The department of human services  
 2 shall create and provide support to a children's mental  
 3 health and well-being advisory committee to continue  
 4 the coordinated efforts of the children's mental health  
 5 subcommittee and the children's well-being subcommittee  
 6 of the children's mental health and well-being  
 7 workgroup. Consideration shall be given to continued  
 8 service by members of the children's mental health and  
 9 well-being workgroup created pursuant to 2015 Iowa  
 10 Acts, ch. 137, and representatives from the departments  
 11 of human services, public health, and education; the  
 12 judicial branch; and other appropriate stakeholders  
 13 designated by the director. The advisory committee  
 14 shall do all of the following:

15 1. Provide guidance regarding implementation of  
 16 the recommendations in the children's mental health  
 17 and well-being workgroup final report submitted to the  
 18 department on December 15, 2015, and subsequent reports  
 19 required by this Act.

20 2. Select and study additional children's  
 21 well-being learning labs to assure a continued  
 22 commitment to joint learning and comparison for all  
 23 learning lab sites.

#### 24 DIVISION XV

#### 25 OPIOID ANTAGONIST REVISION

26 Sec. 80. Section 135.190, subsection 1, as enacted

27 by 2016 Iowa Acts, Senate File 2218, section 1, is  
28 amended by adding the following new paragraph:  
29 NEW PARAGRAPH. *0a. "Licensed health care*  
30 *professional" means the same as defined in section*  
31 *280.16.*  
32 Sec. 81. Section 135.190, as enacted by 2016 Iowa  
33 Acts, Senate File 2218, section 1, is amended by adding  
34 the following new subsections:  
35 NEW SUBSECTION. 1A. *a. Notwithstanding any other*

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1 provision of law to the contrary, a licensed health  
2 care professional may prescribe an opioid antagonist to  
3 a person in a position to assist.  
4 *b. (1) Notwithstanding any other provision of law*  
5 *to the contrary, a pharmacist licensed under chapter*  
6 *155A may, by standing order or through collaborative*  
7 *agreement, dispense, furnish, or otherwise provide an*  
8 *opioid antagonist to a person in a position to assist.*  
9 (2) A pharmacist who dispenses, furnishes, or  
10 otherwise provides an opioid antagonist pursuant to a  
11 valid prescription, standing order, or collaborative  
12 agreement shall provide instruction to the recipient  
13 in accordance with any protocols and instructions  
14 developed by the department under this section.  
15 NEW SUBSECTION. 4. The department may adopt rules  
16 pursuant to chapter 17A to implement and administer  
17 this section.  
18 Sec. 82. Section 135.190, subsection 3, as enacted  
19 by 2016 Iowa Acts, Senate File 2218, section 1, is  
20 amended to read as follows:  
21 3. A person in a position to assist or a prescriber  
22 of an opioid antagonist who has acted reasonably and in  
23 good faith shall not be liable for any injury arising  
24 from the provision, administration, or assistance in  
25 the administration of an opioid antagonist as provided  
26 in this section.  
27 Sec. 83. Section 147A.18, subsections 1 and 5, as  
28 enacted by 2016 Iowa Acts, Senate File 2218, section 3,  
29 are amended to read as follows:  
30 1. a. Notwithstanding any other provision of law  
31 to the contrary, a licensed health care professional  
32 may prescribe an opioid antagonist in the name of  
33 a service program, law enforcement agency, or fire  
34 department to be maintained for use as provided in this  
35 section.

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1 b. (1) Notwithstanding any other provision of law  
2 to the contrary, a pharmacist licensed under chapter

3 155A may, by standing order or through collaborative  
 4 agreement, dispense, furnish, or otherwise provide an  
 5 opioid antagonist in the name of a service program, law  
 6 enforcement agency, or fire department to be maintained  
 7 for use as provided in this section.

8 (2) A pharmacist who dispenses, furnishes, or  
 9 otherwise provides an opioid antagonist pursuant to a  
 10 valid prescription, standing order, or collaborative  
 11 agreement shall provide instruction to the recipient  
 12 in accordance with the protocols and instructions  
 13 developed by the department under this section.

14 5. The department shall ~~may~~ adopt rules pursuant  
 15 to chapter 17A to implement and administer this  
 16 section, ~~including but not limited to standards~~  
 17 ~~and procedures for the prescription, distribution,~~  
 18 ~~storage, replacement, and administration of opioid~~  
 19 ~~antagonists, and for the training and authorization~~  
 20 ~~to be required for first responders to administer an~~  
 21 ~~opioid antagonist.~~

22 Sec. 84. OPIOID ANTAGONIST IMPLEMENTATION  
 23 CONTINGENCY. 2016 Iowa Acts, Senate File 2218, section  
 24 4, is repealed.

25 Sec. 85. 2016 Iowa Acts, Senate File 2218, as  
 26 enacted, is amended by adding the following new  
 27 section:

28 NEW SECTION. SEC. \_\_\_\_. EFFECTIVE UPON ENACTMENT.  
 29 This Act, being deemed of immediate importance, takes  
 30 effect upon enactment.

31 Sec. 86. EFFECTIVE DATE. This division of this  
 32 Act, being deemed of immediate importance, takes effect  
 33 upon enactment.

34 Sec. 87. RETROACTIVE APPLICABILITY. This division  
 35 of this Act applies retroactively to April 6, 2016.

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1 DIVISION XVI  
 2 NURSING GRANT PROGRAMS

3 Sec. 88. Section 135.178, Code 2016, is amended to  
 4 read as follows:

5 **135.178 Nurse residency state matching grants**  
 6 **program —repeal.**

7 ~~1.~~ The department shall establish a nurse residency  
 8 state matching grants program to provide matching state  
 9 funding to sponsors of nurse residency programs in this  
 10 state to establish, expand, or support nurse residency  
 11 programs that meet standards adopted by rule of the  
 12 department. Funding for the program may be provided  
 13 through the health care workforce shortage fund or  
 14 the nurse residency state matching grants program  
 15 account created in section 135.175. The department,  
 16 in cooperation with the Iowa board of nursing, the

17 department of education, Iowa institutions of higher  
18 education with board of nursing-approved programs  
19 to educate nurses, and the Iowa nurses association,  
20 shall adopt rules pursuant to chapter 17A to establish  
21 minimum standards for nurse residency programs to be  
22 eligible for a matching grant that address all of the  
23 following:

- 24 ~~a.~~ 1. Eligibility requirements for and
- 25 qualifications of a sponsor of a nurse residency
- 26 program to receive a grant, including that the program
- 27 includes both rural and urban components.
- 28 ~~b.~~ 2. The application process for the grant.
- 29 ~~c.~~ 3. Criteria for preference in awarding of the
- 30 grants.
- 31 ~~d.~~ 4. Determination of the amount of a grant.
- 32 ~~e.~~ 5. Use of the funds awarded. Funds may be
- 33 used to pay the costs of establishing, expanding, or
- 34 supporting a nurse residency program as specified in
- 35 this section, including but not limited to the costs

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1 associated with residency stipends and nursing faculty  
2 stipends.

3 ~~2. This section is repealed June 30, 2016.~~

4 Sec. 89. Section 261.129, Code 2016, is amended to  
5 read as follows:

6 **261.129 Iowa needs nurses now initiative —repeal.**

7 1. *Nurse educator incentive payment program.*

8 a. The commission shall establish a nurse educator  
9 incentive payment program. Funding for the program  
10 may be provided through the health care workforce  
11 shortage fund or the health care professional and  
12 Iowa needs nurses now initiative account created in  
13 section 135.175. For the purposes of this subsection,  
14 “*nurse educator*” means a registered nurse who holds a  
15 master’s degree or doctorate degree and is employed  
16 as a faculty member who teaches nursing in a nursing  
17 education program as provided in 655 IAC 2.6 at a  
18 community college, an accredited private institution,  
19 or an institution of higher education governed by the  
20 state board of regents.

21 b. The program shall consist of incentive payments  
22 to recruit and retain nurse educators. The program  
23 shall provide for incentive payments of up to twenty  
24 thousand dollars for a nurse educator who remains  
25 teaching in a qualifying teaching position for a period  
26 of not less than four consecutive academic years.

27 c. The nurse educator and the commission shall  
28 enter into an agreement specifying the obligations of  
29 the nurse educator and the commission. If the nurse  
30 educator leaves the qualifying teaching position prior

31 to teaching for four consecutive academic years, the  
32 nurse educator shall be liable to repay the incentive  
33 payment amount to the state, plus interest as specified  
34 by rule. However, if the nurse educator leaves the  
35 qualifying teaching position involuntarily, the nurse

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1 educator shall be liable to repay only a pro rata  
2 amount of the incentive payment based on incompletd  
3 years of service.

4 *d.* The commission, in consultation with the  
5 department of public health, the board of nursing,  
6 the department of education, and the Iowa nurses  
7 association, shall adopt rules pursuant to chapter 17A  
8 relating to the establishment and administration of the  
9 nurse educator incentive payment program. The rules  
10 shall include provisions specifying what constitutes a  
11 qualifying teaching position.

12 *2. Nursing faculty fellowship program.*

13 *a.* The commission shall establish a nursing faculty  
14 fellowship program to provide funds to nursing schools  
15 in the state, including but not limited to nursing  
16 schools located at community colleges, for fellowships  
17 for individuals employed in qualifying positions on  
18 the nursing faculty. Funding for the program may be  
19 provided through the health care workforce shortage  
20 fund or the health care professional and the Iowa  
21 needs nurses now initiative account created in section  
22 135.175. The program shall be designed to assist  
23 nursing schools in filling vacancies in qualifying  
24 positions throughout the state.

25 *b.* The commission, in consultation with the  
26 department of public health, the board of nursing,  
27 the department of education, and the Iowa nurses  
28 association, and in cooperation with nursing schools  
29 throughout the state, shall develop a distribution  
30 formula which shall provide that no more than thirty  
31 percent of the available moneys are awarded to a single  
32 nursing school. Additionally, the program shall limit  
33 funding for a qualifying position in a nursing school  
34 to no more than ten thousand dollars per year for up  
35 to three years.

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1 *c.* The commission, in consultation with the  
2 department of public health, the board of nursing,  
3 the department of education, and the Iowa nurses  
4 association, shall adopt rules pursuant to chapter 17A  
5 to administer the program. The rules shall include  
6 provisions specifying what constitutes a qualifying

7 position at a nursing school.  
8 *d.* In determining eligibility for a fellowship, the  
9 commission shall consider all of the following:  
10 (1) The length of time a qualifying position has  
11 gone unfilled at a nursing school.  
12 (2) Documented recruiting efforts by a nursing  
13 school.  
14 (3) The geographic location of a nursing school.  
15 (4) The type of nursing program offered at the  
16 nursing school, including associate, bachelor's,  
17 master's, or doctoral degrees in nursing, and the need  
18 for the specific nursing program in the state.  
19 3. *Nurse educator scholarship program.*  
20 *a.* The commission shall establish a nurse educator  
21 scholarship program. Funding for the program may be  
22 provided through the health care workforce shortage  
23 fund or the health care professional and the Iowa  
24 needs nurses now initiative account created in section  
25 135.175. The goal of the nurse educator scholarship  
26 program is to address the waiting list of qualified  
27 applicants to Iowa's nursing schools by providing  
28 incentives for the training of additional nursing  
29 educators. For the purposes of this subsection, "*nurse*  
30 *educator*" means a registered nurse who holds a master's  
31 degree or doctorate degree and is employed as a faculty  
32 member who teaches nursing in a nursing education  
33 program as provided in 655 IAC 2.6 at a community  
34 college, an accredited private institution, or an  
35 institution of higher education governed by the state

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1 board of regents.  
2 *b.* The program shall consist of scholarships to  
3 further advance the education of nurses to become nurse  
4 educators. The program shall provide for scholarship  
5 payments in an amount established by rule for students  
6 who are preparing to teach in qualifying teaching  
7 positions.  
8 *c.* The commission, in consultation with the  
9 department of public health, the board of nursing,  
10 the department of education, and the Iowa nurses  
11 association, shall adopt rules pursuant to chapter  
12 17A relating to the establishment and administration  
13 of the nurse educator scholarship program. The rules  
14 shall include provisions specifying what constitutes  
15 a qualifying teaching position and the amount of any  
16 scholarship.  
17 4. *Nurse educator*  
18 *scholarship-in-exchange-for-service program.*  
19 *a.* The commission shall establish a nurse educator  
20 scholarship-in-exchange-for-service program. Funding

21 for the program may be provided through the health care  
22 workforce shortage fund or the health care professional  
23 and Iowa needs nurses now initiative account created  
24 in section 135.175. The goal of the nurse educator  
25 scholarship-in-exchange-for-service program is to  
26 address the waiting list of qualified applicants to  
27 Iowa's nursing schools by providing incentives for the  
28 education of additional nursing educators. For the  
29 purposes of this subsection, "*nurse educator*" means  
30 a registered nurse who holds a master's degree or  
31 doctorate degree and is employed as a faculty member  
32 who teaches nursing in a nursing education program  
33 as provided in 655 IAC 2.6 at a community college,  
34 an accredited private institution, or an institution  
35 of higher education governed by the state board of

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1 regents.  
2 *b.* The program shall consist of scholarships to  
3 further advance the education of nurses to become  
4 nurse educators. The program shall provide for  
5 scholarship-in-exchange-for-service payments in  
6 an amount established by rule for students who are  
7 preparing to teach in qualifying teaching positions for  
8 a period of not less than four consecutive academic  
9 years.  
10 *c.* The scholarship-in-exchange-for-service  
11 recipient and the commission shall enter into an  
12 agreement specifying the obligations of the applicant  
13 and the commission. If the nurse educator leaves the  
14 qualifying teaching position prior to teaching for four  
15 consecutive academic years, the nurse educator shall be  
16 liable to repay the scholarship-in-exchange-for-service  
17 amount to the state plus interest as specified by rule.  
18 However, if the nurse educator leaves the qualified  
19 teaching position involuntarily, the nurse educator  
20 shall be liable to repay only a pro rata amount of the  
21 scholarship based on incomplete years of service.  
22 *d.* The receipt of a nurse educator  
23 scholarship-in-exchange-for-service shall not  
24 impact eligibility of an individual for other  
25 financial incentives including but not limited to loan  
26 forgiveness programs.  
27 *e.* The commission, in consultation with  
28 the department of public health, the board of  
29 nursing, the department of education, and the Iowa  
30 nurses association, shall adopt rules pursuant  
31 to chapter 17A relating to the establishment  
32 and administration of the nurse educator  
33 scholarship-in-exchange-for-service program. The  
34 rules shall include the provisions specifying what

35 constitutes a qualifying teaching position and the

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1 amount of any scholarship-in-exchange-for-service.

2 ~~5. *Repeal.* This section is repealed June 30, 2016.~~

3 Sec. 90. EFFECTIVE UPON ENACTMENT. This division  
4 of this Act, being deemed of immediate importance,  
5 takes effect upon enactment.

6 Sec. 91. RETROACTIVE APPLICABILITY. This division  
7 of this Act is retroactively applicable to June 30,  
8 2016.

9 DIVISION XVII

10 NON-STATE GOVERNMENT-OWNED NURSING FACILITY UPPER  
11 PAYMENT LIMIT SUPPLEMENTAL PAYMENT PROGRAM

12 Sec. 92. Section 249L.2, Code 2016, is amended by  
13 adding the following new subsections:

14 NEW SUBSECTION. 5A. “Non-state governmental entity”  
15 means a hospital authority, hospital district, health  
16 care district, city, or county.

17 NEW SUBSECTION. 5B. “Non-state government-owned  
18 nursing facility” means a nursing facility owned or  
19 operated by a non-state governmental entity for which  
20 a non-state governmental entity holds the nursing  
21 facility’s license and is party to the nursing  
22 facility’s Medicaid contract.

23 Sec. 93. Section 249L.2, subsection 6, Code 2016,  
24 is amended to read as follows:

25 6. “*Nursing facility*” means a licensed nursing  
26 facility as defined in section 135C.1 that is a  
27 freestanding facility or a nursing facility operated by  
28 a hospital licensed pursuant to chapter 135B, but does  
29 not include a distinct-part skilled nursing unit or a  
30 swing-bed unit operated by a hospital, or a nursing  
31 facility owned by the state or federal government ~~or~~  
32 ~~other governmental unit.~~ “Nursing facility” includes  
33 a non-state government-owned nursing facility if  
34 the nursing facility participates in the non-state  
35 government-owned nursing facility upper payment limit

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1 supplemental payment program.

2 Sec. 94. NON-STATE GOVERNMENT-OWNED NURSING  
3 FACILITY UPPER PAYMENT LIMIT SUPPLEMENTAL PAYMENT  
4 PROGRAM.

5 1. The department of human services shall submit,  
6 to the centers for Medicare and Medicaid services  
7 (CMS) of the United States department of health and  
8 human services, a Medicaid state plan amendment to  
9 allow qualifying non-state government-owned nursing  
10 facilities to receive a supplemental payment in



11 accordance with the upper payment limit requirements  
12 pursuant to 42 C.F.R. §447.272. The supplemental  
13 payment shall be in addition to the greater of the  
14 Medicaid fee-for-service per diem reimbursement rate  
15 or the per diem payment established for the nursing  
16 facility under a Medicaid managed care contract.  
17 2. At a minimum, the Medicaid state plan amendment  
18 shall provide for all of the following:  
19 a. A non-state governmental entity shall provide  
20 the state share of the expected supplemental payment in  
21 the form of an intergovernmental transfer to the state.  
22 b. The state shall claim federal matching funds and  
23 shall make supplemental payments to eligible non-state  
24 governmental entities based on the supplemental amount  
25 as calculated by the state for each nursing facility  
26 for which a non-state governmental entity owns the  
27 nursing facility's license. A managed care contractor  
28 shall not retain any portion of the supplemental  
29 payment, but shall treat the supplemental payment  
30 as a pass through payment to the eligible non-state  
31 governmental entity.  
32 c. The supplemental payment program shall be budget  
33 neutral to the state. No general fund revenue shall  
34 be expended under the program including for costs  
35 of administration. If payments under the program

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1 result in overpayment to a nursing facility, or if CMS  
2 disallows federal participation related to a nursing  
3 facility's receipt or use of supplemental payments  
4 authorized under the program, the state may recoup  
5 an amount equivalent to the amount of supplemental  
6 payments overpaid or disallowed. Supplemental payments  
7 shall be subject to any adjustment for payments made in  
8 error, including but not limited to adjustments made  
9 by state or federal law, and the state may recoup an  
10 amount equivalent to any such adjustment.  
11 d. A nursing facility participating in the program  
12 shall notify the state of any changes in ownership that  
13 may affect the nursing facility's continued eligibility  
14 for the program within thirty days of any such change.  
15 e. No portion of the supplemental payment paid  
16 to a participating nursing facility may be used for  
17 contingent fees. Expenditures for development fees,  
18 legal fees, or consulting fees shall not exceed five  
19 percent of the supplemental funds received, annually,  
20 and any such expenditures shall be reported to the  
21 department of human services, and included in the  
22 department's annual report pursuant to subsection 3.  
23 f. The supplemental payment paid to a participating  
24 nursing facility shall only be used as specified in

25 state and federal law. Supplemental payments paid to  
26 a participating nursing facility shall only be used as  
27 follows:

28 (1) A portion of the amount received may be used  
29 for nursing facility quality improvement initiatives  
30 including but not limited to educational scholarships  
31 and nonmandatory training. Priority in the awarding  
32 of contracts for such training shall be for Iowa-based  
33 organizations.

34 (2) A portion of the amount received may be  
35 used for nursing facility remodeling or renovation.

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1 Priority in the awarding of contracts for such  
2 remodeling or renovations shall be for Iowa-based  
3 organizations and skilled laborers.

4 (3) A portion of the amount received may be used  
5 for health information technology infrastructure and  
6 software. Priority in the awarding of contracts for  
7 such health information technology infrastructure and  
8 software shall be for Iowa-based organizations.

9 (4) A portion of the amount received may be  
10 used for endowments to offset costs associated with  
11 maintenance of hospitals licensed under chapter 135B  
12 and nursing facilities licensed under chapter 135C.

13 g. A non-state governmental entity shall only  
14 be eligible for supplemental payments attributable  
15 to up to 10 percent of the potential non-state  
16 government-owned nursing facilities licensed in the  
17 state.

18 3. Following receipt of approval and implementation  
19 of the program, the department shall submit a report to  
20 the governor and the general assembly, annually, on or  
21 before December 15, regarding the program. The report  
22 shall include, at a minimum, the name and location  
23 of participating non-state governmental entities and  
24 the non-state government-owned nursing facilities  
25 with which the non-state governmental entities have  
26 partnered to participate in the program; the amount  
27 of the matching funds provided by each non-state  
28 governmental entity; the net supplemental payment  
29 amount received by each participating non-governmental  
30 entity and non-state government-owned nursing facility;  
31 and the amount expended for each of the specified  
32 categories of approved expenditure.

33 4. The department of human services shall work  
34 collaboratively with representatives of nursing  
35 facilities, hospitals, and other affected stakeholders

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1 in adopting administrative rules, and in implementing  
2 and administering this program.

3 5. As used in this section:

4 a. "Non-state governmental entity" means a hospital  
5 authority, hospital district, health care district,  
6 city, or county.

7 b. "Non-state government-owned nursing facility"  
8 means a nursing facility owned or operated by a  
9 non-state governmental entity for which a non-state  
10 governmental entity holds the nursing facility's  
11 license and is party to the nursing facility's Medicaid  
12 contract.

13 Sec. 95. EFFECTIVE UPON ENACTMENT. This division  
14 of this Act, being deemed of immediate importance,  
15 takes effect upon enactment.

16 Sec. 96. IMPLEMENTATION PROVISIONS.

17 1. The section of this division of this Act  
18 directing the department of human services to submit  
19 a Medicaid state plan amendment to CMS shall be  
20 implemented as soon as possible following enactment,  
21 consistent with all applicable federal requirements.

22 2. The sections of this division of this Act  
23 amending section 249L.2, shall only be implemented upon  
24 receipt by the department of human services of approval  
25 of the Medicaid state plan amendment by the centers for  
26 Medicare and Medicaid services of the United States  
27 department of health and human services, and if such  
28 approval is received, are applicable no earlier than  
29 the first day of the calendar quarter following the  
30 date of receipt of such approval.

31 DIVISION XVIII

32 TRAUMA CARE SYSTEM

33 Sec. 97. Section 147A.23, subsection 2, paragraph  
34 c, Code 2016, is amended to read as follows:

35 c. (1) Upon verification and the issuance of a

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1 certificate of verification, a hospital or emergency  
2 care facility agrees to maintain a level of commitment  
3 and resources sufficient to meet responsibilities  
4 and standards as required by the trauma care  
5 criteria established by rule under this subchapter.  
6 Verifications are valid for a period of three years  
7 or as determined by the department and are renewable.  
8 As part of the verification and renewal process, the  
9 department may conduct periodic on-site reviews of the  
10 services and facilities of the hospital or emergency  
11 care facility.

12 (2) Notwithstanding subparagraph (1), the

13 department shall not decrease a level II certificate  
14 of verification issued to a trauma care facility by  
15 the department on or before July 1, 2015, unless the  
16 facility subsequently fails to comply with the trauma  
17 care criteria established in administrative rules in  
18 effect on July 1, 2015.

19 Sec. 98. EFFECTIVE UPON ENACTMENT. This division  
20 of this Act, being deemed of immediate importance,  
21 takes effect upon enactment.

22 Sec. 99. RETROACTIVE APPLICABILITY. This division  
23 of this Act applies retroactively to June 30, 2015.

24 DIVISION XIX

25 MENTAL HEALTH AND DISABILITY SERVICES REGIONS —  
26 FUNDING

27 Sec. 100. MENTAL HEALTH AND DISABILITY SERVICES  
28 REGIONS — FUNDING.

29 1. There is appropriated from the general fund of  
30 the state to the department of human services for the  
31 fiscal year beginning July 1, 2016, and ending June 30,  
32 2017, the following amount, or so much thereof as is  
33 necessary, to be used for the purpose designated:

34 For a grant to a five-county mental health and  
35 disability services region with a population of between

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1 290,000 to 300,000 as determined by the latest federal  
2 decennial census, for the provision of mental health  
3 and disability services within the region:

4 ..... \$ 250,000

5 The moneys appropriated in this subsection are  
6 contingent upon the continuation of sustainable service  
7 funding relationships between all counties in the  
8 region for the fiscal year beginning July 1, 2016,  
9 and ending June 30, 2017. The department and the  
10 region shall enter into a memorandum of understanding  
11 regarding the use of the moneys by the region prior to  
12 the region's receipt of moneys under this subsection.

13 2. There is appropriated from the general fund of  
14 the state to the department of human services for the  
15 fiscal year beginning July 1, 2016, and ending June 30,  
16 2017, the following amount, or so much thereof as is  
17 necessary, to be used for the purpose designated:

18 For a grant to a mental health and disability  
19 services region with a population between 560,000  
20 and 565,000 as determined by the latest federal  
21 decennial census, for the provision of mental health  
22 and disability services within the region:

23 ..... \$ 250,000

24 The moneys appropriated in this subsection are  
25 contingent upon the continuation of sustainable service  
26 funding relationships between the counties in the

27 region for the fiscal year beginning July 1, 2016,  
 28 and ending June 20, 2017. The department and the  
 29 region shall enter into a memorandum of understanding  
 30 regarding the use of the moneys prior to the region's  
 31 receipt of the moneys under this subsection.  
 32 3. There is appropriated from the general fund of  
 33 the state to the department of human services for the  
 34 fiscal year beginning July 1, 2016, and ending June 30,  
 35 2017, the following amount, or so much thereof as is

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1 necessary, to be used for the purpose designated:  
 2 For a grant to a single-county mental health and  
 3 disability services region with a population of over  
 4 350,000 as determined by the latest federal decennial  
 5 census, for the provision of mental health and  
 6 disability services within the region:  
 7 ..... \$ 2,500,000  
 8 The department and the region shall enter into  
 9 a memorandum of understanding regarding the use of  
 10 the moneys and detailing the provisions of the plan  
 11 prior to the region's receipt of moneys under this  
 12 subsection.  
 13 4. The department shall distribute moneys  
 14 appropriated in this section within 60 days of the date  
 15 of signing of the memorandum of understanding between  
 16 the department and each region.  
 17 5. Moneys awarded under this section shall be used  
 18 by the regions consistent with each region's service  
 19 system management plan as approved by the department.

DIVISION XX

21 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN PROGRESS  
 22 REPORT

23 Sec. 101. MENTAL HEALTH AND DISABILITY SERVICES  
 24 REDESIGN PROGRESS REPORT. The department of human  
 25 services shall review and report progress on the  
 26 implementation of the adult mental health and  
 27 disability services redesign and shall identify  
 28 any challenges faced in achieving the goals of the  
 29 redesign. The progress report shall include but  
 30 not be limited to information regarding the mental  
 31 health and disability services regional service system  
 32 including governance, management, and administration;  
 33 the implementation of best practices including  
 34 evidence-based best practices; the availability of,  
 35 access to, and provision of initial core services

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1 and additional core services to and for required  
 2 core service populations and additional core service

3 populations; and the financial stability and fiscal  
 4 viability of the redesign. The department shall  
 5 submit its report with findings to the governor and the  
 6 general assembly no later than November 15, 2016.

7 DIVISION XXI

8 REFUGEE RISE AMERICORPS PROGRAM

9 Sec. 102. Section 15H.5, subsection 5, paragraph a,  
 10 Code 2016, is amended to read as follows:

11 a. Funding for the Iowa summer youth corps program,  
 12 the Iowa green corps program established pursuant  
 13 to section 15H.6, ~~and~~ the Iowa reading corps program  
 14 established pursuant to section 15H.7, ~~and the~~  
 15 RefugeeRISE AmeriCorps program established pursuant to  
 16 section 15H.8, shall be obtained from private sector,  
 17 and local, state, and federal government sources, or  
 18 from other available funds credited to the community  
 19 programs account, which shall be created within the  
 20 economic development authority under the authority of  
 21 the commission. Moneys available in the account for a  
 22 fiscal year are appropriated to the commission to be  
 23 used for the programs. The commission may establish an  
 24 escrow account within the authority and obligate moneys  
 25 within that escrow account for tuition or program  
 26 payments to be made beyond the term of any fiscal year.  
 27 Notwithstanding section 12C.7, subsection 2, interest  
 28 earned on moneys in the community programs account  
 29 shall be credited to the account. Notwithstanding  
 30 section 8.33, moneys in the community programs account  
 31 or escrow account shall not revert to the general fund  
 32 but shall remain available for expenditure in future  
 33 fiscal years.

34 Sec. 103. NEW SECTION. 15H.8 RefugeeRISE  
 35 AmeriCorps program.

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1 1. a. The Iowa commission on volunteer service, in  
 2 collaboration with the department of human services,  
 3 shall establish a Refugee Rebuild, Integrate, Serve,  
 4 Empower (RefugeeRISE) AmeriCorps program to increase  
 5 community integration and engagement for diverse  
 6 refugee communities in rural and urban areas across the  
 7 state.  
 8 b. The commission, in collaboration with the  
 9 department of human services, may adopt rules pursuant  
 10 to chapter 17A to implement and administer this  
 11 section.  
 12 2. The commission may use moneys in and lawfully  
 13 available to the community programs account created in  
 14 section 15H.5 to fund the program.  
 15 3. The commission shall submit an annual report  
 16 to the general assembly and the department of human

17 services relating to the efficacy of the program.

18 DIVISION XXII

19 MENINGOCOCCAL IMMUNIZATION

20 Sec. 104. Section 139A.8, subsection 2, Code 2016,

21 is amended by adding the following new paragraph:

22 NEW PARAGRAPH. e. A person shall not be enrolled

23 in school in the seventh grade or twelfth grade in

24 Iowa without evidence of adequate immunization against

25 meningococcal disease in accordance with standards

26 approved by the United States public health service

27 of the United States department of health and human

28 services for such biological products and is in

29 accordance with immunization practices recommended by

30 the advisory committee on immunization practices of the

31 centers for disease control and prevention.

32 DIVISION XXIII

33 MEDICATION SYNCHRONIZATION

34 Sec. 105. NEW SECTION. **514C.5A Prescription drug**

35 **medication synchronization.**

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1 1. A carrier, as defined in section 513B.2, that  
2 provides prescription drug coverage through a policy  
3 or contract delivered, issued for delivery, continued,  
4 or renewed on or after January 1, 2017, shall offer  
5 medication synchronization services that allow for the  
6 alignment of refill dates for a covered individual's  
7 prescription drugs that are a covered benefit. Such  
8 carrier shall comply with all of the following:

9 a. Shall not deny coverage and shall prorate the  
10 cost sharing rate for a prescription drug that is a  
11 covered benefit and is dispensed by a network pharmacy  
12 in less than the standard refill amount, if the covered  
13 individual requests both enrollment in a medication  
14 synchronization program and a less-than-standard refill  
15 amount for the purposes of medication synchronization.

16 b. Shall accept early refill and short fill  
17 requests for prescription drugs using the submission  
18 clarification and message codes adopted by the national  
19 council for prescription drug plans or alternative  
20 codes specified by the carrier.

21 c. Shall pay the ingredient cost and the dispensing  
22 fee in accordance with the contracted rate for each  
23 submitted claim, regardless of the days' supply  
24 specified in the claim submitted. However, compounded  
25 medications shall not be eligible for the ingredient  
26 cost payment.

27 2. For purposes of this section, "*medication*  
28 *synchronization*" means the coordination of medication  
29 refills for a patient taking two or more medications  
30 for a chronic condition that are dispensed by a single

31 network pharmacy to facilitate the synchronization  
32 of an individual's medications for the purpose of  
33 improving medication adherence.

34 DIVISION XXIV  
35 AUTISM SPECTRUM DISORDERS COVERAGE

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1 Sec. 106. Section 225D.1, subsection 8, Code  
2 2016, as otherwise amended by this Act, if enacted, is  
3 amended to read as follows:

4 8. "*Eligible individual*" means a child less than  
5 fourteen years of age who has been diagnosed with  
6 autism based on a diagnostic assessment of autism,  
7 is not otherwise eligible for coverage for applied  
8 behavioral analysis treatment under the medical  
9 assistance program, section ~~514C.28~~ 514C.31, or other  
10 private insurance coverage, and whose household income  
11 does not exceed five hundred percent of the federal  
12 poverty level.

13 Sec. 107. Section 225D.2, subsection 2, paragraph  
14 1, Code 2016, is amended to read as follows:

15 1. Proof of eligibility for the autism support  
16 program that includes a written denial for coverage or  
17 a benefits summary indicating that applied behavioral  
18 analysis treatment is not a covered benefit for which  
19 the applicant is eligible, under the Medicaid program,  
20 section ~~514C.28~~ 514C.31, or other private insurance  
21 coverage.

22 Sec. 108. Section 225D.2, subsection 3, Code 2016,  
23 is amended to read as follows:

24 3. Moneys in the autism support fund created under  
25 subsection 5 shall be expended only for eligible  
26 individuals who are not eligible for coverage for  
27 applied behavioral analysis treatment under the medical  
28 assistance program, section ~~514C.28~~ 514C.31, or other  
29 private insurance. Payment for applied behavioral  
30 analysis treatment through the fund shall be limited  
31 to only applied behavioral analysis treatment that is  
32 clinically relevant and only to the extent approved  
33 under the guidelines established by rule of the  
34 department.

35 Sec. 109. NEW SECTION. 514C.31 Autism spectrum

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1 **disorders coverage.**

2 1. Notwithstanding the uniformity of treatment  
3 requirements of section 514C.6, a group policy,  
4 contract, or plan providing for third-party payment or  
5 prepayment of health, medical, and surgical coverage  
6 benefits shall provide coverage benefits to covered



7 individuals under twenty-two years of age for the  
8 screening, diagnosis, and treatment of autism spectrum  
9 disorders if the policy, contract, or plan is either  
10 of the following:

11 a. A policy, contract, or plan issued by a carrier,  
12 as defined in section 513B.2, or an organized delivery  
13 system authorized under 1993 Iowa Acts, chapter 158,  
14 to an employer who on at least fifty percent of the  
15 employer's working days during the preceding calendar  
16 year employed more than fifty full-time equivalent  
17 employees. In determining the number of full-time  
18 equivalent employees of an employer, employers who  
19 are affiliated or who are able to file a consolidated  
20 tax return for purposes of state taxation shall be  
21 considered one employer.

22 b. A plan established pursuant to chapter 509A for  
23 public employees.

24 2. As used in this section, unless the context  
25 otherwise requires:

26 a. "*Applied behavior analysis*" means the design,  
27 implementation, and evaluation of environmental  
28 modifications, using behavioral stimuli and  
29 consequences, to produce socially significant  
30 improvement in human behavior or to prevent loss of  
31 attained skill or function, including the use of direct  
32 observation, measurement, and functional analysis of  
33 the relations between environment and behavior.

34 b. "*Autism spectrum disorder*" means any of  
35 the pervasive developmental disorders including

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1 autistic disorder, Asperger's disorder, and pervasive  
2 developmental disorders not otherwise specified. The  
3 commissioner, by rule, shall define "*autism spectrum*  
4 *disorder*" consistent with definitions provided in  
5 the most recent edition of the American psychiatric  
6 association's diagnostic and statistical manual of  
7 mental disorders, as such definitions may be amended  
8 from time to time. The commissioner may adopt the  
9 definitions provided in such manual by reference.

10 c. "*Behavioral health treatment*" means counseling  
11 and treatment programs, including applied behavior  
12 analysis, that meet the following requirements:

13 (1) Are necessary to develop, maintain, or restore,  
14 to the maximum extent practicable, the functioning of  
15 an individual.

16 (2) Are provided or supervised by a behavior  
17 analyst certified by a nationally recognized board, or  
18 by a licensed psychologist, so long as the services are  
19 performed commensurate with the psychologist's formal  
20 training and supervised experience.

21 *d. "Diagnosis of autism spectrum disorder"* means the  
22 use of medically necessary assessments, evaluations, or  
23 tests to diagnose whether an individual has an autism  
24 spectrum disorder.

25 *e. "Pharmacy care"* means medications prescribed by  
26 a licensed physician and any assessment, evaluation,  
27 or test prescribed or ordered by a licensed physician  
28 to determine the need for or effectiveness of such  
29 medications.

30 *f. "Psychiatric care"* means direct or consultative  
31 services provided by a licensed physician who  
32 specializes in psychiatry.

33 *g. "Psychological care"* means direct or consultative  
34 services provided by a licensed psychologist.

35 *h. "Therapeutic care"* means services provided by

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1 a licensed speech pathologist, licensed occupational  
2 therapist, or licensed physical therapist.

3 *i. "Treatment for autism spectrum disorder"* means  
4 evidence-based care and related equipment prescribed  
5 or ordered for an individual diagnosed with an autism  
6 spectrum disorder by a licensed physician or a licensed  
7 psychologist who determines that the treatment is  
8 medically necessary, including but not limited to the  
9 following:

10 (1) Behavioral health treatment.

11 (2) Pharmacy care.

12 (3) Psychiatric care.

13 (4) Psychological care.

14 (5) Therapeutic care.

15 *j. "Treatment plan"* means a plan for the treatment  
16 of an autism spectrum disorder developed by a licensed  
17 physician or licensed psychologist pursuant to a  
18 comprehensive evaluation or reevaluation performed  
19 in a manner consistent with the most recent clinical  
20 report or recommendations of the American academy of  
21 pediatrics, as determined by the commissioner by rule.

22 3. Coverage for applied behavior analysis is  
23 required pursuant to this section for a maximum  
24 benefit amount of thirty-six thousand dollars per year.  
25 Beginning in 2020, the commissioner shall, on or before  
26 July 1 of each calendar year, publish an adjustment for  
27 inflation to the maximum benefit required equal to the  
28 percentage change in the medical care component of the  
29 United States department of labor consumer price index  
30 for all urban consumers in the preceding year, and the  
31 published adjusted maximum benefit shall be applicable  
32 to group policies, contracts, or plans subject to  
33 this section that are delivered, issued for delivery,  
34 continued, or renewed on or after January 1 of the

35 following calendar year. Payments made under a group

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1 policy, contract, or plan subject to this section on  
2 behalf of a covered individual for any treatment other  
3 than applied behavior analysis shall not be applied  
4 toward the maximum benefit established under this  
5 subsection.  
6 4. Coverage for applied behavior analysis shall  
7 include the services of persons working under the  
8 supervision of a behavior analyst certified by a  
9 nationally recognized board or under the supervision of  
10 a licensed psychologist, to provide applied behavior  
11 analysis.  
12 5. Coverage required pursuant to this section shall  
13 not be subject to any limits on the number of visits an  
14 individual may make for treatment of an autism spectrum  
15 disorder.  
16 6. Coverage required pursuant to this section  
17 shall not be subject to dollar limits, deductibles,  
18 copayments, or coinsurance provisions, or any other  
19 general exclusions or limitations of a group plan  
20 that are less favorable to an insured than the dollar  
21 limits, deductibles, copayments, or coinsurance  
22 provisions that apply to substantially all medical and  
23 surgical benefits under the policy, contract, or plan,  
24 except as provided in subsection 3.  
25 7. Coverage required by this section shall be  
26 provided in coordination with coverage required for the  
27 treatment of autistic disorders pursuant to section  
28 514C.22.  
29 8. This section shall not be construed to limit  
30 benefits which are otherwise available to an individual  
31 under a group policy, contract, or plan.  
32 9. This section shall not be construed as affecting  
33 any obligation to provide services to an individual  
34 under an individualized family service plan, an  
35 individualized education program, or an individualized

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1 service plan.  
2 10. Except for inpatient services, if an insured is  
3 receiving treatment for an autism spectrum disorder,  
4 an insurer is entitled to review the treatment plan  
5 annually, unless the insurer and the insured's treating  
6 physician or psychologist agree that a more frequent  
7 review is necessary. An agreement giving an insurer  
8 the right to review the treatment plan of an insured  
9 more frequently applies only to that insured and does  
10 not apply to other individuals being treated for autism

11 spectrum disorders by a physician or psychologist. The  
12 cost of conducting a review of a treatment plan shall  
13 be borne by the insurer.

14 11. This section shall not apply to accident-only,  
15 specified disease, short-term hospital or medical,  
16 hospital confinement indemnity, credit, dental, vision,  
17 Medicare supplement, long-term care, basic hospital  
18 and medical-surgical expense coverage as defined  
19 by the commissioner, disability income insurance  
20 coverage, coverage issued as a supplement to liability  
21 insurance, workers' compensation or similar insurance,  
22 or automobile medical payment insurance, or individual  
23 accident and sickness policies issued to individuals or  
24 to individual members of a member association.

25 12. The commissioner shall adopt rules pursuant to  
26 chapter 17A to implement and administer this section.

27 13. An insurer shall not terminate coverage of an  
28 individual solely because the individual is diagnosed  
29 with or has received treatment for an autism spectrum  
30 disorder.

31 14. *a.* By February 1, 2018, and every February 1  
32 thereafter, the commissioner shall submit a report to  
33 the general assembly regarding implementation of the  
34 coverage required under this section. The report shall  
35 include information concerning but not limited to all

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1 of the following:

2 (1) The total number of insureds diagnosed with  
3 autism spectrum disorder in the immediately preceding  
4 calendar year.

5 (2) The total cost of all claims paid out in the  
6 immediately preceding calendar year for coverage  
7 required under this section.

8 (3) The cost of such coverage per insured per  
9 month.

10 (4) The average cost per insured per month for  
11 coverage of applied behavior analysis required under  
12 this section.

13 *b.* All third-party payment provider policies,  
14 contracts, or plans, as specified in subsection 1,  
15 and plans established pursuant to chapter 509A shall  
16 provide the commissioner with data requested by the  
17 commissioner for inclusion in the annual report.

18 15. If any provision of this section or its  
19 application to any person or circumstance is held  
20 invalid, the invalidity does not affect other  
21 provisions or application of this section which can  
22 be given effect without the invalid provision or  
23 application, and to this end the provisions of this  
24 section are severable.

25 16. This section applies to third-party payment  
 26 provider policies, contracts, or plans, as specified  
 27 in subsection 1, and to plans established pursuant to  
 28 chapter 509A, that are delivered, issued for delivery,  
 29 continued, or renewed in this state on or after January  
 30 1, 2017.  
 31 Sec. 110. REPEAL. Section 514C.28, Code 2016, is  
 32 repealed.  
 33 Sec. 111. EFFECTIVE DATE. The following provisions  
 34 of this division of this Act take effect January 1,  
 35 2017:

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- 1 1. The sections of this division of this Act
- 2 amending sections 225D.1 and 225D.2.
- 3 2. The section of this division of this Act
- 4 repealing section 514C.28.>

SENATE AMENDMENT

H-8278

1 Amend House File 2459, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <DIVISION I  
 6 STANDING APPROPRIATIONS AND RELATED MATTERS  
 7 Section 1. 2015 Iowa Acts, chapter 138, section 3,  
 8 is amended by adding the following new subsection:  
 9 NEW SUBSECTION. 4. For the peace officers'  
 10 retirement, accident, and disability system retirement  
 11 fund under section 97A.11A:  
 12 ..... \$ 2,500,000  
 13 Sec. 2. 2015 Iowa Acts, chapter 138, is amended by  
 14 adding the following new section:  
 15 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.  
 16 1. The appropriations made pursuant to section  
 17 2.12 for the expenses of the general assembly and  
 18 legislative agencies for the fiscal year beginning July  
 19 1, 2016, and ending June 30, 2017, are reduced by the  
 20 following amount:  
 21 ..... \$ 5,400,000  
 22 2. The budgeted amounts for the general assembly  
 23 and legislative agencies for the fiscal year beginning  
 24 July 1, 2016, may be adjusted to reflect the unexpended  
 25 budgeted amounts from the previous fiscal year.  
 26 Sec. 3. 2015 Iowa Acts, chapter 138, is amended by  
 27 adding the following new section:  
 28 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
 29 is amended by adding the following new subsection:

30 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
 31 and in addition to the reduction applicable pursuant  
 32 to subsection 2, the state aid for area education  
 33 agencies and the portion of the combined district cost  
 34 calculated for these agencies for the fiscal year  
 35 beginning July 1, 2016, and ending June 30, 2017,

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1 shall be reduced by the department of management by  
 2 eighteen million seven hundred fifty thousand dollars.  
 3 The reduction for each area education agency shall  
 4 be prorated based on the reduction that the agency  
 5 received in the fiscal year beginning July 1, 2003.

6 Sec. 4. Section 2.48, subsection 3, Code 2016, is  
 7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. *Of.* In 2016:

9 (1) The homestead tax credit under chapter 425.

10 (2) The elderly and disabled property tax credit  
 11 under chapter 425.

12 (3) The agricultural land tax credit under chapter  
 13 426.

14 (4) The military service tax credit under chapter  
 15 426A.

16 (5) The business property tax credit under chapter  
 17 426C.

18 (6) The commercial and industrial property tax  
 19 replacement claims under section 441.21A.

20 Sec. 5. Section 230.8, Code 2016, is amended to  
 21 read as follows:

22 **230.8 Transfers of persons with mental illness —**  
 23 **expenses.**

24 The transfer to any state hospitals or to the places  
 25 of their residence of persons with mental illness who  
 26 have no residence in this state or whose residence is  
 27 unknown and deemed to be a state case, shall be made  
 28 according to the directions of the administrator,  
 29 and when practicable by employees of the state  
 30 hospitals. The actual and necessary expenses of such  
 31 transfers shall be paid by the department on itemized  
 32 vouchers sworn to by the claimants and approved by  
 33 the administrator, ~~and the amount of the expenses is~~  
 34 ~~appropriated to the department from any funds in the~~  
 35 ~~state treasury not otherwise appropriated.~~

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1 Sec. 6. Section 820.24, Code 2016, is amended to  
 2 read as follows:

3 **820.24 Expenses — how paid.**

4 When the punishment of the crime shall be the  
 5 confinement of the criminal in the penitentiary, the

6 ~~expenses shall be paid out of the state treasury, on~~  
 7 ~~the certificate of the governor and warrant of the~~  
 8 ~~director of the department of administrative services~~  
 9 ~~by the department of corrections; and in all other~~  
 10 cases they shall be paid out of the county treasury in  
 11 the county wherein the crime is alleged to have been  
 12 committed. The expenses shall be the fees paid to the  
 13 officers of the state on whose governor the requisition  
 14 is made, and all necessary and actual traveling  
 15 expenses incurred in returning the prisoner.

16 DIVISION II

17 MISCELLANEOUS PROVISIONS

18 Sec. 7. FRIENDSHIP AND LEADERSHIP  
 19 DEVELOPMENT. There is appropriated from the general  
 20 fund of the state to the department of education for  
 21 the fiscal year beginning July 1, 2016, and ending June  
 22 30, 2017, the following amount, or so much thereof as  
 23 is necessary, to be used for the purposes designated:

24 To provide a grant to a nonprofit organization with  
 25 a mission of promoting the education-based inclusion of  
 26 people with intellectual and developmental disabilities  
 27 through one-to-one friendships and leadership  
 28 development through school-based programs:  
 29 ..... \$ 50,000

30 Sec. 8. EQUAL PAY TASK FORCE — REPORT. The  
 31 legislative council is requested to create an equal pay  
 32 task force consisting of seven members. The task force  
 33 shall consist of two members of the senate appointed by  
 34 the majority leader of the senate, one member of the  
 35 senate appointed by the minority leader of the senate,

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1 two members of the house of representatives appointed  
 2 by the speaker of the house of representatives, one  
 3 member of the house of representatives appointed by the  
 4 minority leader of the house of representatives, and  
 5 the labor commissioner. The task force shall study  
 6 wage discrepancies between men and women both in public  
 7 and private employment. The task force shall submit  
 8 a report regarding its findings and recommendations  
 9 regarding potential actions for the elimination and  
 10 prevention of the wage disparities between men and  
 11 women to the governor and the general assembly not  
 12 later than December 22, 2017. The legislative services  
 13 agency shall provide staffing services to the task  
 14 force.

15 Sec. 9. INCOME TAX CHECKOFFS. Notwithstanding  
 16 Code section 422.12E which provides for the repeal  
 17 of certain income tax return checkoffs when the same  
 18 four checkoffs have been provided on the income tax  
 19 return for two consecutive years, the four income tax

20 return checkoffs provided in sections 422.12D, 422.12H,  
 21 422.12K, and 422.12L, Code 2016, as appearing on the  
 22 2015 individual income tax return, shall be allowed for  
 23 the tax year beginning January 1, 2016, and shall be  
 24 provided on the 2016 individual income tax return.

25 Sec. 10. SALARY MODEL ADMINISTRATOR. The salary  
 26 model administrator shall work in conjunction with  
 27 the legislative services agency to maintain the  
 28 state's salary model used for analyzing, comparing,  
 29 and projecting state employee salary and benefit  
 30 information, including information relating to  
 31 employees of the state board of regents. The  
 32 department of revenue, the department of administrative  
 33 services, the five institutions under the jurisdiction  
 34 of the state board of regents, the judicial district  
 35 departments of correctional services, and the state

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1 department of transportation shall provide salary data  
 2 to the department of management and the legislative  
 3 services agency to operate the state's salary  
 4 model. The format and frequency of provision of the  
 5 salary data shall be determined by the department of  
 6 management and the legislative services agency. The  
 7 information shall be used in collective bargaining  
 8 processes under chapter 20 and in calculating the  
 9 funding needs contained within the annual salary  
 10 adjustment legislation. A state employee organization  
 11 as defined in section 20.3, subsection 4, may request  
 12 information produced by the model, but the information  
 13 provided shall not contain information attributable to  
 14 individual employees.

15 Sec. 11. Section 24.32, Code 2016, is amended to  
 16 read as follows:

17 **24.32 Decision certified.**

18 After a hearing upon the appeal, the state board  
 19 shall certify its decision to the county auditor and  
 20 to the parties to the appeal as provided by rule, and  
 21 the decision shall be final. The county auditor shall  
 22 make up the records in accordance with the decision and  
 23 the levying board shall make its levy in accordance  
 24 with the decision. Upon receipt of the decision, the  
 25 certifying board shall correct its records accordingly,  
 26 if necessary. Final disposition of all appeals shall  
 27 be made by the state board ~~on or before April 30 of~~  
 28 ~~each year~~ within forty-five days after the date of the  
 29 appeal hearing.

30 Sec. 12. **NEW SECTION. 135.37A Natural hair**  
 31 **braiding.**

32 1. A person shall register with the department in  
 33 order to perform a commercial service involving natural



34 hair braiding. For purposes of this section, “*natural*  
35 *hair braiding*” means a method of natural hair care

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1 consisting of braiding, locking, twisting, weaving,  
2 cornrowing, or otherwise physically manipulating  
3 hair without the use of chemicals to alter the hair’s  
4 physical characteristics that incorporates both  
5 traditional and modern styling techniques.

6 2. The department shall adopt rules pursuant  
7 to chapter 17A to administer this section. Such  
8 rules shall include but not be limited to all of the  
9 following:

10 a. Establishing minimum safety and sanitation  
11 criteria for the provision of natural hair braiding.

12 b. Requiring a person performing natural hair  
13 braiding to complete one hour per calendar year of  
14 continuing education regarding minimum safety and  
15 sanitation criteria for the provision of natural hair  
16 braiding.

17 c. Authorizing the department to inspect a location  
18 where a person performs natural hair braiding upon  
19 receipt of a complaint to the department about that  
20 person or location.

21 3. If the department determines that a person is  
22 in violation of a requirement under this section, the  
23 department may order the person to cease performing  
24 natural hair braiding until the necessary corrective  
25 action has been taken.

26 Sec. 13. Section 256.7, subsection 32, paragraph c,  
27 unnumbered paragraph 1, Code 2016, is amended to read  
28 as follows:

29 Adopt rules that limit the statewide enrollment of  
30 pupils in educational instruction and course content  
31 that are delivered primarily over the internet to not  
32 more than eighteen one-hundredths of one percent of  
33 the statewide enrollment of all pupils, and that limit  
34 the number of pupils participating in open enrollment  
35 for purposes of receiving educational instruction

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1 and course content that are delivered primarily over  
2 the internet to no more than one percent of a sending  
3 district’s enrollment. ~~Until June 30, 2018, such~~ Such  
4 limitations shall not apply if the limitations would  
5 prevent siblings from enrolling in the same school  
6 district or if a sending district determines that  
7 the educational needs of a physically or emotionally  
8 fragile student would be best served by educational  
9 instruction and course content that are delivered

10 primarily over the internet. Students who meet the  
11 requirements of section 282.18 may participate in open  
12 enrollment under this paragraph “c” for purposes of  
13 enrolling only in the CAM community school district or  
14 the Clayton Ridge community school district.

15 Sec. 14. Section 256.7, subsection 32, paragraph  
16 c, Code 2016, is amended by adding the following new  
17 subparagraph:

18 NEW SUBPARAGRAPH. (6) This paragraph “c” is  
19 repealed July 1, 2018.

20 Sec. 15. Section 364.3, Code 2016, is amended by  
21 adding the following new subsection:

22 NEW SUBSECTION. 11. A city, including any city  
23 officer, shall not adopt or enforce any ordinance,  
24 resolution, or other policy restricting the mayor from  
25 communicating with the city attorney or solicitor  
26 regarding any matter within the scope of the mayor’s  
27 powers and duties as chief executive officer of the  
28 city, presiding officer of the council, or supervisor  
29 over city officers and departments.

30 Sec. 16. Section 418.12, subsection 5, Code 2016,  
31 is amended to read as follows:

32 5. If the department of revenue determines that  
33 the revenue accruing to the fund or accounts within  
34 the fund exceeds thirty million dollars for a fiscal  
35 year or exceeds the amount necessary for the purposes

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1 of this chapter if the amount necessary is less than  
2 thirty million dollars for a fiscal year, then those  
3 excess moneys shall be credited by the department of  
4 revenue for deposit in the general fund of the state.

5 Sec. 17. Section 915.25, subsection 3, as enacted  
6 by 2016 Iowa Acts, Senate File 2288, section 16, is  
7 amended to read as follows:

8 3. Notwithstanding the provisions of sections  
9 232.147, 232.149, and 232.149A, an intake or juvenile  
10 court officer shall disclose to the alleged victim  
11 of a delinquent act, upon the request of the victim,  
12 the complaint, the name and address of the child  
13 who allegedly committed the delinquent act, and  
14 the disposition of the complaint. If the alleged  
15 delinquent act would be a foreible felony serious  
16 misdemeanor, aggravated misdemeanor, or felony offense  
17 if committed by an adult, the intake or juvenile court  
18 officer shall provide notification to the victim of the  
19 delinquent act as required by section 915.24.

20 Sec. 18. 2016 Iowa Acts, Senate File 2314, section  
21 22, if enacted, is amended to read as follows:

22 SEC. 59. SECRETARY OF STATE. There is appropriated  
23 from the general fund of the state to the office of

24 the secretary of state for the fiscal year beginning  
25 July 1, 2016, and ending June 30, 2017, the following  
26 amounts, or so much thereof as is necessary, to be used  
27 for the purposes designated:

28	1. ADMINISTRATION AND ELECTIONS	
29	For salaries, support, maintenance, and	
30	miscellaneous purposes, and for not more than the	
31	following full-time equivalent positions:	
32	.....	\$ 1,440,890
33	..... FTEs	<del>13.10</del>
34		<u>15.60</u>
35	The state department or state agency which provides	

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1 data processing services to support voter registration  
2 file maintenance and storage shall provide those  
3 services without charge.

4	2. BUSINESS SERVICES	
5	For salaries, support, maintenance, and	
6	miscellaneous purposes, and for not more than the	
7	following full-time equivalent positions:	
8	.....	\$ 1,440,891
9	..... FTEs	<del>13.10</del>
10		<u>15.60</u>

11 DIVISION III

12 FLOOD MITIGATION PROGRAM

13 Sec. 19. Section 418.15, subsection 1, Code 2016,  
14 is amended to read as follows:

15 1. a. A governmental entity shall not receive  
16 remittances of sales tax revenue under this chapter  
17 after twenty years from the date the governmental  
18 entity's project was approved by the board or after  
19 expiration of the additional period of years if  
20 approved under paragraph "b" unless the remittance  
21 amount is calculated under section 418.11 based on  
22 sales subject to the tax under section 432.2 occurring  
23 before the expiration of the twenty-year period  
24 or expiration of the additional period of years if  
25 approved under paragraph "b".

26 b. The twenty-year period for receiving remittances  
27 of sales tax revenue under this chapter may be extended  
28 upon application by the governmental entity and  
29 approval by the board. An application for an extension  
30 of the twenty-year period must be filed by the  
31 governmental entity with the board prior to expiration  
32 of the twenty-year period. The board may approve the  
33 governmental entity to receive remittances of sales tax  
34 revenue under this chapter for an additional period of  
35 consecutive years beyond the twenty-year period if all

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1 of the following are satisfied:

2 (1) The total amount of remittances actually  
 3 received by the governmental entity during the  
 4 twenty-year period are less than the total amount of  
 5 remittances for which the governmental entity was  
 6 approved to receive by the board at the time of the  
 7 project's approval under section 418.9, subsection  
 8 4, and reduced under section 418.9, subsection 8,  
 9 or section 418.12, subsection 6, paragraph "b", if  
 10 applicable.

11 (2) The amount of the remittances approved in  
 12 each additional year does not exceed fifteen million  
 13 dollars or seventy percent of the total yearly amount  
 14 of increased sales tax increment revenue in the  
 15 governmental entity's applicable area and deposited in  
 16 the governmental entity's account, whichever is less.

17 (3) The total amount of remittances in any such  
 18 additional fiscal year for all governmental entities  
 19 approved to use sales tax revenues under this chapter  
 20 does not exceed, in the aggregate, thirty million  
 21 dollars.

22 (4) The total amount of remittances to the  
 23 governmental entity approved by the board for all  
 24 additional years does not exceed the difference between  
 25 the total amount of remittances actually received  
 26 by the governmental entity during the twenty-year  
 27 period and the total amount of remittances for which  
 28 the governmental entity was approved to receive by  
 29 the board at the time of the project's approval under  
 30 section 418.9, subsection 4, and reduced under section  
 31 418.9, subsection 8, or section 418.12, subsection 6,  
 32 paragraph "b", if applicable.

33 DIVISION IV

34 CORRECTIVE PROVISIONS

35 Sec. 20. Section 29C.24, subsection 3, paragraph

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1 a, subparagraphs (3) and (6), if enacted by 2016 Iowa  
 2 Acts, Senate File 2306, section 2, are amended to read  
 3 as follows:

4 (3) The imposition of income taxes under chapter  
 5 422, divisions II and III, including the requirement  
 6 to file tax returns under sections 422.13 through  
 7 422.15 or section 422.36, as applicable, and  
 8 including the requirement to withhold and remit  
 9 income tax from out-of-state employees under section  
 10 422.16. In addition, the performance of disaster or  
 11 emergency-related work during a disaster response  
 12 period by an out-of-state business or out-of-state

13 employee shall not require an out-of-state business  
 14 to be included in a consolidated return under section  
 15 422.37, and shall not increase the amount of net income  
 16 of the out-of-state business allocated and apportioned  
 17 to the state under ~~sections~~ section 422.8 or 422.33, as  
 18 applicable.

19 (6) The assessment of property taxes by the  
 20 department of revenue under sections 428.24 through  
 21 428.26, 428.28, and 428.29, or chapters 433, 434,  
 22 435, and 437 through 438, or by a local assessor  
 23 under another provision of law, on property brought  
 24 into the state to aid in the performance of disaster  
 25 or emergency-related work during a disaster response  
 26 period if such property does not remain in the state  
 27 after the conclusion of the disaster response period.

28 Sec. 21. Section 29C.24, subsection 4, if enacted  
 29 by 2016 Iowa Acts, Senate File 2306, section 2, is  
 30 amended to read as follows:

31 4. *Business and employee status after a disaster*  
 32 *response period.* An out-of-state business or  
 33 out-of-state employee that remains in the state after  
 34 the conclusion of the disaster response period ~~for~~  
 35 during which the disaster or emergency-related work

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1 was performed shall be fully subject to the state's  
 2 standards for establishing presence, residency, or  
 3 doing business as otherwise provided by law, and  
 4 shall be responsible for any resulting taxes, fees,  
 5 licensing, registration, filing, or other requirements.

6 Sec. 22. Section 155A.13, subsection 3, paragraph  
 7 d, if enacted by 2016 Iowa Acts, Senate File 453,  
 8 section 3, is amended to read as follows:

9 d. An applicant seeking a special or limited-use  
 10 pharmacy ~~licensed~~ license for a proposed telepharmacy  
 11 site that does not meet the mileage requirement  
 12 established in paragraph "c" and is not statutorily  
 13 exempt from the mileage requirement may apply to the  
 14 board for a waiver of the mileage requirement. A  
 15 waiver request shall only be granted if the applicant  
 16 can demonstrate to the board that the proposed  
 17 telepharmacy site is located in an area where there is  
 18 limited access to pharmacy services and can establish  
 19 the existence of compelling circumstances that justify  
 20 waiving the mileage requirement. The board's decision  
 21 to grant or deny a waiver request shall be a proposed  
 22 decision subject to mandatory review by the director  
 23 ~~of the department~~ of public health. The director  
 24 shall review a proposed decision and shall have the  
 25 power to approve, modify, or veto a proposed decision.  
 26 The director's decision on a waiver request shall be

27 considered final agency action subject to judicial  
28 review under chapter 17A.  
29 Sec. 23. Section 229.13, subsection 7, paragraph a,  
30 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
31 File 2259, section 1, is amended to read as follows:  
32 (1) The respondent's mental health professional  
33 acting within the scope of the mental health  
34 professional's practice shall notify the committing  
35 court, with preference given to the committing judge,

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1 if available, in the appropriate county ~~who~~ and the  
2 court shall enter a written order directing that  
3 the respondent be taken into immediate custody by  
4 the appropriate sheriff or sheriff's deputy. The  
5 appropriate sheriff or sheriff's deputy shall exercise  
6 all due diligence in taking the respondent into  
7 protective custody to a hospital or other suitable  
8 facility.  
9 Sec. 24. Section 272.25, subsection 3, Code 2016,  
10 as amended by 2016 Iowa Acts, Senate File 2196, section  
11 3, is amended to read as follows:  
12 3. A requirement that the program include  
13 instruction in skills and strategies to be used in  
14 classroom management of individuals, and of small and  
15 large groups, under varying conditions; skills for  
16 communicating and working constructively with pupils,  
17 teachers, administrators, and parents; preparation in  
18 reading theory, knowledge, strategies, and approaches,  
19 and for integrating literacy instruction ~~in~~ into  
20 content areas in accordance with section 256.16; and  
21 skills for understanding the role of the board of  
22 education and the functions of other education agencies  
23 in the state. The requirement shall be based upon  
24 recommendations of the department of education after  
25 consultation with teacher education faculty members in  
26 colleges and universities.  
27 Sec. 25. Section 598C.102, subsection 8, paragraph  
28 b, if enacted by 2016 Iowa Acts, Senate File 2233,  
29 section 2, is amended to read as follows:  
30 b. An individual who has custodial responsibility  
31 for a child under a law of this state other than this  
32 chapter.  
33 Sec. 26. 2016 Iowa Acts, House File 2269, section  
34 20, subsection 1, is amended to read as follows:  
35 1. It is amended, rescinded, or supplemented by the

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1 affirmative action of the executive ~~council~~ committee  
2 of the Iowa beef cattle producers association created

3 in section 181.3, as amended in this Act.

4 Sec. 27. 2016 Iowa Acts, Senate File 378, section  
5 2, is amended to read as follows:

6 SEC. 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
7 repealed.

8 Sec. 28. 2016 Iowa Acts, Senate File 2185, section  
9 2, if enacted, is amended by striking the section and  
10 inserting in lieu thereof the following:

11 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
12 amended to read as follows:

13 3. A person who violates this section commits a  
14 ~~serious~~ an aggravated misdemeanor.

#### 15 DIVISION V

#### 16 FOOD DONATION ON STATE CAPITOL PREMISES

17 Sec. 29. NEW SECTION. 2.43A **Food served on state**  
18 **capitol premises.**

19 1. As used in this section, unless the context  
20 otherwise requires:

21 *a. "Apparently wholesome food"* means food that meets  
22 all quality and labeling standards or requirements  
23 adopted by the federal and state governments, and the  
24 city of Des Moines, even though the food may not be  
25 readily marketable due to appearance, age, freshness,  
26 grade, size, surplus, or other conditions.

27 *b. "Emergency feeding organization"* means the same  
28 as defined in section 190B.201.

29 *c. "Food bank"* means the same as defined in section  
30 190B.201.

31 2. The secretary of the senate and the chief clerk  
32 of the house of representatives shall require any  
33 person who is approved to sponsor an event within  
34 or on the grounds of the state capitol during which  
35 the person offers food to all members of the general

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1 assembly during a legislative session to offer to  
2 donate any unconsumed apparently wholesome food to a  
3 food bank, homeless shelter, homeless outreach program,  
4 or an emergency feeding organization. The legislative  
5 council may also require any person who is approved by  
6 the legislative council to sponsor an event within or  
7 on the grounds of the state capitol during which the  
8 person provides food to offer to donate any unconsumed  
9 apparently wholesome food to a food bank, homeless  
10 shelter, homeless outreach program, or emergency  
11 feeding organization.

#### 12 DIVISION VI

#### 13 FOOD DONATION PROGRAMS

14 Sec. 30. Section 190B.101, Code 2016, is amended to  
15 read as follows:

16 **190B.101 Definitions.**

17 As used in this ~~chapter~~ subchapter, unless the  
18 context otherwise requires:

19 1. *“Department”* means the department of revenue.

20 2. *“Tax credit”* means the from farm to food  
21 donation tax credit as established in this ~~chapter~~  
22 subchapter.

23 Sec. 31. **NEW SECTION. 190B.201 Definitions.**

24 As used in this subchapter, unless the context  
25 otherwise requires:

26 1. *“Department”* means the department of agriculture  
27 and land stewardship.

28 2. *“Eligible agricultural product”* or *“product”*  
29 means any commodity that is derived from an  
30 agricultural animal or crop, both as defined in section  
31 717A.1, which is intended for human consumption as food  
32 in its raw or processed state.

33 3. *“Emergency feeding organization”* means an  
34 emergency feeding organization as defined in section  
35 7 U.S.C. §7501 that serves Iowans and operates at a

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1 congregate nutritional site.

2 4. *“Food”* means a substance which is used in whole  
3 or in part for human consumption in compliance with  
4 federal and state standards or requirements, including  
5 a donated food that meets the requirements of the  
6 federal emergency food assistance program, as provided  
7 in 7 C.F.R. pts. 250 and 251.

8 5. *“Food bank”* means a private nonprofit entity  
9 that serves Iowans and meets all of the following  
10 requirements:

11 a. The food bank is organized under chapter 504.

12 b. The food bank qualifies under section 501(c)(3)  
13 of the Internal Revenue Code as an organization exempt  
14 from federal income tax under section 501(a) of the  
15 Internal Revenue Code.

16 c. The food bank maintains an established operation  
17 involving the provision of food or edible commodities  
18 or the products thereof on a regular basis to persons  
19 in need or to food pantries, soup kitchens, hunger  
20 relief centers, or other food or feeding centers that,  
21 as an integral part of their normal activities, provide  
22 meals or food on a regular basis to persons in need.

23 6. *“Iowa food bank association”* or *“association”*  
24 means a private nonprofit entity that meets all of the  
25 following requirements:

26 a. The association is organized under chapter 504.

27 b. The association qualifies under section  
28 501(c)(3) of the Internal Revenue Code as an  
29 organization exempt from federal income tax under  
30 section 501(a) of the Internal Revenue Code.



- 31 c. The association's members include food banks,  
 32 or affiliations of food banks, that together serve all  
 33 counties in this state.  
 34 d. The association's principal office is located in  
 35 this state.

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1 Sec. 32. NEW SECTION. 190B.202 Administration —  
 2 **use of moneys and oversight.**

3 1. This subchapter shall be administered by the  
 4 department of agriculture and land stewardship. In  
 5 adopting rules and administering the Iowa agricultural  
 6 products clearance program established under section  
 7 190B.204, the department shall cooperate with the  
 8 department of human services and the department of  
 9 inspections and appeals.

10 2. A program established in this subchapter shall  
 11 be managed by an Iowa food bank association selected by  
 12 the department. The association shall report to the  
 13 department as required by the department.

14 3. A program established in this subchapter shall  
 15 be carried out only to the extent that moneys are  
 16 available to support the program. The department may  
 17 support a program from moneys appropriated by the  
 18 general assembly to fund the program's purpose and any  
 19 other moneys available to and obtained or accepted by  
 20 the department from the federal government or private  
 21 sources.

22 Sec. 33. NEW SECTION. 190B.203 Management of  
 23 **programs — Iowa food bank association.**

24 1. The department shall enter into a contract  
 25 with an Iowa food bank association to manage programs  
 26 established under this subchapter.

27 2. In managing a program, the association shall do  
 28 all of the following:

29 a. Acquire eligible agricultural products,  
 30 including by purchase.

31 b. Arrange for the processing and packaging of  
 32 eligible agricultural products into food, when such  
 33 processing is necessary to comply with federal and  
 34 state food safety regulations.

35 c. Provide for the storage and transportation of

PAGE 18

1 eligible agricultural products.

2 d. Provide for the distribution of eligible  
 3 agricultural products.

4 3. In managing a program, the association  
 5 shall to every extent feasible create and expand  
 6 significant economic benefits in local communities.

7 The association shall purchase products and services  
8 from individuals and businesses located in this state  
9 whenever the price is reasonably competitive and the  
10 quality as intended.

11 Sec. 34. NEW SECTION. **190B.204 Iowa agricultural**  
12 **products clearance program — establishment and purpose.**

13 1. The department shall establish an Iowa  
14 agricultural products clearance program to be managed  
15 by an Iowa food bank association selected by the  
16 department as provided in section 190B.203.

17 2. The purpose of the program is to acquire surplus  
18 eligible agricultural products from agricultural  
19 producers and other persons in order to prevent  
20 unnecessary waste, reduce economic losses associated  
21 with paying for the processing and transportation of  
22 such products that otherwise do not have profitable  
23 markets, and to provide nutritional food to low-income  
24 families and individuals who reside in this state and  
25 to unemployed families and individuals who reside in  
26 this state.

27 3. The Iowa food bank association managing the  
28 program shall only distribute eligible agricultural  
29 products under the program to Iowa food banks in this  
30 state and emergency feeding organizations in this  
31 state.

32 Sec. 35. NEW SECTION. **190B.205 Iowa emergency food**  
33 **purchase program — establishment and purpose.**

34 1. The department shall establish an Iowa emergency  
35 food purchase program to be managed by an Iowa food

PAGE 19

1 bank association selected by the department as provided  
2 in section 190B.203.

3 2. The purpose of the program is to relieve  
4 situations of emergency experienced by families  
5 or individuals who reside in this state, including  
6 low-income families and individuals and unemployed  
7 families and individuals, by distributing food to those  
8 persons.

9 3. The Iowa food bank association managing the  
10 program shall only distribute food under the program to  
11 emergency feeding organizations in this state.

12 Sec. 36. **FOOD DONATION PROGRAMS.** There is  
13 appropriated from the general fund of the state to the  
14 department of agriculture and land stewardship for the  
15 fiscal year beginning July 1, 2016, and ending June 30,  
16 2017, the following amounts, or so much thereof as is  
17 necessary, to be used for the purposes designated:

18 For purposes of supporting the Iowa emergency food  
19 purchase program provided in chapter 190B, subchapter  
20 II, as enacted in this Act:

21 ..... \$ 250,000  
 22 The moneys appropriated in this section shall be  
 23 allocated to support the Iowa emergency food purchase  
 24 program only to the extent that the allocated moneys  
 25 are matched on a dollar-for-dollar basis.

26 DIVISION VII  
 27 GARDENING PROGRAM

28 Sec. 37. NEW SECTION. 904.302A Gardening program.

29 1. The director shall establish a gardening program  
 30 for growing and harvesting produce, including edible  
 31 vegetables, at each correctional facility operated  
 32 by the department, to the extent that the director  
 33 determines that security and space requirements allow  
 34 for the garden’s creation and operation. The director  
 35 may appoint the farm operations administrator to

PAGE 20

1 oversee the program. A garden established pursuant  
 2 to the program shall be tended by inmates of the  
 3 correctional facility as determined by the director.  
 4 The produce harvested from the garden may be used to  
 5 feed the correctional facility’s population or may be  
 6 donated to a food bank as defined in section 190B.201  
 7 designated by the director. The food bank must be  
 8 located in proximity to the correctional facility where  
 9 the garden is situated. Any excess produce that is  
 10 not used to feed the correctional facility’s inmate  
 11 population shall be donated to the designated food  
 12 bank.

13 2. a. This section does not authorize the  
 14 department or an inmate of a correctional facility  
 15 to claim a from farm to food donation tax credit as  
 16 established in chapter 190B, subchapter I.

17 b. This section does not apply to a garden operated  
 18 by Iowa state industries as defined in section 904.802.

19 DIVISION VIII  
 20 SOLAR TAX CREDIT

21 Sec. 38. Section 422.11L, Code 2016, is amended by  
 22 adding the following new subsection:

23 NEW SUBSECTION. 6. For purposes of this section,  
 24 “*Internal Revenue Code*” means the Internal Revenue Code  
 25 of 1954, prior to the date of its redesignation as the  
 26 Internal Revenue Code of 1986 by the Tax Reform Act of  
 27 1986, or means the Internal Revenue Code of 1986 as  
 28 amended to and including January 1, 2016.

29 Sec. 39. RETROACTIVE APPLICABILITY. The following  
 30 provision or provisions of this division of this Act  
 31 apply retroactively to January 1, 2015, for tax years  
 32 beginning on or after that date:

33 1. The section of this division of this Act

34 enacting section 422.11L, subsection 6.>

## SENATE AMENDMENT

H-8279

1 Amend Senate File 2324, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 10 through 14 and  
4 inserting:

5 <a. For major maintenance projects:>

HUSEMAN of Cherokee

H-8280

1 Amend Senate File 2324, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 14, after line 1 by inserting:

4 <As a condition of receiving the appropriation  
5 provided in this subsection, the department shall not  
6 expend any moneys to pay an owners' representative fee  
7 related to the repair and renovation of the dome of the  
8 Iowa state capitol.>

RIZER of Linn  
GRASSLEY of Butler

H-8281

1 Amend House File 2464 as follows:

2 1. Page 1, line 2, after <FUND> by inserting <AND  
3 RENEWABLE FUEL INFRASTRUCTURE FUND>

4 2. Page 1, by striking lines 3 through 18 and  
5 inserting:

6 <Sec. \_\_\_\_. Section 321.145, subsection 2, paragraph  
7 a, Code 2016, as amended by division II of this Act, is  
8 amended by striking the paragraph.

9 Sec. \_\_\_\_. Section 321.145, subsection 2, paragraph  
10 b, Code 2016, is amended to read as follows:

11 ~~b. Moneys remaining after the operation of~~  
12 ~~paragraph "a"~~ shall be credited in order of priority as  
13 follows:

14 (1) An amount equal to four percent of the revenue  
15 from the operation of section 321.105A, subsection 2,  
16 shall be credited to the department, to be used for  
17 purposes of public transit assistance under chapter  
18 324A.

19 (2) An amount equal to two dollars per year of  
20 license validity for each issued or renewed driver's  
21 license which is valid for the operation of a  
22 motorcycle shall be credited to the motorcycle rider

23 education fund established under section 321.179.  
 24 (3) The amounts required to be transferred pursuant  
 25 to section 321.34 from revenues available under  
 26 this subsection shall be transferred and credited as  
 27 provided in section 321.34, subsections 7, 10, 10A,  
 28 11, 11A, 11B, 13, 16, 17, 18, 19, 20, 20A, 20B, 20C,  
 29 21, 22, 23, 24, 25, and 26 for the various purposes  
 30 specified in those subsections.>  
 31 3. Page 6, line 34, before <ENVIRONMENTAL> by  
 32 inserting <RENEWABLE FUEL INFRASTRUCTURE FUND ——>  
 33 4. Page 6, before line 35 by inserting:  
 34 <Sec. \_\_\_\_\_. Section 321.145, subsection 2, paragraph  
 35 a, subparagraph (2), Code 2016, is amended to read as

PAGE 2

1 follows:  
 2 (2) Second, ~~seven one million five hundred fifty~~  
 3 thousand dollars per quarter shall be deposited into  
 4 and credited to the renewable fuel infrastructure fund  
 5 created in section 159A.16, and the moneys so deposited  
 6 are a continuing appropriation for expenditure  
 7 under chapter 159A, subchapter III, and moneys so  
 8 appropriated shall not be used for other purposes.>  
 9 5. Page 7, by striking lines 8 through 33.  
 10 6. Title page, line 1, by striking <eliminating>  
 11 and inserting <relating to environmental protection by  
 12 modifying and eliminating>

BYRNES of Mitchell

H-8282

1 Amend House Resolution 105 as follows:  
 2 1. Page 1, line 2, by striking <Standard through  
 3 2022.> and inserting <Standard.>  
 4 2. Page 1, line 22, by striking <year through  
 5 2022;> and inserting <year;>  
 6 3. Page 2, line 15, by striking <through 2022>

KAUFMANN of Cedar

H-8283

1 Amend Senate File 2188, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 3, after line 7 by inserting:  
 4 <Sec. \_\_\_\_\_. **NEW SECTION. 148.13B Requirements for**  
 5 **prescription certificates for psychologists —— joint**  
 6 **rules.**  
 7 1. The board of medicine and the board of  
 8 psychology shall adopt joint rules in regard to the

9 following:

10 a. Education and training requirements for  
11 prescription certificates pursuant to sections 154B.10  
12 and 154B.11.

13 b. Specific minimum standards for the terms,  
14 conditions, and framework governing the collaborative  
15 practice agreement and for governing the limitations  
16 on the prescriptions eligible to be prescribed and  
17 populations eligible to be prescribed to as specified  
18 in section 154B.1, subsection 2.

19 2. The board of medicine shall consult with the  
20 university of Iowa Carver college of medicine and  
21 clinical and counseling psychology doctoral programs at  
22 regents institutions in the development of the rules  
23 pertaining to education and training requirements in  
24 sections 154B.10 and 154B.11.

25 3. The joint rules, and any amendments thereto,  
26 adopted by the board of medicine and the board of  
27 psychology pursuant to this section and section 154B.14  
28 shall only be adopted by agreement of both boards  
29 through a joint rule-making process.>

30 2. Page 4, after line 2 by inserting:

<31       . "Physician" means a person licensed to  
32 practice medicine and surgery or osteopathic medicine  
33 and surgery in this state who is board-certified  
34 in family medicine, internal medicine, pediatrics,  
35 psychiatry, or another specialty who prescribes

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1 medications for the treatment of a mental disorder to  
2 patients in the normal course of the person's clinical  
3 medical practice pursuant to joint rules adopted by the  
4 board of psychology and the board of medicine.>

5 3. Page 4, by striking lines 22 through 32 and  
6 inserting:

7 < . "Psychotropic medication" means a medicine  
8 that shall not be dispensed or administered without  
9 a prescription and that has been explicitly approved  
10 by the federal food and drug administration for the  
11 treatment of a mental disorder, as defined by the  
12 most recent version of the diagnostic and statistical  
13 manual of mental disorders published by the American  
14 psychiatric association or the most recent version  
15 of the international classification of diseases.  
16 "Psychotropic medication" does not include narcotics.>

17 4. Page 5, line 6, after <to> by inserting <joint  
18 rules adopted by the board of psychology and the board  
19 of medicine and the provisions of>

20 5. Page 5, by striking lines 14 through 16 and  
21 inserting:

22 <b. Completed pharmacological training from an

23 institution approved by the board of psychology and  
 24 the board of medicine or from a provider of continuing  
 25 education approved by the board of psychology and the  
 26 board of medicine pursuant to joint rules adopted by  
 27 both boards.>

28 6. Page 5, line 18, after <board> by inserting <of  
 29 psychology and the board of medicine>

30 7. Page 5, line 23, after <psychology> by inserting  
 31 <and the board of medicine pursuant to joint rules  
 32 adopted by both boards>

33 8. By striking page 5, line 27, through page 6,  
 34 line 2, and inserting:

35 <e. Within five years immediately preceding

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1 the date of application, has been certified by  
 2 the applicant's supervising physician as having  
 3 successfully completed a supervised and relevant  
 4 clinical experience in clinical assessment and  
 5 pathophysiology and an additional supervised practicum  
 6 treating patients with mental disorders. The practica  
 7 shall have been supervised by a trained physician. The  
 8 board of psychology and the board of medicine, pursuant  
 9 to joint rules adopted by the boards, shall determine  
 10 sufficient practica to competently train the applicant  
 11 in the treatment of a diverse patient population.>

12 9. Page 6, by striking lines 6 through 8 and  
 13 inserting:

14 <g. Meets all other requirements, as determined  
 15 by joint rules adopted by the board of psychology and  
 16 the board of medicine, for obtaining a conditional  
 17 prescription certificate.>

18 10. Page 6, after line 29 by inserting:

19 <d. Any other rules adopted jointly by the board of  
 20 psychology and the board of medicine.>

21 11. Page 7, line 12, after <certificate> by  
 22 inserting <including joint rules adopted by the board  
 23 of psychology and the board of medicine>

24 12. Page 7, after line 24 by inserting:

25 <d. Any other rules adopted jointly by the board of  
 26 psychology and the board of medicine.>

27 13. Page 7, line 31, after <disorders.> by  
 28 inserting <Such prescribing practices shall be governed  
 29 by joint rules adopted by the board of psychology and  
 30 the board of medicine.>

31 14. Page 9, after line 20 by inserting:

32 <Sec.     . **NEW SECTION. 154B.14 Requirements for**  
 33 **prescription certificates — joint rules.**

34 1. The board of psychology and the board of  
 35 medicine shall adopt joint rules in regard to the

PAGE 4

- 1 following:
- 2 *a.* Education and training requirements pursuant to  
3 sections 154B.10 and 154B.11.
- 4 *b.* Specific minimum standards for the terms,  
5 conditions, and framework governing the collaborative  
6 practice agreement and for governing the limitations  
7 on the prescriptions eligible to be prescribed and  
8 populations eligible to be prescribed to as specified  
9 in section 154B.1, subsection 2.
- 10 2. The board of psychology shall consult with  
11 the university of Iowa Carver college of medicine and  
12 clinical and counseling psychology doctoral programs at  
13 regents institutions in the development of the rules  
14 pertaining to education and training requirements in  
15 sections 154B.10 and 154B.11.
- 16 3. The joint rules, and any amendments thereto,  
17 adopted by the board of psychology and the board of  
18 medicine pursuant to this section and section 148.13B  
19 shall only be adopted by agreement of both boards  
20 through a joint rule-making process.>
- 21 15. By renumbering as necessary.

L. MILLER of Scott

H-8284

- 1 Amend Senate File 2313, as amended, passed, and  
2 reprinted by the Senate, as follows:
- 3 1. Page 15, after line 15 by inserting:  
4 <DIVISION \_\_\_  
5 **REPORTS ON JOB AND INCOME INFORMATION**  
6 Sec. \_\_\_. Section 84A.5, Code 2016, is amended by  
7 adding the following new subsection:  
8 **NEW SUBSECTION.** 12. *a.* The department of  
9 workforce development shall publish a monthly report  
10 on the department's internet site regarding net  
11 month-to-month job gains or losses in this state. The  
12 report shall include net month-to-month job gains or  
13 losses on a statewide basis and also categorized by  
14 county and by employment sector. The report shall not  
15 include gross month-to-month job gains or losses.  
16 *b.* The department of workforce development shall  
17 publish a quarterly report on the department's internet  
18 site regarding median family and personal incomes in  
19 this state.>
- 20 2. Title page, line 6, after <program,> by  
21 inserting <providing for job and income information  
22 reports,>



23 3. By renumbering as necessary.

ISENHART of Dubuque

H-8285

1 Amend House File 2463 as follows:  
 2 1. Page 2, line 11, by striking <sixteen million  
 3 five hundred thousand> and inserting <five million>  
 4 2. Page 2, lines 15 and 16, by striking <sixteen  
 5 million five hundred thousand> and inserting <five  
 6 million>  
 7 3. Page 2, line 34, by striking <sixteen million  
 8 five hundred thousand> and inserting <~~sixteen million~~  
 9 ~~five hundred thousand~~ five million>  
 10 4. Page 3, lines 12 and 13, by striking <sixteen  
 11 million five hundred thousand> and inserting <~~sixteen~~  
 12 ~~million five hundred thousand~~ five million>  
 13 5. Page 5, by striking lines 17 through 20 and  
 14 inserting <However, ~~not more than sixteen million five~~  
 15 ~~hundred thousand~~ the amount of rebates provided to a  
 16 baseball and softball complex shall not exceed the  
 17 amount of the award under section 15F.207, and not more  
 18 than five million dollars in total rebates shall be>  
 19 6. Page 6, by striking lines 15 through 18 and  
 20 inserting <subsection. ~~Not more than sixteen million~~  
 21 ~~five hundred thousand~~ The amount of rebates paid from  
 22 each baseball and softball complex's account within the  
 23 fund shall not exceed the amount of the award under  
 24 section 15F.207, and not more than five million dollars  
 25 in>  
 26 7. Page 6, lines 32 and 33, by striking <sixteen  
 27 million five hundred thousand> and inserting <~~sixteen~~  
 28 ~~million five hundred thousand~~ five million>  
 29 8. By renumbering as necessary.

STANERSON of Linn

H-8286

1 Amend the Senate amendment, H-8278, to House File  
 2 2459, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. By striking page 1, line 1, through page 20,  
 5 line 34, and inserting:  
 6 <Amend House File 2459, as amended, passed, and  
 7 reprinted by the House, as follows:  
 8 1. By striking everything after the enacting clause  
 9 and inserting:  
 10 <DIVISION I  
 11 EQUAL PAY TASK FORCE AND REPORT  
 12 Section 1. EQUAL PAY.

13 1. An equal pay task force is created. The task  
14 force shall consist of seven members appointed by the  
15 governor.

16 2. The task force shall study wage discrepancies  
17 within public and private employment and between public  
18 and private employers.

19 3. The task force shall submit a report regarding  
20 its findings and its recommendations regarding  
21 potential actions for the elimination and prevention  
22 of such discrepancies to the governor and the general  
23 assembly no later than December 22, 2017.

#### 24 DIVISION II

25 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION  
26 Sec. 2. ADDITIONAL UNFAIR OR DISCRIMINATORY  
27 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

28 1. As stated in chapter 216, the general assembly  
29 finds that the practice of discriminating against any  
30 employee because of the age, race, creed, color, sex,  
31 sexual orientation, gender identity, national origin,  
32 religion, or disability of such employee by paying  
33 wages to such employee at a rate less than the rate  
34 paid to other employees does all of the following:

35 a. Unjustly discriminates against the person

PAGE 2

1 receiving the lesser rate.

2 b. Leads to low employee morale, high turnover, and  
3 frequent labor unrest.

4 c. Discourages employees paid at lesser wage rates  
5 from training for higher level jobs.

6 d. Curtails employment opportunities, decreases  
7 employees' mobility, and increases labor costs.

8 e. Impairs purchasing power and threatens the  
9 maintenance of an adequate standard of living by such  
10 employees and their families.

11 f. Prevents optimum utilization of the state's  
12 available labor resources.

13 g. Threatens the well-being of citizens of this  
14 state and adversely affects the general welfare.

15 2. As stated in section 216.6A, it remains  
16 unfair or discriminatory practice for any employer  
17 or agent of any employer to discriminate against  
18 any employee because of the age, race, creed, color,  
19 sex, sexual orientation, gender identity, national  
20 origin, religion, or disability of such employee by  
21 paying wages to such employee at a rate less than the  
22 rate paid to other employees who are employed within  
23 the same establishment for equal work on jobs, the  
24 performance of which requires equal skill, effort, and  
25 responsibility, and which are performed under similar  
26 working conditions. As also stated in section 216.6A,

27 an employer or agent of an employer who is paying wages  
28 to an employee at a rate less than the rate paid to  
29 other employees in violation of this section shall not  
30 remedy the violation by reducing the wage rate of any  
31 employee.

32 DIVISION III

33 STANDING APPROPRIATIONS AND RELATED MATTERS

34 Sec. 3. 2015 Iowa Acts, chapter 138, section 3, is  
35 amended by adding the following new subsection:

PAGE 3

1 NEW SUBSECTION. 4. For the peace officers'  
2 retirement, accident, and disability system retirement  
3 fund under section 97A.11A:

4 ..... \$ 2,500,000

5 Sec. 4. 2015 Iowa Acts, chapter 138, is amended by  
6 adding the following new section:

7 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.

8 1. The appropriations made pursuant to section  
9 2.12 for the expenses of the general assembly and  
10 legislative agencies for the fiscal year beginning July  
11 1, 2016, and ending June 30, 2017, are reduced by the  
12 following amount:

13 ..... \$ 5,850,000

14 2. The budgeted amounts for the general assembly  
15 and legislative agencies for the fiscal year beginning  
16 July 1, 2016, may be adjusted to reflect the unexpended  
17 budgeted amounts from the previous fiscal year.

18 3. Annual membership dues for organizations,  
19 associations, and conferences shall not be paid from  
20 moneys appropriated pursuant to section 2.12.

21 4. Costs for out-of-state travel and per diems  
22 for out-of-state travel shall not be paid from moneys  
23 appropriated pursuant to section 2.12.

24 Sec. 5. 2015 Iowa Acts, chapter 138, is amended by  
25 adding the following new section:

26 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
27 is amended by adding the following new subsection:

28 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
29 and in addition to the reduction applicable pursuant  
30 to subsection 2, the state aid for area education  
31 agencies and the portion of the combined district cost  
32 calculated for these agencies for the fiscal year  
33 beginning July 1, 2016, and ending June 30, 2017, shall  
34 be reduced by the department of management by twenty  
35 million dollars. The reduction for each area education

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1 agency shall be prorated based on the reduction that  
2 the agency received in the fiscal year beginning July

3 1, 2003.

4 Sec. 6. Section 2.48, subsection 3, Code 2016, is  
5 amended by adding the following new paragraph:  
6 NEW PARAGRAPH. *Of.* In 2016:

7 (1) The homestead tax credit under chapter 425.

8 (2) The elderly and disabled property tax credit  
9 under chapter 425.

10 (3) The agricultural land tax credit under chapter  
11 426.

12 (4) The military service tax credit under chapter  
13 426A.

14 (5) The business property tax credit under chapter  
15 426C.

16 (6) The commercial and industrial property tax  
17 replacement claims under section 441.21A.

18 Sec. 7. Section 230.8, Code 2016, is amended to  
19 read as follows:

20 **230.8 Transfers of persons with mental illness —**  
21 **expenses.**

22 The transfer to any state hospitals or to the places  
23 of their residence of persons with mental illness who  
24 have no residence in this state or whose residence is  
25 unknown and deemed to be a state case, shall be made  
26 according to the directions of the administrator,  
27 and when practicable by employees of the state  
28 hospitals. The actual and necessary expenses of such  
29 transfers shall be paid by the department on itemized  
30 vouchers sworn to by the claimants and approved by  
31 the administrator, ~~and the amount of the expenses is~~  
32 ~~appropriated to the department from any funds in the~~  
33 ~~state treasury not otherwise appropriated.~~

34 Sec. 8. Section 820.24, Code 2016, is amended to  
35 read as follows:

PAGE 5

1 **820.24 Expenses — how paid.**

2 When the punishment of the crime shall be the  
3 confinement of the criminal in the penitentiary, the  
4 expenses shall be paid ~~out of the state treasury, on~~  
5 ~~the certificate of the governor and warrant of the~~  
6 ~~director of the department of administrative services~~  
7 by the department of corrections; and in all other  
8 cases they shall be paid out of the county treasury in  
9 the county wherein the crime is alleged to have been  
10 committed. The expenses shall be the fees paid to the  
11 officers of the state on whose governor the requisition  
12 is made, and all necessary and actual traveling  
13 expenses incurred in returning the prisoner.

14 DIVISION IV

15 MISCELLANEOUS PROVISIONS

16 Sec. 9. BUDGET PROCESS FOR FISCAL YEAR 2017-2018.

17 1. For the budget process applicable to the fiscal  
 18 year beginning July 1, 2017, on or before October 1,  
 19 2016, in lieu of the information specified in section  
 20 8.23, subsection 1, unnumbered paragraph 1, and  
 21 paragraph “a”, all departments and establishments of  
 22 the government shall transmit to the director of the  
 23 department of management, on blanks to be furnished  
 24 by the director, estimates of their expenditure  
 25 requirements, including every proposed expenditure, for  
 26 the ensuing fiscal year, together with supporting data  
 27 and explanations as called for by the director of the  
 28 department of management after consultation with the  
 29 legislative services agency.

30 2. The estimates of expenditure requirements  
 31 shall be in a form specified by the director of  
 32 the department of management, and the expenditure  
 33 requirements shall include all proposed expenditures  
 34 and shall be prioritized by program or the results to  
 35 be achieved. The estimates shall be accompanied by

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1 performance measures for evaluating the effectiveness  
 2 of the programs or results.

3 Sec. 10. WATER QUALITY — IOWA FINANCE  
 4 AUTHORITY. There is appropriated from the general fund  
 5 of the state to the Iowa finance authority for the  
 6 fiscal year beginning July 1, 2016, and ending June 30,  
 7 2017, the following amount, or so much thereof as is  
 8 necessary, to be used for the purpose designated:  
 9 For deposit in the water quality financial  
 10 assistance fund created in section 16.134A, if enacted  
 11 by 2016 Iowa Acts, House File 2451:  
 12 ..... \$ 2,000,000

13 Sec. 11. SALARY MODEL ADMINISTRATOR. The salary  
 14 model administrator shall work in conjunction with  
 15 the legislative services agency to maintain the  
 16 state’s salary model used for analyzing, comparing,  
 17 and projecting state employee salary and benefit  
 18 information, including information relating to  
 19 employees of the state board of regents. The  
 20 department of revenue, the department of administrative  
 21 services, the five institutions under the jurisdiction  
 22 of the state board of regents, the judicial district  
 23 departments of correctional services, and the state  
 24 department of transportation shall provide salary data  
 25 to the department of management and the legislative  
 26 services agency to operate the state’s salary  
 27 model. The format and frequency of provision of the  
 28 salary data shall be determined by the department of  
 29 management and the legislative services agency. The  
 30 information shall be used in collective bargaining

31 processes under chapter 20 and in calculating the  
32 funding needs contained within the annual salary  
33 adjustment legislation. A state employee organization  
34 as defined in section 20.3, subsection 4, may request  
35 information produced by the model, but the information

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1 provided shall not contain information attributable to  
2 individual employees.

3 Sec. 12. Section 24.32, Code 2016, is amended to  
4 read as follows:

5 **24.32 Decision certified.**

6 After a hearing upon the appeal, the state board  
7 shall certify its decision to the county auditor and  
8 to the parties to the appeal as provided by rule, and  
9 the decision shall be final. The county auditor shall  
10 make up the records in accordance with the decision and  
11 the levying board shall make its levy in accordance  
12 with the decision. Upon receipt of the decision, the  
13 certifying board shall correct its records accordingly,  
14 if necessary. Final disposition of all appeals shall  
15 be made by the state board ~~on or before April 30 of~~  
16 ~~each year within forty-five days after the date of the~~  
17 appeal hearing.

18 Sec. 13. Section 284.6, subsection 8, Code 2016, is  
19 amended to read as follows:

20 8. For each year in which a school district  
21 receives funds calculated and paid to school  
22 districts for professional development pursuant to  
23 section 257.10, subsection 10, or section 257.37A,  
24 subsection 2, the school district shall create quality  
25 professional development opportunities. Not less  
26 than thirty-six hours in the school calendar, held  
27 outside of the minimum school day, shall be set aside  
28 during nonpreparation time or designated professional  
29 development time to allow practitioners to collaborate  
30 with each other to deliver educational programs and  
31 assess student learning, or to engage in peer review  
32 pursuant to section 284.8, subsection 1. The funds  
33 may be used to implement the professional development  
34 provisions of the teacher career paths and leadership  
35 roles specified in section 284.7 or 284.15, including

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1 but not limited to providing professional development  
2 to teachers, including additional salaries for  
3 time beyond the normal negotiated agreement; pay  
4 for substitute teachers; professional development  
5 materials, speakers, and professional development  
6 content; textbooks and curriculum materials used for

7 classroom purposes, if purchase of such textbooks and  
 8 curriculum materials includes professional development;  
 9 and costs associated with implementing the individual  
 10 professional development plans. The use of the funds  
 11 shall be balanced between school district, attendance  
 12 center, and individual professional development plans,  
 13 making every reasonable effort to provide equal access  
 14 to all teachers.

15 Sec. 14. Section 418.12, subsection 5, Code 2016,  
 16 is amended to read as follows:

17 5. If the department of revenue determines that  
 18 the revenue accruing to the fund or accounts within  
 19 the fund exceeds thirty million dollars for a fiscal  
 20 year or exceeds the amount necessary for the purposes  
 21 of this chapter if the amount necessary is less than  
 22 thirty million dollars for a fiscal year, then those  
 23 excess moneys shall be credited by the department of  
 24 revenue for deposit in the general fund of the state.

25 Sec. 15. Section 669.11, Code 2016, is amended to  
 26 read as follows:

27 **669.11 Payment of award.**

28 1. Any ~~Except as provided in subsection 2, an~~ award  
 29 to a claimant under this chapter, and any judgment in  
 30 favor of any claimant under this chapter, shall be  
 31 paid promptly out of appropriations which have been  
 32 made for such purpose, if any; but any such amount or  
 33 part thereof which cannot be paid promptly from such  
 34 appropriations shall be paid promptly out of any money  
 35 in the state treasury not otherwise appropriated.

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1 Payment shall be made only upon receipt of a written  
 2 release by the claimant in a form approved by the  
 3 attorney general.

4 2. An award under this chapter, and any judgment  
 5 in favor of any claimant under this chapter, for a  
 6 claim relating to conduct or actions of an employee  
 7 of the hospital and medical clinics at the university  
 8 of Iowa that is paid by moneys from the general fund  
 9 of the state through the state appeal board shall be  
 10 reimbursed by the hospital and medical clinics at the  
 11 university of Iowa. Payment shall be made only upon  
 12 receipt of a written release by the claimant in a form  
 13 approved by the attorney general.

14 Sec. 16. Section 915.25, subsection 3, as enacted  
 15 by 2016 Iowa Acts, Senate File 2288, section 16, is  
 16 amended to read as follows:

17 3. Notwithstanding the provisions of sections  
 18 232.147, 232.149, and 232.149A, an intake or juvenile  
 19 court officer shall disclose to the alleged victim  
 20 of a delinquent act, upon the request of the victim,

21 the complaint, the name and address of the child  
 22 who allegedly committed the delinquent act, and  
 23 the disposition of the complaint. If the alleged  
 24 delinquent act would be a forcible felony serious  
 25 misdemeanor, aggravated misdemeanor, or felony offense  
 26 if committed by an adult, the intake or juvenile court  
 27 officer shall provide notification to the victim of the  
 28 delinquent act as required by section 915.24.

29 Sec. 17. 2016 Iowa Acts, Senate File 2314, section  
 30 22, if enacted, is amended to read as follows:

31 SEC. 59. SECRETARY OF STATE. There is appropriated  
 32 from the general fund of the state to the office of  
 33 the secretary of state for the fiscal year beginning  
 34 July 1, 2016, and ending June 30, 2017, the following  
 35 amounts, or so much thereof as is necessary, to be used

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1 for the purposes designated:

2 1. ADMINISTRATION AND ELECTIONS

3 For salaries, support, maintenance, and  
 4 miscellaneous purposes, and for not more than the  
 5 following full-time equivalent positions:

6 .....	\$ 1,440,890
7 .....	FTEs <del>13.10</del>
8 .....	<u>15.60</u>

9 The state department or state agency which provides  
 10 data processing services to support voter registration  
 11 file maintenance and storage shall provide those  
 12 services without charge.

13 2. BUSINESS SERVICES

14 For salaries, support, maintenance, and  
 15 miscellaneous purposes, and for not more than the  
 16 following full-time equivalent positions:

17 .....	\$ 1,440,891
18 .....	FTEs <del>13.10</del>
19 .....	<u>15.60</u>

20 DIVISION V

21 CORRECTIVE PROVISIONS

22 Sec. 18. Section 29C.24, subsection 3, paragraph  
 23 a, subparagraphs (3) and (6), if enacted by 2016 Iowa  
 24 Acts, Senate File 2306, section 2, are amended to read  
 25 as follows:

26 (3) The imposition of income taxes under chapter  
 27 422, divisions II and III, including the requirement  
 28 to file tax returns under sections 422.13 through  
 29 422.15 or section 422.36, as applicable, and  
 30 including the requirement to withhold and remit  
 31 income tax from out-of-state employees under section  
 32 422.16. In addition, the performance of disaster or  
 33 emergency-related work during a disaster response  
 34 period by an out-of-state business or out-of-state



35 employee shall not require an out-of-state business

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1 to be included in a consolidated return under section  
2 422.37, and shall not increase the amount of net income  
3 of the out-of-state business allocated and apportioned  
4 to the state under ~~sections~~ section 422.8 or 422.33, as  
5 applicable.

6 (6) The assessment of property taxes by the  
7 department of revenue under sections 428.24 through  
8 428.26, 428.28, and 428.29, or chapters 433, 434,  
9 435, and 437 through 438, or by a local assessor  
10 under another provision of law, on property brought  
11 into the state to aid in the performance of disaster  
12 or emergency-related work during a disaster response  
13 period if such property does not remain in the state  
14 after the conclusion of the disaster response period.

15 Sec. 19. Section 29C.24, subsection 4, if enacted  
16 by 2016 Iowa Acts, Senate File 2306, section 2, is  
17 amended to read as follows:

18 4. *Business and employee status after a disaster*  
19 *response period.* An out-of-state business or  
20 out-of-state employee that remains in the state after  
21 the conclusion of the disaster response period ~~for~~  
22 during which the disaster or emergency-related work  
23 was performed shall be fully subject to the state's  
24 standards for establishing presence, residency, or  
25 doing business as otherwise provided by law, and  
26 shall be responsible for any resulting taxes, fees,  
27 licensing, registration, filing, or other requirements.

28 Sec. 20. Section 155A.13, subsection 3, paragraph  
29 d, if enacted by 2016 Iowa Acts, Senate File 453,  
30 section 3, is amended to read as follows:

31 d. An applicant seeking a special or limited-use  
32 pharmacy ~~licensed~~ license for a proposed telepharmacy  
33 site that does not meet the mileage requirement  
34 established in paragraph "c" and is not statutorily  
35 exempt from the mileage requirement may apply to the

PAGE 12

1 board for a waiver of the mileage requirement. A  
2 waiver request shall only be granted if the applicant  
3 can demonstrate to the board that the proposed  
4 telepharmacy site is located in an area where there is  
5 limited access to pharmacy services and can establish  
6 the existence of compelling circumstances that justify  
7 waiving the mileage requirement. The board's decision  
8 to grant or deny a waiver request shall be a proposed  
9 decision subject to mandatory review by the director  
10 ~~of the department~~ of public health. The director

11 shall review a proposed decision and shall have the  
12 power to approve, modify, or veto a proposed decision.  
13 The director's decision on a waiver request shall be  
14 considered final agency action subject to judicial  
15 review under chapter 17A.

16 Sec. 21. Section 229.13, subsection 7, paragraph a,  
17 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
18 File 2259, section 1, is amended to read as follows:

19 (1) The respondent's mental health professional  
20 acting within the scope of the mental health  
21 professional's practice shall notify the committing  
22 court, with preference given to the committing judge,  
23 if available, in the appropriate county ~~who~~ and the  
24 court shall enter a written order directing that  
25 the respondent be taken into immediate custody by  
26 the appropriate sheriff or sheriff's deputy. The  
27 appropriate sheriff or sheriff's deputy shall exercise  
28 all due diligence in taking the respondent into  
29 protective custody to a hospital or other suitable  
30 facility.

31 Sec. 22. Section 256.11, subsection 4, Code 2016,  
32 as amended by 2016 Iowa Acts, House File 2392, section  
33 26, if enacted, is amended to read as follows:

34 4. The following shall be taught in grades seven  
35 and eight: English-language arts; social studies;

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1 mathematics; science; health; age-appropriate and  
2 research-based human growth and development; career  
3 exploration and development; physical education; music;  
4 and visual art. Career exploration and development  
5 shall be designed so that students are appropriately  
6 prepared to create an individual career and academic  
7 plan pursuant to section 279.61, incorporate  
8 foundational career and technical education concepts  
9 aligned with the six career and technical education  
10 service areas as defined in ~~paragraph~~ subsection 5,  
11 ~~subsection paragraph "h",~~ and incorporate relevant  
12 twenty-first century skills. The health curriculum  
13 shall include age-appropriate and research-based  
14 information regarding the characteristics of  
15 sexually transmitted diseases, including HPV and the  
16 availability of a vaccine to prevent HPV, and acquired  
17 immune deficiency syndrome. The state board as part  
18 of accreditation standards shall adopt curriculum  
19 definitions for implementing the program in grades  
20 seven and eight. However, this subsection shall  
21 not apply to the teaching of career exploration and  
22 development in nonpublic schools. For purposes of this  
23 section, "*age-appropriate*", "*HPV*", and "*research-based*"  
24 mean the same as defined in section 279.50.

25 Sec. 23. Section 272.25, subsection 3, Code 2016,  
 26 as amended by 2016 Iowa Acts, Senate File 2196, section  
 27 3, is amended to read as follows:

28 3. A requirement that the program include  
 29 instruction in skills and strategies to be used in  
 30 classroom management of individuals, and of small and  
 31 large groups, under varying conditions; skills for  
 32 communicating and working constructively with pupils,  
 33 teachers, administrators, and parents; preparation in  
 34 reading theory, knowledge, strategies, and approaches,  
 35 and for integrating literacy instruction ~~in~~ into

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1 content areas in accordance with section 256.16; and  
 2 skills for understanding the role of the board of  
 3 education and the functions of other education agencies  
 4 in the state. The requirement shall be based upon  
 5 recommendations of the department of education after  
 6 consultation with teacher education faculty members in  
 7 colleges and universities.

8 Sec. 24. Section 598C.102, subsection 8, paragraph  
 9 b, if enacted by 2016 Iowa Acts, Senate File 2233,  
 10 section 2, is amended to read as follows:

11 b. An individual who has custodial responsibility  
 12 for a child under a law of this state other than this  
 13 chapter.

14 Sec. 25. 2016 Iowa Acts, House File 2269, section  
 15 20, subsection 1, is amended to read as follows:

16 1. It is amended, rescinded, or supplemented by the  
 17 affirmative action of the executive ~~council~~ committee  
 18 of the Iowa beef cattle producers association created  
 19 in section 181.3, as amended in this Act.

20 Sec. 26. 2016 Iowa Acts, Senate File 378, section  
 21 2, is amended to read as follows:

22 SEC 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
 23 repealed.

24 Sec. 27. 2016 Iowa Acts, Senate File 2185, section  
 25 2, if enacted, is amended by striking the section and  
 26 inserting in lieu thereof the following:

27 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
 28 amended to read as follows:

29 3. A person who violates this section commits a  
 30 ~~serious~~ an aggravated misdemeanor.

#### DIVISION VI

#### AREA EDUCATION AGENCY FUNDING

33 Sec. 28. SPECIAL EDUCATION SUPPORT SERVICES  
 34 FUNDING. Notwithstanding the provisions of section  
 35 257.35, subsection 11, and section 257.37, subsection

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1 6, for the budget year beginning July 1, 2016, an area  
2 education agency shall use the total amount determined  
3 to be available to the area education agency under  
4 section 257.35 and any unreserved fund balances for  
5 media services or education services that exceed  
6 an amount equal to 5 percent of the area education  
7 agency's budget for media services and education  
8 services for that budget year, and including funds  
9 that exceed the payment for special education support  
10 services pursuant to section 257.35, in a manner to  
11 best maintain the level of required area education  
12 agency special education support services.  
13 Sec. 29. EFFECTIVE UPON ENACTMENT. This division  
14 of this Act, being deemed of immediate importance,  
15 takes effect upon enactment.

## DIVISION VII

## SCHOOL DISTRICT FUNDING

16  
17  
18 Sec. 30. Section 257.2, subsection 2, Code 2016, is  
19 amended by striking the subsection.

20 Sec. 31. **NEW SECTION. 257.14A District cost per**  
21 **pupil equity — budget adjustment.**

22 1. The board of directors of a school district  
23 with a regular program district cost per pupil for  
24 the budget year beginning July 1, 2016, that is less  
25 than the highest regular program district cost per  
26 pupil among all school districts in the state for the  
27 same budget year that wishes to receive the budget  
28 adjustment under this section may adopt a resolution  
29 by June 30, 2016, and shall notify the department of  
30 management of the adoption of the resolution and the  
31 amount of the budget adjustment to be received.

32 2. *a.* For the budget year beginning July 1, 2016,  
33 each school district that satisfies the requirements of  
34 subsection 1 shall be eligible for a budget adjustment  
35 for that budget year in an amount not to exceed the

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1 difference between the school district's regular  
2 program district cost per pupil for the budget year  
3 beginning July 1, 2016, and the highest regular program  
4 district cost per pupil among all school districts  
5 in the state for the same budget year multiplied by  
6 the district's budget enrollment for the budget year  
7 beginning July 1, 2016. The resolution adopted under  
8 subsection 1 may specify a budget adjustment amount  
9 that is less than the maximum amount authorized under  
10 this paragraph "a".

11 *b.* The school district shall fund the budget  
12 adjustment solely by using cash reserve moneys

13 available to the school district during the budget  
 14 year beginning July 1, 2016. Amounts used to fund the  
 15 budget adjustment may be used by the school district  
 16 for any school general fund purpose.

17 c. A school district receiving a budget adjustment  
 18 under this section shall be subject to the reduction  
 19 of the maximum cash reserve levy authorized in section  
 20 298.10, subsection 3, paragraph "b", and shall in one  
 21 or more subsequent budget years reimburse the school  
 22 district's cash reserve amount the total amount of  
 23 the budget adjustment received during the budget year  
 24 beginning July 1, 2016, using school district general  
 25 fund moneys that are part of the school district's  
 26 authorized expenditures in section 257.7.

27 3. A budget adjustment received under this section  
 28 shall not affect the eligibility for or amount of any  
 29 other budget adjustment authorized by law for the same  
 30 budget year. In addition, a budget adjustment under  
 31 this section shall be limited to the budget year for  
 32 which the adjustment was authorized and shall not be  
 33 included in any computation of a school district's cost  
 34 for any future budget year.

35 Sec. 32. Section 257.34, Code 2016, is amended to

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1 read as follows:

2 **257.34 Cash reserve information.**

3 1. If a school district receives less state school  
 4 foundation aid under section 257.1 than is due under  
 5 that section for a base year and the school district  
 6 uses funds from its cash reserve during the base year  
 7 to make up for the amount of state aid not paid, the  
 8 board of directors of the school district shall include  
 9 in its general fund budget document information about  
 10 the amount of the cash reserve used to replace state  
 11 school foundation aid not paid.

12 2. If a school district uses funds from its cash  
 13 reserve during the budget year beginning July 1, 2016,  
 14 to fund a budget adjustment under section 257.14A, the  
 15 board of directors of the school district shall include  
 16 in its general fund budget document information about  
 17 the amount of the cash reserve used for such purpose.

18 Sec. 33. Section 298.10, subsection 3, Code 2016,  
 19 is amended to read as follows:

20 3. a. For fiscal years beginning on or after  
 21 July 1, 2012, the cash reserve levy for a budget  
 22 year shall not exceed twenty percent of the general  
 23 fund expenditures for the year previous to the base  
 24 year minus the unexpended fund balance, as defined in  
 25 section 257.2, for the year previous to the base year.

26 b. For fiscal years beginning on or after July

27 1, 2017, the maximum amount of the cash reserve levy  
 28 calculated under paragraph "a" shall be reduced by an  
 29 amount equal to the amount of the budget adjustment  
 30 authorized by the school district under section 257.14A  
 31 that has not been reimbursed by the school district  
 32 pursuant to section 257.14, subsection 2, paragraph  
 33 "c".

34 Sec. 34. EFFECTIVE UPON ENACTMENT. This division  
 35 of this Act, being deemed of immediate importance,

PAGE 18

1 takes effect upon enactment.

2 DIVISION VIII  
 3 WATER UTILITIES

4 Sec. 35. Section 388.1, Code 2016, is amended by  
 5 adding the following new subsections:

6 NEW SUBSECTION. 1A. "Population" means the  
 7 population shown by the latest preceding certified  
 8 federal census or the latest applicable population  
 9 estimate issued by the federal government, whichever is  
 10 most recent and available as of July 1 of the preceding  
 11 fiscal year.

12 NEW SUBSECTION. 2A. "Water utility services"  
 13 means providing water at retail or wholesale cost;  
 14 water withdrawal, storage, treatment, or distribution  
 15 facilities; other equipment or facilities necessary for  
 16 the operation of a water utility; or water management,  
 17 operation, or billing services.

18 Sec. 36. Section 388.3, Code 2016, is amended to  
 19 read as follows:

20 **388.3 Procedure upon approval.**

21 1. If a proposal to establish a utility board  
 22 receives a favorable majority vote, the mayor shall  
 23 appoint the board members, as provided in the proposal,  
 24 subject to the approval of the council. The council  
 25 shall by resolution provide for staggered six-year  
 26 terms for, and shall set the compensation of, board  
 27 members.

28 2. A board member appointed to fill a vacancy  
 29 occurring by reason other than the expiration of a term  
 30 is appointed for the balance of the unexpired term.

31 3. A public officer or a salaried employee of the  
 32 city may not serve on a utility board.

33 4. Notwithstanding section 388.2, a board for  
 34 a city with a population of more than one hundred  
 35 ninety thousand that provides water utility services

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1 to persons who reside outside of the city limits or to  
 2 other cities shall be appointed as follows:

- 3 a. The mayor of the city with a population of one  
 4 hundred ninety thousand or more shall appoint two board  
 5 members, subject to approval by the city council.  
 6 b. The mayor of each city with a population of  
 7 more than fifteen thousand and less than one hundred  
 8 ninety thousand where the city utility provides utility  
 9 services shall each appoint one board member, subject  
 10 to approval by the respective city councils.  
 11 c. The board of supervisors of each county in which  
 12 the city utility provides utility services shall each  
 13 appoint one board member. Such board members shall  
 14 reside in an area in which the city utility provides  
 15 utility services that is not within a city with a  
 16 population of more than fifteen thousand. However, if  
 17 the utility services in the county are provided to a  
 18 rural water district organized under chapter 357A, the  
 19 board of the rural water district shall appoint the  
 20 board member.  
 21 5. The board established in subsection 4 shall, by  
 22 resolution, provide for staggered six-year terms and  
 23 shall set the compensation for the board members.

#### 24 DIVISION IX

#### 25 ELECTRIC TRANSMISSION LINES

- 26 Sec. 37. NEW SECTION. 478.6A Merchant line  
 27 franchises — requirements — limitations.  
 28 1. *a.* For purposes of this section, “*bifurcation*”  
 29 means the conducting of two separate hearings when  
 30 a petition involves the taking of property under  
 31 eminent domain, one hearing considering whether the  
 32 proposed line is necessary to serve a public use and  
 33 represents a reasonable relationship to an overall plan  
 34 of transmitting electricity in the public interest, and  
 35 the other considering the granting of eminent domain

PAGE 20

- 1 authority.  
 2 *b.* For purposes of this section, “*merchant*  
 3 *line*” means a high-voltage direct current electric  
 4 transmission line which does not provide for the  
 5 erection of electric substations at intervals of less  
 6 than fifty miles, which substations are necessary  
 7 to accommodate both the purchase and sale to persons  
 8 located in this state of electricity generated or  
 9 transmitted by the franchisee.  
 10 2. A petition for a franchise to construct a  
 11 merchant line, in addition to any other applicable  
 12 requirements pursuant to this chapter, shall be subject  
 13 to all of the following:  
 14 *a.* The board shall not permit the bifurcation in  
 15 any manner of a petition and shall reject any request  
 16 by a petitioner for bifurcation.

17 b. Notwithstanding section 478.10, the sale and  
 18 transfer of a merchant line, by voluntary or judicial  
 19 sale or otherwise, shall not carry with it the transfer  
 20 of the franchise.

21 c. Notwithstanding section 478.21, if a petition  
 22 that involves the taking of property under eminent  
 23 domain is not approved by the board and a franchise  
 24 granted within three years following the date of  
 25 the first informational meeting held in any county  
 26 regarding the petition, pursuant to section 478.2, the  
 27 utilities board shall reject the petition and make a  
 28 record of the rejection. A petitioner may not file a  
 29 petition for the same or a similar project that has  
 30 been rejected under this subsection within sixty months  
 31 following the date of rejection.

32 d. The board shall not grant a petition that  
 33 involves the taking of property under eminent domain  
 34 unless a minimum of seventy-five percent of the  
 35 easements necessary to construct the project have been

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1 obtained voluntarily.

2 e. In considering whether to grant a petition that  
 3 involves the taking of property under eminent domain,  
 4 section 478.3, subsection 3, is not applicable, and  
 5 the term "*public*" shall be interpreted to be limited to  
 6 consumers located in this state.

7 Sec. 38. EFFECTIVE UPON ENACTMENT. This division  
 8 of this Act, being deemed of immediate importance,  
 9 takes effect upon enactment.

10 Sec. 39. APPLICABILITY. This division of this Act  
 11 is applicable to petitions for franchise filed on or  
 12 after November 1, 2014, that have not been approved  
 13 by the utilities board on or after the effective date  
 14 of this division of this Act, and to petitions for  
 15 franchise filed on or after the effective date of this  
 16 division of this Act.>>

17 2. Title page, line 4, after <date> by inserting  
 18 <and applicability>

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H-8287

1 Amend the amendment, H-8275, to Senate File 2308, as  
 2 passed by the Senate, as follows:

3 1. Page 13, after line 2 by inserting:

4 <\_\_. Title page, line 5, by striking <making  
 5 appropriations,>>

6 2. By renumbering as necessary.

DEYOE of Story



H-8288

- 1 Amend House File 2467 as follows:  
 2 1. Page 1, before line 1 by inserting:  
 3 <DIVISION I  
 4 INCOME TAX CHECKOFFS>  
 5 2. Page 1, line 18, after <This> by inserting  
 6 <division of this>  
 7 3. Page 1, after line 20 by inserting:  
 8 <DIVISION \_\_\_  
 9 MEDICAL CANNABIS  
 10 Sec. \_\_\_. Section 124.204, subsection 4, paragraphs  
 11 m and u, Code 2016, are amended by striking the  
 12 paragraphs.  
 13 Sec. \_\_\_. Section 124.204, subsection 7, Code 2016,  
 14 is amended by striking the subsection.  
 15 Sec. \_\_\_. Section 124.206, subsection 7, Code 2016,  
 16 is amended to read as follows:  
 17 7. *Hallucinogenic substances*. Unless specifically  
 18 excepted or unless listed in another schedule, any  
 19 material, compound, mixture, or preparation which  
 20 contains any quantity of the following substances,  
 21 or, for purposes of paragraphs "a" and "b", which  
 22 contains any of its salts, isomers, or salts of isomers  
 23 whenever the existence of such salts, isomers, or salts  
 24 of isomers is possible within the specific chemical  
 25 designation (for purposes of this paragraph only, the  
 26 term "isomer" includes the optical, positional, and  
 27 geometric isomers):  
 28 a. ~~Marijuana when used for medicinal purposes~~  
 29 ~~pursuant to rules of the board.~~  
 30 b. Tetrahydrocannabinols, meaning  
 31 tetrahydrocannabinols naturally contained in a  
 32 plant of the genus cannabis (cannabis plant) as well  
 33 as synthetic equivalents of the substances contained  
 34 in the cannabis plant, or in the resinous extractives  
 35 of such plant, and synthetic substances, derivatives,

PAGE 2

- 1 and their isomers with similar chemical structure and  
 2 pharmacological activity to those substances contained  
 3 in the plant, such as the following:  
 4 (1) 1 cis or trans tetrahydrocannabinol, and their  
 5 optical isomers.  
 6 (2) 6 cis or trans tetrahydrocannabinol, and their  
 7 optical isomers.  
 8 (3) 3,4 cis or trans tetrahydrocannabinol, and  
 9 their optical isomers. (Since nomenclature of these  
 10 substances is not internationally standardized,  
 11 compounds of these structures, regardless of numerical  
 12 designation of atomic positions covered.)

13 ~~b. c.~~ Nabilone [another name for  
 14 nabilone: (+) -  
 15 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
 16 dimethyl-9H-dibenzo[b,d]pyran-9-one].  
 17 Sec. \_\_\_\_ Section 124.401, subsection 5, unnumbered  
 18 paragraph 3, Code 2016, is amended to read as follows:  
 19 A person may knowingly or intentionally recommend,  
 20 possess, use, dispense, deliver, transport, or  
 21 administer ~~cannabidiol~~ medical cannabis if the  
 22 recommendation, possession, use, dispensing, delivery,  
 23 transporting, or administering is in accordance with  
 24 the provisions of chapter ~~124D~~ 124E. For purposes of  
 25 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
 26 the same as defined in section ~~124D-2~~ 124E.2.  
 27 Sec. \_\_\_\_ NEW SECTION. 124E.1 Short title.  
 28 This chapter shall be known and may be cited as the  
 29 “Compassionate Use of Medical Cannabis Act”.  
 30 Sec. \_\_\_\_ NEW SECTION. 124E.2 Definitions.  
 31 As used in this chapter:  
 32 1. “Debilitating medical condition” means any of the  
 33 following:  
 34 a. Cancer, if the underlying condition or treatment  
 35 produces one or more of the following:

PAGE 3

1 (1) Intractable pain.  
 2 (2) Nausea or severe vomiting.  
 3 (3) Cachexia or severe wasting.  
 4 b. Multiple sclerosis.  
 5 c. Epilepsy or seizure disorders.  
 6 d. AIDS or HIV as defined in section 141A.1.  
 7 e. Crohn’s disease or ulcerative colitis.  
 8 f. Amyotrophic lateral sclerosis.  
 9 g. Intractable pain.  
 10 h. Glaucoma.  
 11 i. Any terminal illness, with a probable life  
 12 expectancy of under one year, if the illness or its  
 13 treatment produces one or more of the following:  
 14 (1) Intractable pain.  
 15 (2) Nausea or severe vomiting.  
 16 (3) Cachexia or severe wasting.  
 17 j. Any other chronic or debilitating disease or  
 18 medical condition or its medical treatment approved by  
 19 the department pursuant to rule.  
 20 2. “Department” means the department of public  
 21 health.  
 22 3. “Disqualifying felony offense” means a violation  
 23 under federal or state law of a felony offense, which  
 24 has as an element the possession, use, or distribution  
 25 of a controlled substance, as defined in 21 U.S.C.  
 26 §802(6).

27 4. *“Enclosed, locked facility”* means a closet, room,  
28 greenhouse, or other enclosed area equipped with locks  
29 or other security devices that permit access only by a  
30 cardholder.

31 5. *“Health care practitioner”* means an individual  
32 licensed under chapter 148 to practice medicine and  
33 surgery or osteopathic medicine and surgery or an  
34 individual licensed to prescribe medicine in any other  
35 state and provides specialty care for an Iowa resident

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1 for one or more of the debilitating medical conditions  
2 provided in this chapter.

3 6. *“Intractable pain”* means a pain in which the  
4 cause of the pain cannot be removed or otherwise  
5 treated with the consent of the patient and which, in  
6 the generally accepted course of medical practice, no  
7 relief or cure of the cause of the pain is possible,  
8 or none has been found after reasonable efforts.  
9 Reasonable efforts for relieving or curing the cause of  
10 the pain may be determined on the basis of but are not  
11 limited to any of the following:

12 a. When treating a nonterminally ill patient for  
13 intractable pain, evaluation by the attending physician  
14 and one or more physicians specializing in pain  
15 medicine or the treatment of the area, system, or organ  
16 of the body perceived as the source of the pain.

17 b. When treating a terminally ill patient,  
18 evaluation by the attending physician who does so in  
19 accordance with the level of care, skill, and treatment  
20 that would be recognized by a reasonably prudent  
21 physician under similar conditions and circumstances.

22 7. *“Medical cannabis”* means any species of the genus  
23 cannabis plant, or any mixture or preparation of them,  
24 including whole plant extracts and resins.

25 8. *“Medical cannabis manufacturer”* means an entity  
26 licensed by the department to manufacture and to  
27 possess, cultivate, transport, or supply medical  
28 cannabis pursuant to the provisions of this chapter.

29 9. *“Medical cannabis patient center”* means an entity  
30 licensed under section 124E.8 that acquires medical  
31 cannabis from a medical cannabis manufacturer in this  
32 state for the purpose of dispensing medical cannabis in  
33 this state pursuant to this chapter.

34 10. *“Primary caregiver”* means a person, at least  
35 eighteen years of age, who has been designated by a

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1 patient’s health care practitioner or a person having  
2 custody of a patient, as a necessary caretaker taking

3 responsibility for managing the well-being of the  
4 patient with respect to the use of medical cannabis  
5 pursuant to the provisions of this chapter.

6 11. “*Written certification*” means a document signed  
7 by a health care practitioner, with whom the patient  
8 has established a patient-provider relationship, which  
9 states that the patient has a debilitating medical  
10 condition and identifies that condition and provides  
11 any other relevant information.

12 Sec. \_\_\_\_ **NEW SECTION. 124E.3 Health care**  
13 **practitioner certification — duties.**

14 1. Prior to a patient’s submission of an  
15 application for a medical cannabis registration card  
16 pursuant to section 124E.4, a health care practitioner  
17 shall do all of the following:

18 a. Determine, in the health care practitioner’s  
19 medical judgment, whether the patient whom the health  
20 care practitioner has examined and treated suffers from  
21 a debilitating medical condition that qualifies for  
22 the use of medical cannabis under this chapter, and  
23 if so determined, provide the patient with a written  
24 certification of that diagnosis.

25 b. Provide explanatory information as provided by  
26 the department to the patient about the therapeutic use  
27 of medical cannabis.

28 2. Determine, on an annual basis, if the patient  
29 continues to suffer from a debilitating medical  
30 condition and, if so, issue the patient a new  
31 certification of that diagnosis.

32 3. Otherwise comply with all requirements  
33 established by the department pursuant to rule.

34 4. A health care practitioner may provide, but has  
35 no duty to provide, a written certification pursuant

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1 to this section.

2 Sec. \_\_\_\_ **NEW SECTION. 124E.4 Medical cannabis**  
3 **registration card.**

4 1. *Issuance to patient.* The department may approve  
5 the issuance of a medical cannabis registration card by  
6 the department of transportation to a patient who:

7 a. Is at least eighteen years of age.

8 b. Is a permanent resident of this state.

9 c. Submits a written certification to the  
10 department signed by the patient’s health care  
11 practitioner that the patient is suffering from a  
12 debilitating medical condition.

13 d. Submits an application to the department, on a  
14 form created by the department, in consultation with  
15 the department of transportation, that contains all of  
16 the following:

- 17 (1) The patient's full name, Iowa residence  
18 address, date of birth, and telephone number.
- 19 (2) A copy of the patient's valid photo  
20 identification.
- 21 (3) Full name, address, and telephone number of the  
22 patient's health care practitioner.
- 23 (4) Full name, residence address, date of birth,  
24 and telephone number of each primary caregiver of the  
25 patient, if any.
- 26 (5) Any other information required by rule.
- 27 2. *Patient card contents.* A medical cannabis  
28 registration card issued to a patient by the department  
29 of transportation pursuant to subsection 1 shall  
30 contain, at a minimum, all of the following:
- 31 a. The patient's full name, Iowa residence address,  
32 and date of birth.
- 33 b. The patient's photograph.
- 34 c. The date of issuance and expiration date of the  
35 registration card.

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- 1 d. Any other information required by rule.
- 2 3. *Issuance to primary caregiver.* For a patient in  
3 a primary caregiver's care, the department may approve  
4 the issuance of a medical cannabis registration card  
5 by the department of transportation to the primary  
6 caregiver who:
- 7 a. Is at least eighteen years of age.
- 8 b. Submits a written certification to the  
9 department signed by the patient's health care  
10 practitioner that the patient in the primary  
11 caregiver's care is suffering from a debilitating  
12 medical condition.
- 13 c. Submits an application to the department, on a  
14 form created by the department, in consultation with  
15 the department of transportation, that contains all of  
16 the following:
- 17 (1) The primary caregiver's full name, residence  
18 address, date of birth, and telephone number.
- 19 (2) The patient's full name.
- 20 (3) A copy of the primary caregiver's valid photo  
21 identification.
- 22 (4) Full name, address, and telephone number of the  
23 patient's health care practitioner.
- 24 (5) Any other information required by rule.
- 25 4. *Primary caregiver card contents.* A medical  
26 cannabis registration card issued by the department  
27 of transportation to a primary caregiver pursuant to  
28 subsection 3 shall contain, at a minimum, all of the  
29 following:
- 30 a. The primary caregiver's full name, residence

- 31 address, and date of birth.  
32 *b.* The primary caregiver's photograph.  
33 *c.* The date of issuance and expiration date of the  
34 registration card.  
35 *d.* The registration card number of each patient

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- 1 in the primary caregiver's care. If the patient  
2 in the primary caregiver's care is under the age of  
3 eighteen, the full name of the patient's parent or  
4 legal guardian.  
5 *e.* Any other information required by rule.  
6 5. *Expiration date of card.* A medical cannabis  
7 registration card issued pursuant to this section shall  
8 expire one year after the date of issuance and may be  
9 renewed.  
10 6. *Card issuance — department of*  
11 *transportation.* The department may enter into  
12 a chapter 28E agreement with the department of  
13 transportation to facilitate the issuance of medical  
14 cannabis registration cards pursuant to subsections 1  
15 and 3.  
16 Sec. \_\_\_\_ NEW SECTION. 124E.5 Medical advisory  
17 board — duties.  
18 1. No later than August 15, 2016, the director  
19 of public health shall establish a medical advisory  
20 board consisting of nine practitioners representing the  
21 fields of neurology, pain management, gastroenterology,  
22 oncology, psychiatry, pediatrics, infectious disease,  
23 family medicine, and pharmacy. The practitioners  
24 shall be nationally board-certified in their area of  
25 specialty and knowledgeable about the use of medical  
26 cannabis.  
27 2. A quorum of the advisory board shall consist of  
28 five members.  
29 3. The duties of the advisory board shall include  
30 but not be limited to the following:  
31 *a.* Reviewing and recommending to the department for  
32 approval additional chronic or debilitating diseases or  
33 medical conditions or their treatments as debilitating  
34 medical conditions that qualify for the use of medical  
35 cannabis under this chapter.

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- 1 *b.* Accepting and reviewing petitions to add chronic  
2 or debilitating diseases or medical conditions or their  
3 medical treatments to the list of debilitating medical  
4 conditions that qualify for the use of medical cannabis  
5 under this chapter.  
6 *c.* Advising the department regarding the location

7 and number of necessary medical cannabis patient  
 8 centers throughout the state on a continuous basis, the  
 9 form and quantity of allowable medical cannabis to be  
 10 dispensed to a patient or primary caregiver, and the  
 11 general oversight of medical cannabis manufacturers and  
 12 medical cannabis patient centers in this state.

13 *d.* Convening at least twice per year to conduct  
 14 public hearings and to evaluate petitions, which  
 15 shall be maintained as confidential personal health  
 16 information, to add chronic or debilitating diseases or  
 17 medical conditions or their medical treatments to the  
 18 list of debilitating medical conditions that qualify  
 19 for the use of medical cannabis under this chapter.

20 **Sec. \_\_\_\_.** **NEW SECTION.** **124E.6 Medical cannabis**  
 21 **manufacturer licensure.**

22 1. *a.* The department shall license up to two  
 23 medical cannabis manufacturers to manufacture  
 24 medical cannabis within this state consistent with  
 25 the provisions of this chapter by December 1, 2016.  
 26 The department shall license new medical cannabis  
 27 manufacturers or relicense the existing medical  
 28 cannabis manufacturers by December 1 of each year.

29 *b.* Information submitted during the application  
 30 process shall be confidential until the medical  
 31 cannabis manufacturer is licensed by the department  
 32 unless otherwise protected from disclosure under state  
 33 or federal law.

34 2. As a condition for licensure, a medical cannabis  
 35 manufacturer must agree to begin supplying medical

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1 cannabis to medical cannabis patient centers in this  
 2 state by July 1, 2017.

3 3. The department shall consider the following  
 4 factors in determining whether to license a medical  
 5 cannabis manufacturer:

6 *a.* The technical expertise of the medical cannabis  
 7 manufacturer in medical cannabis.

8 *b.* The qualifications of the medical cannabis  
 9 manufacturer's employees.

10 *c.* The long-term financial stability of the medical  
 11 cannabis manufacturer.

12 *d.* The ability to provide appropriate security  
 13 measures on the premises of the medical cannabis  
 14 manufacturer.

15 *e.* Whether the medical cannabis manufacturer  
 16 has demonstrated an ability to meet certain medical  
 17 cannabis production needs for medical use regarding  
 18 the range of recommended dosages for each debilitating  
 19 medical condition, the range of chemical compositions  
 20 of any plant of the genus cannabis that will likely

21 be medically beneficial for each of the debilitating  
22 medical conditions, and the form of the medical  
23 cannabis in the manner determined by the department  
24 pursuant to rule.

25 *f.* The medical cannabis manufacturer's projection  
26 of and ongoing assessment of fees on patients with  
27 debilitating medical conditions.

28 4. The department shall require each medical  
29 cannabis manufacturer to contract with the state  
30 hygienic laboratory at the university of Iowa in Iowa  
31 City to test the medical cannabis produced by the  
32 manufacturer. The department shall require that the  
33 laboratory report testing results to the manufacturer  
34 in a manner determined by the department pursuant to  
35 rule.

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1 Sec. \_\_\_\_ NEW SECTION. **124E.7 Medical cannabis**  
2 **manufacturers.**

3 1. A medical cannabis manufacturer shall contract  
4 with the state hygienic laboratory at the university  
5 of Iowa in Iowa City for purposes of testing the  
6 medical cannabis manufactured by the medical cannabis  
7 manufacturer as to content, contamination, and  
8 consistency. The cost of all laboratory testing shall  
9 be paid by the medical cannabis manufacturer.

10 2. The operating documents of a medical cannabis  
11 manufacturer shall include all of the following:

12 *a.* Procedures for the oversight of the medical  
13 cannabis manufacturer and procedures to ensure accurate  
14 record keeping.

15 *b.* Procedures for the implementation of appropriate  
16 security measures to deter and prevent the theft of  
17 medical cannabis and unauthorized entrance into areas  
18 containing medical cannabis.

19 3. A medical cannabis manufacturer shall implement  
20 security requirements, including requirements for  
21 protection of each location by a fully operational  
22 security alarm system, facility access controls,  
23 perimeter intrusion detection systems, and a personnel  
24 identification system.

25 4. A medical cannabis manufacturer shall not share  
26 office space with, refer patients to, or have any  
27 financial relationship with a health care practitioner.

28 5. A medical cannabis manufacturer shall not permit  
29 any person to consume medical cannabis on the property  
30 of the medical cannabis manufacturer.

31 6. A medical cannabis manufacturer is subject to  
32 reasonable inspection by the department.

33 7. A medical cannabis manufacturer shall not  
34 employ a person under eighteen years of age or who has



35 been convicted of a disqualifying felony offense. An

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1 employee of a medical cannabis manufacturer shall be  
 2 subject to a background investigation conducted by the  
 3 division of criminal investigation of the department  
 4 of public safety and a national criminal history  
 5 background check.

6 8. A medical cannabis manufacturer shall not  
 7 operate in any location, whether for manufacturing,  
 8 cultivating, harvesting, packaging, or processing,  
 9 within one thousand feet of a public or private school  
 10 existing before the date of the medical cannabis  
 11 manufacturer's licensure by the department.

12 9. A medical cannabis manufacturer shall comply  
 13 with reasonable restrictions set by the department  
 14 relating to signage, marketing, display, and  
 15 advertising of medical cannabis.

16 10. *a.* A medical cannabis manufacturer shall  
 17 provide a reliable and ongoing supply of medical  
 18 cannabis to medical cannabis patient centers pursuant  
 19 to this chapter.

20 *b.* All manufacturing, cultivating, harvesting,  
 21 packaging, and processing of medical cannabis shall  
 22 take place in an enclosed, locked facility at a  
 23 physical address provided to the department during the  
 24 licensure process.

25 *c.* A medical cannabis manufacturer shall not  
 26 manufacture edible medical cannabis products utilizing  
 27 food coloring.

28 *d.* A medical cannabis manufacturer shall  
 29 manufacture a reliable and ongoing supply of medical  
 30 cannabis to treat every debilitating medical condition  
 31 listed in this chapter.

32 Sec. \_\_. NEW SECTION. 124E.8 Medical cannabis  
 33 **patient center licensure.**

34 1. *a.* The department shall license by April 1,  
 35 2017, up to four medical cannabis patient centers to

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1 dispense medical cannabis within this state consistent  
 2 with the provisions of this chapter. The department  
 3 shall license new medical cannabis patient centers or  
 4 relicense the existing medical cannabis manufacturers  
 5 by December 1 of each year.

6 *b.* Information submitted during the application  
 7 process shall be confidential until the medical  
 8 cannabis patient center is licensed by the department  
 9 unless otherwise protected from disclosure under state  
 10 or federal law.

11 2. As a condition for licensure, a medical cannabis  
12 patient center must agree to begin supplying medical  
13 cannabis to patients by July 1, 2017.

14 3. The department shall consider the following  
15 factors in determining whether to license a medical  
16 cannabis patient center:

17 a. The technical expertise of the medical cannabis  
18 patient center regarding medical cannabis.

19 b. The qualifications of the medical cannabis  
20 patient center's employees.

21 c. The long-term financial stability of the medical  
22 cannabis patient center.

23 d. The ability to provide appropriate security  
24 measures on the premises of the medical cannabis  
25 patient center.

26 e. The medical cannabis patient center's projection  
27 and ongoing assessment of fees for the purchase of  
28 medical cannabis on patients with debilitating medical  
29 conditions.

30 Sec. \_\_\_\_ NEW SECTION. **124E.9 Medical cannabis**  
31 **patient centers.**

32 1. a. The medical cannabis patient centers shall  
33 be located based on geographical need throughout the  
34 state to improve patient access.

35 b. A medical cannabis patient center may dispense

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1 medical cannabis pursuant to the provisions of this  
2 chapter but shall not dispense any medical cannabis  
3 in a form or quantity other than the form or quantity  
4 allowed by the department pursuant to rule.

5 2. The operating documents of a medical cannabis  
6 patient center shall include all of the following:

7 a. Procedures for the oversight of the medical  
8 cannabis patient center and procedures to ensure  
9 accurate record keeping.

10 b. Procedures for the implementation of appropriate  
11 security measures to deter and prevent the theft of  
12 medical cannabis and unauthorized entrance into areas  
13 containing medical cannabis.

14 3. A medical cannabis patient center shall  
15 implement security requirements, including requirements  
16 for protection by a fully operational security alarm  
17 system, facility access controls, perimeter intrusion  
18 detection systems, and a personnel identification  
19 system.

20 4. A medical cannabis patient center shall not  
21 share office space with, refer patients to, or have any  
22 financial relationship with a health care practitioner.

23 5. A medical cannabis patient center shall not  
24 permit any person to consume medical cannabis on the

25 property of the medical cannabis patient center.  
26 6. A medical cannabis patient center is subject to  
27 reasonable inspection by the department.  
28 7. A medical cannabis patient center shall not  
29 employ a person under eighteen years of age or who has  
30 been convicted of a disqualifying felony offense. An  
31 employee of a medical cannabis patient center shall be  
32 subject to a background investigation conducted by the  
33 division of criminal investigation of the department  
34 of public safety and a national criminal history  
35 background check.

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1 8. A medical cannabis patient center shall not  
2 operate in any location within one thousand feet of a  
3 public or private school existing before the date of  
4 the medical cannabis patient center's licensure by the  
5 department.  
6 9. A medical cannabis patient center shall  
7 comply with reasonable restrictions set by the  
8 department relating to signage, marketing, display, and  
9 advertising of medical cannabis.  
10 10. Prior to dispensing of any medical cannabis,  
11 a medical cannabis patient center shall do all of the  
12 following:  
13 a. Verify that the medical cannabis patient center  
14 has received a valid medical cannabis registration card  
15 from a patient or a patient's primary caregiver, if  
16 applicable.  
17 b. Assign a tracking number to any medical cannabis  
18 dispensed from the medical cannabis patient center.  
19 c. (1) Properly package medical cannabis in  
20 compliance with federal law regarding child resistant  
21 packaging and exemptions for packaging for elderly  
22 patients, and label medical cannabis with a list of  
23 all active ingredients and individually identifying  
24 information, including all of the following:  
25 (a) The name and date of birth of the patient and  
26 the patient's primary caregiver, if appropriate.  
27 (b) The medical cannabis registration card numbers  
28 of the patient and the patient's primary caregiver, if  
29 applicable.  
30 (c) The chemical composition of the medical  
31 cannabis.  
32 (2) Proper packaging of medical cannabis shall  
33 include but not be limited to all of the following:  
34 (a) Warning labels regarding the use of medical  
35 cannabis by a woman during pregnancy and while

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1 breastfeeding.

2 (b) Clearly labeled packaging indicating that  
3 an edible medical cannabis product contains medical  
4 cannabis and which packaging shall not imitate candy  
5 products or in any way make the product marketable to  
6 children.

7 11. A medical cannabis patient center shall employ  
8 a pharmacist licensed pursuant to chapter 155A.

9 12. A medical cannabis patient center shall keep  
10 a reliable and ongoing supply of medical cannabis to  
11 treat every debilitating medical condition listed in  
12 this chapter.

13 Sec. \_\_\_\_ NEW SECTION. **124E.10 Department duties**

14 — **rules.**

15 1. *a.* The department shall maintain a confidential  
16 file of the names of each patient to or for whom the  
17 department issues a medical cannabis registration  
18 card, the name of each primary caregiver to whom the  
19 department issues a medical cannabis registration card  
20 under section 124E.4, and the names of each health care  
21 practitioner who provides a written certification for  
22 medical cannabis pursuant to this chapter.

23 *b.* Individual names contained in the file shall be  
24 confidential and shall not be subject to disclosure,  
25 except as provided in subparagraph (1).

26 (1) Information in the confidential file maintained  
27 pursuant to paragraph “*a*” may be released on an  
28 individual basis to the following persons under the  
29 following circumstances:

30 (a) To authorized employees or agents of the  
31 department and the department of transportation as  
32 necessary to perform the duties of the department and  
33 the department of transportation pursuant to this  
34 chapter.

35 (b) To authorized employees of state or local

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1 law enforcement agencies, but only for the purpose of  
2 verifying that a person is lawfully in possession of a  
3 medical cannabis registration card issued pursuant to  
4 this chapter.

5 (c) To authorized employees of a medical cannabis  
6 patient center, but only for the purpose of verifying  
7 that a person is lawfully in possession of a medical  
8 cannabis registration card issued pursuant to this  
9 chapter.

10 (2) Release of information pursuant to subparagraph  
11 (1) shall be consistent with the federal Health  
12 Insurance Portability and Accountability Act of 1996,

13 Pub. L. No. 104-191.

14 2. The department shall adopt rules pursuant to  
15 chapter 17A to administer this chapter which shall  
16 include but not be limited to rules to do all of the  
17 following:

18 a. Govern the manner in which the department shall  
19 consider applications for new and renewal medical  
20 cannabis registration cards.

21 b. Identify criteria and set forth procedures for  
22 including additional chronic or debilitating diseases  
23 or medical conditions or their medical treatments  
24 on the list of debilitating medical conditions that  
25 qualify for the use of medical cannabis. Procedures  
26 shall include a petition process and shall allow for  
27 public comment and public hearings before the medical  
28 advisory board.

29 c. Set forth additional chronic or debilitating  
30 diseases or medical conditions or associated medical  
31 treatments for inclusion on the list of debilitating  
32 medical conditions that qualify for the use of medical  
33 cannabis as recommended by the medical advisory board.

34 d. Establish the form and quantity of medical  
35 cannabis allowed to be dispensed to a patient or

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1 primary caregiver pursuant to this chapter. The  
2 form and quantity of medical cannabis shall be  
3 appropriate to serve the medical needs of patients with  
4 debilitating conditions.

5 e. Establish requirements for the licensure of  
6 medical cannabis manufacturers and medical cannabis  
7 patient centers and set forth procedures for medical  
8 cannabis manufacturers and medical cannabis patient  
9 centers to obtain licenses.

10 f. Develop a dispensing system for medical cannabis  
11 within this state that provides for all of the  
12 following:

13 (1) Medical cannabis patient centers within  
14 this state housed on secured grounds and operated by  
15 licensed medical cannabis patient centers.

16 (2) The dispensing of medical cannabis to patients  
17 and their primary caregivers to occur at locations  
18 designated by the department.

19 g. Specify and implement procedures that address  
20 public safety including security procedures and product  
21 quality including measures to ensure contaminant-free  
22 cultivation of medical cannabis, safety, and labeling.

23 h. Establish and implement a real-time, statewide  
24 medical cannabis registry management sale tracking  
25 system that is available to medical cannabis patient  
26 centers on a twenty-four-hour-day, seven-day-a-week

27 basis for the purpose of verifying that a person  
28 is lawfully in possession of a medical cannabis  
29 registration card issued pursuant to this chapter  
30 and for tracking the date of the sale and quantity of  
31 medical cannabis purchased by a patient or a primary  
32 caregiver.  
33 *i.* Establish and implement a medical cannabis  
34 inventory and delivery tracking system to track  
35 medical cannabis from production by a medical cannabis

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1 manufacturer through dispensing at a medical cannabis  
2 patient center.  
3 **Sec. \_\_\_\_.** **NEW SECTION. 124E.11 Reciprocity.**  
4 A valid medical cannabis registration card, or its  
5 equivalent, issued under the laws of another state  
6 that allows an out-of-state patient to possess or  
7 use medical cannabis in the jurisdiction of issuance  
8 shall have the same force and effect as a valid  
9 medical cannabis registration card issued pursuant to  
10 this chapter, except that an out-of-state patient in  
11 this state shall not obtain medical cannabis from a  
12 medical cannabis patient center in this state and an  
13 out-of-state patient shall not smoke medical cannabis.  
14 **Sec. \_\_\_\_.** **NEW SECTION. 124E.12 Use of medical**  
15 **cannabis — smoking prohibited.**  
16 A patient shall not consume medical cannabis  
17 possessed or used as authorized by this chapter by  
18 smoking medical cannabis.  
19 **Sec. \_\_\_\_.** **NEW SECTION. 124E.13 Use of medical**  
20 **cannabis — affirmative defenses.**  
21 1. A health care practitioner, including any  
22 authorized agent or employee thereof, shall not be  
23 subject to prosecution for the unlawful certification,  
24 possession, or administration of marijuana under the  
25 laws of this state for activities arising directly  
26 out of or directly related to the certification or  
27 use of medical cannabis in the treatment of a patient  
28 diagnosed with a debilitating medical condition as  
29 authorized by this chapter.  
30 2. A medical cannabis manufacturer, including any  
31 authorized agent or employee thereof, shall not be  
32 subject to prosecution for manufacturing, possessing,  
33 cultivating, harvesting, packaging, processing,  
34 transporting, or supplying medical cannabis pursuant  
35 to this chapter.

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1 3. A medical cannabis patient center, including  
2 any authorized agent or employee thereof, shall not be

3 subject to prosecution for transporting, supplying, or  
4 dispensing medical cannabis pursuant to this chapter.  
5     a. In a prosecution for the unlawful possession  
6 of marijuana under the laws of this state, including  
7 but not limited to chapters 124 and 453B, it is an  
8 affirmative and complete defense to the prosecution  
9 that the patient has been diagnosed with a debilitating  
10 medical condition, used or possessed medical  
11 cannabis pursuant to a certification by a health care  
12 practitioner as authorized under this chapter, and,  
13 for a patient eighteen years of age or older, is in  
14 possession of a valid medical cannabis registration  
15 card.  
16     b. In a prosecution for the unlawful possession  
17 of marijuana under the laws of this state, including  
18 but not limited to chapters 124 and 453B, it is an  
19 affirmative and complete defense to the prosecution  
20 that the person possessed medical cannabis because the  
21 person is a primary caregiver of a patient who has been  
22 diagnosed with a debilitating medical condition and is  
23 in possession of a valid medical cannabis registration  
24 card, and where the primary caregiver's possession of  
25 the medical cannabis is on behalf of the patient and  
26 for the patient's use only as authorized under this  
27 chapter.  
28     c. If a patient or primary caregiver is charged  
29 with the commission of a crime and is not in possession  
30 of the person's medical cannabis registration card,  
31 any charge or charges filed against the person shall  
32 be dismissed by the court if the person produces to  
33 the court prior to or at the person's trial a medical  
34 cannabis registration card issued to that person and  
35 valid at the time the person was charged.

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1     4. An agency of this state or a political  
2 subdivision thereof, including any law enforcement  
3 agency, shall not remove or initiate proceedings to  
4 remove a patient under the age of eighteen from the  
5 home of a parent based solely upon the parent's or  
6 patient's possession or use of medical cannabis as  
7 authorized under this chapter.  
8     Sec. \_\_\_\_ REPEAL. Chapter 124D, Code 2016, is  
9 repealed.  
10     Sec. \_\_\_\_ EMERGENCY RULES. The department may  
11 adopt emergency rules under section 17A.4, subsection  
12 3, and section 17A.5, subsection 2, paragraph "b",  
13 to implement the provisions of this division of this  
14 Act and the rules shall be effective immediately upon  
15 filing unless a later date is specified in the rules.  
16 Any rules adopted in accordance with this section shall

17 also be published as a notice of intended action as  
18 provided in section 17A.4.

19 Sec. \_\_\_\_ TRANSITION PROVISIONS. A medical  
20 cannabis registration card issued under chapter 124D  
21 prior to July 1, 2016, remains effective and continues  
22 in effect as issued for the twelve-month period  
23 following its issuance. This division of this Act does  
24 not preclude the permit holder from seeking to renew  
25 the permit under this division of this Act prior to the  
26 expiration of the twelve-month period.

27 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This division  
28 of this Act, being deemed of immediate importance,  
29 takes effect upon enactment.>

30 4. Title page, by striking lines 1 and 2 and  
31 inserting <An Act relating to state regulation and  
32 taxation including income tax checkoffs and certain  
33 medical conditions, making penalties applicable, and  
34 including effective date and retroactive applicability  
35 provisions.>

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1 5. By renumbering, redesignating, and correcting  
2 internal references as necessary.

FORBES of Polk  
KRESSIG of Black Hawk

H-8289

1 Amend the Senate amendment, H-1340, to House File  
2 567, as amended, passed, and reprinted by the House, as  
3 follows:

4 1. By striking page 1, line 1, through page 15,  
5 line 26, and inserting:

6 <Amend House File 567, as amended, passed, and  
7 reprinted by the House, as follows:

8 1. By striking everything after the enacting clause  
9 and inserting:

10 <DIVISION I  
11 MEDICAL CANNABIDIOL

12 Section 1. Section 124.401, subsection 5,  
13 unnumbered paragraph 3, Code 2016, is amended to read  
14 as follows:

15 A person may knowingly or intentionally recommend,  
16 possess, use, dispense, deliver, transport, or  
17 administer cannabidiol if the recommendation,  
18 possession, use, dispensing, delivery, transporting,  
19 or administering is in accordance with the provisions  
20 of chapter ~~124D~~ 124E. For purposes of this paragraph,  
21 “cannabidiol” means the same as defined in section  
22 ~~124D.2~~ 124E.2.



- 23 Sec. 2. NEW SECTION. 124E.1 Short title.  
 24 This chapter shall be known and may be cited as the  
 25 "*Medical Cannabidiol Act*".  
 26 Sec. 3. NEW SECTION. 124E.2 Definitions.  
 27 As used in this chapter:  
 28 1. "*Debilitating medical condition*" means any of the  
 29 following:  
 30 a. Cancer, if the underlying condition or treatment  
 31 produces one or more of the following:  
 32 (1) Severe or chronic pain.  
 33 (2) Nausea or severe vomiting.  
 34 (3) Cachexia or severe wasting.  
 35 b. Multiple sclerosis, with severe and persistent

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- 1 muscle spasms.  
 2 c. Seizures, including those characteristic of  
 3 epilepsy.  
 4 d. AIDS or HIV as defined in section 141A.1.  
 5 e. Crohn's disease.  
 6 f. Amyotrophic lateral sclerosis.  
 7 g. Any terminal illness, with a probable life  
 8 expectancy of under one year, if the illness or its  
 9 treatment produces one or more of the following:  
 10 (1) Severe or chronic pain.  
 11 (2) Nausea or severe vomiting.  
 12 (3) Cachexia or severe wasting.  
 13 2. "*Department*" means the department of public  
 14 health.  
 15 3. "*Disqualifying felony offense*" means a violation  
 16 under federal or state law of a felony under federal or  
 17 state law, which has as an element the possession, use,  
 18 or distribution of a controlled substance, as defined  
 19 in 21 U.S.C. §802(6).  
 20 4. "*Health care practitioner*" means an individual  
 21 licensed under chapter 148 to practice medicine and  
 22 surgery or osteopathic medicine and surgery.  
 23 5. "*Medical cannabidiol*" means a nonpsychoactive  
 24 cannabinoid found in the plant *Cannabis sativa* L.  
 25 or, *Cannabis indica* or any other preparation thereof  
 26 that is essentially free from plant material, and has  
 27 a tetrahydrocannabinol level of no more than three  
 28 percent, and that is delivered in any of the following  
 29 forms:  
 30 a. Liquid, including but not limited to oil.  
 31 b. Pill.  
 32 c. Through a vaporized delivery method with the use  
 33 of liquid or oil but which does not include the use of  
 34 dried leaves or plant form.  
 35 6. "*Primary caregiver*" means a person including but

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1 not limited to a parent or legal guardian, at least  
2 twenty-one years of age, who has been designated by  
3 a patient's health care practitioner as a necessary  
4 caretaker taking responsibility for managing the  
5 well-being of the patient with respect to the use of  
6 medical cannabidiol pursuant to the provisions of this  
7 chapter.

8 7. "*Written certification*" means a document signed  
9 by a health care practitioner, with whom the patient  
10 has established a patient-provider relationship, which  
11 states that the patient has a debilitating medical  
12 condition and identifies that condition and provides  
13 any other relevant information.

14 Sec. 4. **NEW SECTION. 124E.3 Health care**  
15 **practitioner certification — duties.**

16 1. Prior to a patient's submission of an  
17 application for a medical cannabidiol card pursuant to  
18 section 124E.4, a health care practitioner shall do all  
19 of the following:

20 a. Determine, in the health care practitioner's  
21 medical judgment, whether the patient whom the health  
22 care practitioner has examined and treated suffers from  
23 a debilitating medical condition that qualifies for  
24 the use of medical cannabidiol under this chapter, and  
25 if so determined, provide the patient with a written  
26 certification of that diagnosis.

27 b. Provide explanatory information as provided by  
28 the department to the patient about the therapeutic  
29 use of medical cannabidiol and the possible risks,  
30 benefits, and side effects of the proposed treatment.

31 2. Subsequently, the health care practitioner shall  
32 do the following:

33 a. Determine, on an annual basis, if the patient  
34 continues to suffer from a debilitating medical  
35 condition and, if so, issue the patient a new

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1 certification of that diagnosis.

2 b. Otherwise comply with all requirements  
3 established by the department pursuant to rule.

4 3. A health care practitioner may provide, but has  
5 no duty to provide, a written certification pursuant  
6 to this section.

7 Sec. 5. **NEW SECTION. 124E.4 Medical cannabidiol**  
8 **registration card.**

9 1. *Issuance to patient.* Subject to subsection 7,  
10 the department may approve the issuance of a medical  
11 cannabidiol registration card by the department of  
12 transportation to a patient who:

- 13 a. Is at least eighteen years of age.  
14 b. Is a permanent resident of this state.  
15 c. Submits a written certification to the  
16 department signed by the patient's health care  
17 practitioner that the patient is suffering from a  
18 debilitating medical condition.  
19 d. Submits an application to the department, on a  
20 form created by the department, in consultation with  
21 the department of transportation, that contains all of  
22 the following:  
23 (1) The patient's full name, Iowa residence  
24 address, date of birth, and telephone number.  
25 (2) A copy of the patient's valid photograph  
26 identification.  
27 (3) Full name, address, and telephone number of the  
28 patient's health care practitioner.  
29 (4) Full name, residence address, date of birth,  
30 and telephone number of each primary caregiver of the  
31 patient, if any.  
32 (5) Any other information required by rule.  
33 e. Has not been convicted of a disqualifying felony  
34 offense.  
35 2. *Patient card contents.* A medical cannabidiol

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- 1 registration card issued to a patient by the department  
2 of transportation pursuant to subsection 1 shall  
3 contain, at a minimum, all of the following:  
4 a. The patient's full name, Iowa residence address,  
5 and date of birth.  
6 b. The patient's photograph.  
7 c. The date of issuance and expiration date of the  
8 registration card.  
9 d. Any other information required by rule.  
10 3. *Issuance to primary caregiver.* For a patient in  
11 a primary caregiver's care, subject to subsection 7,  
12 the department may approve the issuance of a medical  
13 cannabidiol registration card by the department of  
14 transportation to the primary caregiver who:  
15 a. Is at least twenty-one years of age.  
16 b. Submits a written certification to the  
17 department signed by the patient's health care  
18 practitioner that the patient in the primary  
19 caregiver's care is suffering from a debilitating  
20 medical condition.  
21 c. Submits an application to the department, on a  
22 form created by the department, in consultation with  
23 the department of transportation, that contains all of  
24 the following:  
25 (1) The primary caregiver's full name, residence  
26 address, date of birth, and telephone number.

- 27 (2) The patient's full name.  
 28 (3) A copy of the primary caregiver's valid  
 29 photograph identification.  
 30 (4) Full name, address, and telephone number of the  
 31 patient's health care practitioner.  
 32 (5) Any other information required by rule.  
 33 *d.* Has not been convicted of a disqualifying felony  
 34 offense.  
 35 4. *Primary caregiver card contents.* A medical

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- 1 cannabidiol registration card issued by the department  
 2 of transportation to a primary caregiver pursuant to  
 3 subsection 3 shall contain, at a minimum, all of the  
 4 following:  
 5 *a.* The primary caregiver's full name, residence  
 6 address, and date of birth.  
 7 *b.* The primary caregiver's photograph.  
 8 *c.* The date of issuance and expiration date of the  
 9 registration card.  
 10 *d.* The registration card number of each patient  
 11 in the primary caregiver's care. If the patient  
 12 in the primary caregiver's care is under the age of  
 13 eighteen, the full name of the patient's parent or  
 14 legal guardian.  
 15 *e.* Any other information required by rule.  
 16 5. *Expiration date of card.* A medical cannabidiol  
 17 registration card issued pursuant to this section shall  
 18 expire one year after the date of issuance and may be  
 19 renewed.  
 20 6. *Card issuance — department of*  
 21 *transportation.* The department may enter into  
 22 a chapter 28E agreement with the department of  
 23 transportation to facilitate the issuance of medical  
 24 cannabidiol registration cards pursuant to subsections  
 25 1 and 3.  
 26 7. *Federally approved clinical trials.* The  
 27 department shall not approve the issuance of a medical  
 28 cannabidiol card pursuant to this section for a patient  
 29 who is enrolled in a federally approved clinical trial  
 30 for the treatment of a debilitating medical condition  
 31 with medical cannabidiol.  
 32 **Sec. 6. NEW SECTION. 124E.5 Department duties —**  
 33 **rules.**  
 34 1. *a.* The department shall maintain a confidential  
 35 file of the names of each patient to or for whom the

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- 1 department issues a medical cannabidiol registration  
 2 card and the name of each primary caregiver to whom the

3 department issues a medical cannabidiol registration  
4 card under section 124E.4.

5 *b.* Individual names contained in the file shall be  
6 confidential and shall not be subject to disclosure,  
7 except as provided in subparagraph (1).

8 (1) Information in the confidential file maintained  
9 pursuant to paragraph “*a*” may be released on an  
10 individual basis to the following persons under the  
11 following circumstances:

12 (a) To authorized employees or agents of the  
13 department and the department of transportation as  
14 necessary to perform the duties of the department and  
15 the department of transportation pursuant to this  
16 chapter.

17 (b) To authorized employees of law enforcement  
18 agencies of a state or political subdivision thereof,  
19 but only for the purpose of verifying that a person  
20 is lawfully in possession of a medical cannabidiol  
21 registration card issued pursuant to this chapter.

22 (c) To any other authorized persons recognized by  
23 the department by rule, but only for the purpose of  
24 verifying that a person is lawfully in possession of a  
25 medical cannabidiol registration card issued pursuant  
26 to this chapter.

27 (2) Release of information pursuant to subparagraph  
28 (1) shall be consistent with the federal Health  
29 Insurance Portability and Accountability Act of 1996,  
30 Pub. L. No. 104-191.

31 2. The department shall adopt rules pursuant to  
32 chapter 17A to administer this chapter which shall  
33 include but not be limited to rules to do all of the  
34 following:

35 *a.* Govern the manner in which the department shall

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1 consider applications for new and renewal medical  
2 cannabidiol registration cards.

3 *b.* Ensure that the medical cannabidiol registration  
4 card program operates on a self-sustaining basis.

5 *c.* Review and publicly report the existing medical  
6 and scientific literature regarding the range of  
7 recommended dosages for each debilitating medical  
8 condition and the range of chemical compositions of  
9 any plant of the genus *cannabis* that will likely be  
10 medically beneficial for each of the debilitating  
11 medical conditions. The department shall make this  
12 information available to patients with debilitating  
13 medical conditions beginning December 1, 2016, and  
14 update the information annually.

15 Sec. 7. **NEW SECTION. 124E.6 Use of medical**  
16 **cannabidiol — affirmative defenses.**

17 1. A health care practitioner, including any  
18 authorized agent or employee thereof, shall not be  
19 subject to prosecution for the unlawful certification,  
20 possession, or administration of marijuana under the  
21 laws of this state for activities arising directly  
22 out of or directly related to the certification or  
23 use of medical cannabidiol or medical cannabidiol  
24 products in the treatment of a patient diagnosed with  
25 a debilitating medical condition as authorized by this  
26 chapter.

27 2. *a.* In a prosecution for the unlawful possession  
28 of marijuana under the laws of this state, including  
29 but not limited to chapters 124 and 453B, it is an  
30 affirmative and complete defense to the prosecution  
31 that the patient has been diagnosed with a debilitating  
32 medical condition, used or possessed medical  
33 cannabidiol or medical cannabidiol products pursuant  
34 to a certification by a health care practitioner as  
35 authorized under this chapter, and, for a patient

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1 eighteen years of age or older, is in possession of  
2 a valid medical cannabidiol registration card issued  
3 pursuant to this chapter.

4 *b.* In a prosecution for the unlawful possession  
5 of marijuana under the laws of this state, including  
6 but not limited to chapters 124 and 453B, it is an  
7 affirmative and complete defense to the prosecution  
8 that the person possessed medical cannabidiol or  
9 medical cannabidiol products because the person is a  
10 primary caregiver of a patient who has been diagnosed  
11 with a debilitating medical condition and is in  
12 possession of a valid medical cannabidiol registration  
13 card issued pursuant to this chapter, and where  
14 the primary caregiver's possession of the medical  
15 cannabidiol or medical cannabidiol products is on  
16 behalf of the patient and for the patient's use only as  
17 authorized under this chapter.

18 *c.* If a patient or primary caregiver is charged  
19 with the unlawful possession of marijuana under the  
20 laws of this state, including but not limited to  
21 chapters 124 and 453B, and is not in possession of  
22 the person's medical cannabidiol registration card,  
23 any charge or charges filed against the person shall  
24 be dismissed by the court if the person produces to  
25 the court prior to or at the person's trial a medical  
26 cannabidiol registration card issued to that person and  
27 valid at the time the person was charged.

28 3. An agency of this state or a political  
29 subdivision thereof, including any law enforcement  
30 agency, shall not remove or initiate proceedings to

31 remove a patient under the age of eighteen from the  
 32 home of a parent based solely upon the parent's or  
 33 patient's possession or use of medical cannabidiol or  
 34 medical cannabidiol products as authorized under this  
 35 chapter.

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1 4. The department, the department of  
 2 transportation, and any health care practitioner,  
 3 including any authorized agent or employee thereof, are  
 4 not subject to any civil or disciplinary penalties by  
 5 the board of medicine or any business, occupational,  
 6 or professional licensing board or entity, solely for  
 7 activities conducted relating to a patient's possession  
 8 or use of medical cannabidiol or medical cannabidiol  
 9 products as authorized under this chapter. Nothing in  
 10 this section affects a professional licensing board  
 11 from taking action in response to violations of any  
 12 other section of law.

13 5. Notwithstanding any law to the contrary, the  
 14 department, the department of transportation, the  
 15 governor, or any employee of any state agency shall not  
 16 be held civilly or criminally liable for any injury,  
 17 loss of property, personal injury, or death caused by  
 18 any act or omission while acting within the scope of  
 19 office or employment as authorized under this chapter.

20 6. An attorney shall not be subject to disciplinary  
 21 action by the Iowa supreme court or attorney  
 22 disciplinary board for providing legal assistance to  
 23 a patient, primary caregiver, or others based upon a  
 24 patient's or primary caregiver's possession or use of  
 25 medical cannabidiol as authorized under this chapter.

26 7. Possession of a medical cannabidiol registration  
 27 card or an application for a medical cannabidiol  
 28 registration card by a person entitled to possess or  
 29 apply for a medical cannabidiol registration card shall  
 30 not constitute probable cause or reasonable suspicion,  
 31 and shall not be used to support a search of the person  
 32 or property of the person possessing or applying for  
 33 the medical cannabidiol registration card, or otherwise  
 34 subject the person or property of the person to  
 35 inspection by any governmental agency.

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1 Sec. 8. NEW SECTION. 124E.7 Medical cannabidiol  
 2 source.

3 Medical cannabidiol provided exclusively pursuant to  
 4 a written certification of a health care practitioner  
 5 shall be obtained from an out-of-state source.

6 Sec. 9. NEW SECTION. 124E.8 Penalties.

7 A person who knowingly or intentionally possesses  
 8 or uses medical cannabidiol in violation of the  
 9 requirements of this chapter is subject to the  
 10 penalties provided under chapters 124 and 453B.

11 Sec. 10. **NEW SECTION. 124E.9 Use of medical**  
 12 **cannabidiol — smoking prohibited.**

13 A patient shall not consume medical cannabidiol  
 14 possessed or used as authorized under this chapter by  
 15 smoking medical cannabidiol.

16 Sec. 11. Section 730.5, subsection 11, Code 2016,  
 17 is amended by adding the following new paragraph:  
 18 **NEW PARAGRAPH. f.** Testing or taking action against  
 19 an individual with a confirmed positive test result due  
 20 to the individual's use of cannabidiol as authorized  
 21 under chapter 124E.

22 Sec. 12. **TRANSITION PROVISIONS.** A medical  
 23 cannabidiol registration card issued under chapter  
 24 124D prior to the effective date of this division of  
 25 this Act, remains effective and continues in effect  
 26 as issued for the twelve-month period following its  
 27 issuance. This division of this Act does not preclude  
 28 the medical cannabidiol cardholder from seeking to  
 29 renew the holder's medical cannabidiol registration  
 30 card under this division of this Act prior to the  
 31 expiration of the twelve-month period.

32 Sec. 13. **REPEAL.** Chapter 124D, Code 2016, is  
 33 repealed.

34 Sec. 14. **EFFECTIVE UPON ENACTMENT.** This division  
 35 of this Act, being deemed of immediate importance,

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1 takes effect upon enactment.

## 2 DIVISION II

### 3 SYNTHETIC DRUGS

4 Sec. 15. Section 124.101, Code 2016, is amended by  
 5 adding the following new subsection:

6 **NEW SUBSECTION. 15A.** *“Imitation controlled*  
 7 *substance”* means a substance which is not a controlled  
 8 substance but which by color, shape, size, markings,  
 9 and other aspects of dosage unit appearance, and  
 10 packaging or other factors, appears to be or resembles  
 11 a controlled substance. The board of pharmacy may  
 12 designate a substance as an imitation controlled  
 13 substance pursuant to the board's rulemaking authority  
 14 and in accordance with chapter 17A. *“Imitation*  
 15 *controlled substance”* also means any substance  
 16 determined to be an imitation controlled substance  
 17 pursuant to section 124.101B.

18 Sec. 16. **NEW SECTION. 124.101B Factors indicating**  
 19 **an imitation controlled substance.**

20 If a substance has not been designated as an



21 imitation controlled substance by the board of pharmacy  
22 and if dosage unit appearance alone does not establish  
23 that a substance is an imitation controlled substance,  
24 the following factors may be considered in determining  
25 whether the substance is an imitation controlled  
26 substance:

27 1. The person in control of the substance expressly  
28 or impliedly represents that the substance has the  
29 effect of a controlled substance.

30 2. The person in control of the substance expressly  
31 or impliedly represents that the substance because  
32 of its nature or appearance can be sold or delivered  
33 as a controlled substance or as a substitute for a  
34 controlled substance.

35 3. The person in control of the substance either

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1 demands or receives money or other property having a  
2 value substantially greater than the actual value of  
3 the substance as consideration for delivery of the  
4 substance.

5 Sec. 17. Section 124.201, subsection 4, Code 2016,  
6 is amended to read as follows:

7 4. If any new substance is designated as a  
8 controlled substance under federal law and notice of  
9 the designation is given to the board, the board shall  
10 similarly designate as controlled the new substance  
11 under this chapter after the expiration of thirty days  
12 from publication in the federal register of a final  
13 order designating a new substance as a controlled  
14 substance, unless within that thirty-day period the  
15 board objects to the new designation. In that case  
16 the board shall publish the reasons for objection and  
17 afford all interested parties an opportunity to be  
18 heard. At the conclusion of the hearing the board  
19 shall announce its decision. Upon publication of  
20 objection to a new substance being designated as a  
21 controlled substance under this chapter by the board,  
22 control under this chapter is stayed until the board  
23 publishes its decision. If a substance is designated  
24 as controlled by the board under this subsection the  
25 control shall be considered a temporary ~~and if, within~~  
26 ~~sixty days after the next regular session of the~~  
27 ~~general assembly convenes, the general assembly has not~~  
28 ~~made the corresponding changes in this chapter, the~~  
29 ~~temporary designation of control of the substance by~~  
30 ~~the board shall be nullified~~ amendment to the schedules  
31 of controlled substances in this chapter. If the  
32 board so designates a substance as controlled, which  
33 is considered a temporary amendment to the schedules  
34 of controlled substances in this chapter, and if

35 the general assembly does not amend this chapter to

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1 enact the temporary amendment and make the enactment  
2 effective within two years from the date the temporary  
3 amendment first became effective, the temporary  
4 amendment is repealed by operation of law two years  
5 from the effective date of the temporary amendment. A  
6 temporary amendment repealed by operation of law is  
7 subject to section 4.13 relating to the construction  
8 of statutes and the application of a general savings  
9 provision.

10 Sec. 18. Section 124.204, subsection 4, paragraph  
11 ai, subparagraphs (3), (4), and (5), Code 2016, are  
12 amended by striking the subparagraphs.

13 Sec. 19. Section 124.204, subsection 4, paragraph  
14 aj, Code 2016, is amended by striking the paragraph and  
15 inserting in lieu thereof the following:

16 *aj.* 5-methoxy-N,N-dimethyltryptamine.

17 Some trade or other names:

18 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT.

19 Sec. 20. Section 124.204, subsection 4, paragraph  
20 ak, Code 2016, is amended by striking the paragraph and  
21 inserting in lieu thereof the following:

22 *ak.* 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine  
23 (2C-E).

24 Sec. 21. Section 124.204, subsection 4, Code 2016,  
25 is amended by adding the following new paragraphs:

26 NEW PARAGRAPH. *al.* 2-(2,5-Dimethoxy-4-  
27 methylphenyl)ethanamine (2C-D).

28 NEW PARAGRAPH. *am.* 2-(4-Chloro-2,5-  
29 dimethoxyphenyl)ethanamine (2C-C).

30 NEW PARAGRAPH. *an.* 2-(4-Iodo-2,5-  
31 dimethoxyphenyl)ethanamine (2C-I).

32 NEW PARAGRAPH. *ao.* 2-[4-(Ethylthio)-2,5-  
33 dimethoxyphenyl]ethanamine (2C-T-2).

34 NEW PARAGRAPH. *ap.* 2-[4-(Isopropylthio)-2,5-  
35 dimethoxyphenyl]ethanamine (2C-T-4).

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1 NEW PARAGRAPH. *aq.* 2-(2,5-Dimethoxyphenyl)  
2 ethanamine (2C-H).

3 NEW PARAGRAPH. *ar.* 2-(2,5-Dimethoxy-4-  
4 nitrophenyl)ethanamine (2C-N).

5 NEW PARAGRAPH. *as.* 2-(2,5-Dimethoxy-4-(n)-  
6 propylphenyl)ethanamine (2C-P).

7 Sec. 22. Section 124.204, subsection 6, paragraph  
8 i, subparagraph (3), Code 2016, is amended by striking  
9 the subparagraph and inserting in lieu thereof the  
10 following:

11 (3) 3,4-Methylenedioxy-N-methylcathinone  
 12 (methylone).  
 13 Sec. 23. Section 124.204, subsection 6, paragraph  
 14 i, subparagraphs (23), (24), (25), and (26), Code 2016,  
 15 are amended by striking the subparagraphs.  
 16 Sec. 24. Section 124.204, subsection 9, Code 2016,  
 17 is amended by adding the following new paragraphs:  
 18 NEW PARAGRAPH. *0a.* HU-210.  
 19 [(6aR,10aR)-9-(hydroxymethyl)-  
 20 6,6-dimethyl-3-(2-methyloctan-2-yl) 6a,7,10,10a-  
 21 tetrahydrobenzo[c] chromen-1-ol].  
 22 NEW PARAGRAPH. *00a.* HU-211(dexanabinol,  
 23 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
 24 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]  
 25 chromen-1-ol).  
 26 NEW PARAGRAPH. *000a.* Unless specifically exempted  
 27 or unless listed in another schedule, any material,  
 28 compound, mixture, or preparation which contains any  
 29 quantity of cannabimimetic agents, or which contains  
 30 their salts, isomers, and salts of isomers whenever the  
 31 existence of such salts, isomers, and salts of isomers  
 32 is possible within the specific chemical designation.  
 33 (1) The term “*cannabimimetic agents*” means any  
 34 substance that is a cannabinoid receptor type 1 (CB1  
 35 receptor) agonist as demonstrated by binding studies

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1 and functional assays within any of the following  
 2 structural classes:  
 3 (a) 2-(3-hydroxycyclohexyl)phenol with substitution  
 4 at the 5-position of the phenolic ring by alkyl or  
 5 alkenyl, whether or not substituted on the cyclohexyl  
 6 ring to any extent.  
 7 (b) 3-(1-naphthoyl)indole or  
 8 3-(1-naphthylmethane)indole by substitution at the  
 9 nitrogen atom of the indole ring, whether or not  
 10 further substituted on the indole ring to any extent,  
 11 whether or not substituted on the naphthoyl or naphthyl  
 12 ring to any extent.  
 13 (c) 3-(1-naphthoyl)pyrrole by substitution at the  
 14 nitrogen atom of the pyrrole ring, whether or not  
 15 further substituted in the pyrrole ring to any extent,  
 16 whether or not substituted on the naphthoyl ring to any  
 17 extent.  
 18 (d) 1-(1-naphthylmethylene)indene by substitution  
 19 of the 3-position of the indene ring, whether or not  
 20 further substituted in the indene ring to any extent,  
 21 whether or not substituted on the naphthyl ring to any  
 22 extent.  
 23 (e) 3-phenylacetylindole or 3-benzoylindole by  
 24 substitution at the nitrogen atom of the indole ring,

- 25 whether or not further substituted in the indole ring  
26 to any extent, whether or not substituted on the phenyl  
27 ring to any extent.  
28 (2) Such terms include:  
29 (a) CP 47,497 and homologues  
30 5-(1,1-dimethylheptyl)-2-  
31 [(1R,3S)-3-hydroxycyclohexyl]phenol.  
32 (b) JWH-018 and AM678  
33 1-Pentyl-3-(1-naphthoyl)indole.  
34 (c) JWH-073 1-Butyl-3-(1-naphthoyl)indole.  
35 (d) JWH-200[1-[2-(4-morpholinyl)ethyl]-1H-

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- 1 indol-3-yl]-1-naphthalenyl-methanone.  
2 (e) JWH-19 1-hexyl-3-(1-naphthoyl)indole.  
3 (f) JWH-81  
4 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole.  
5 (g) JWH-122  
6 1-pentyl-3-(4-methyl-1-naphthoyl)indole.  
7 (h) JWH-250  
8 1-pentyl-3-(2-methoxyphenylacetyl)indole.  
9 (i) RCS-4 and SR-19  
10 1-pentyl-3-[(4methoxy)-benzoyl]indole.  
11 (j) RCS-8 and SR 18 1-cyclohexylethyl-3-  
12 (2-methoxyphenylacetyl)indole.  
13 (k) AM2201  
14 1-(5-fluoropentyl)-3-(1-naphthoyl)indole.  
15 (l) JWH-203  
16 1-pentyl-3-(2-chlorophenylacetyl)indole.  
17 (m) JWH-398  
18 1-pentyl-3-(4-chloro-1-naphthoyl)indole.  
19 (n) AM694  
20 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.  
21 (o) Cannabicyclohexanol or CP-47,497 C8-homolog 5-  
22 (1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol.  
23 Sec. 25. Section 124.208, subsection 5, paragraph  
24 a, subparagraphs (3) and (4), Code 2016, are amended by  
25 striking the subparagraphs.  
26 Sec. 26. Section 124.210, subsection 2, Code 2016,  
27 is amended by adding the following new paragraph:  
28 NEW PARAGRAPH. c. 2-[(dimethylamino)methyl]-1-  
29 (3-methoxyphenyl)cyclohexanol, its salts, optical  
30 and geometric isomers, and salts of these isomers  
31 (including tramadol).  
32 Sec. 27. Section 124.210, subsection 3, Code 2016,  
33 is amended by adding the following new paragraphs:  
34 NEW PARAGRAPH. bb. Alfaxalone.  
35 NEW PARAGRAPH. bc. Suvorexant.

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1 Sec. 28. Section 124.401, subsection 1, unnumbered  
2 paragraph 1, Code 2016, is amended to read as follows:

3 Except as authorized by this chapter, it is unlawful  
4 for any person to manufacture, deliver, or possess with  
5 the intent to manufacture or deliver, a controlled  
6 substance, a counterfeit substance, ~~or~~ a simulated  
7 controlled substance, or an imitation controlled  
8 substance, or to act with, enter into a common scheme  
9 or design with, or conspire with one or more other  
10 persons to manufacture, deliver, or possess with  
11 the intent to manufacture or deliver a controlled  
12 substance, a counterfeit substance, ~~or~~ a simulated  
13 controlled substance, or an imitation controlled  
14 substance.

15 Sec. 29. Section 124.401, subsection 1, paragraph  
16 a, unnumbered paragraph 1, Code 2016, is amended to  
17 read as follows:

18 Violation of this subsection, with respect to  
19 the following controlled substances, counterfeit  
20 substances, ~~or~~ simulated controlled substances, or  
21 imitation controlled substances, is a class "B" felony,  
22 and notwithstanding section 902.9, subsection 1,  
23 paragraph "b", shall be punished by confinement for no  
24 more than fifty years and a fine of not more than one  
25 million dollars:

26 Sec. 30. Section 124.401, subsection 1, paragraph  
27 a, Code 2016, is amended by adding the following new  
28 subparagraph:  
29 NEW SUBPARAGRAPH. (8) More than ten kilograms of a  
30 mixture or substance containing any detectable amount  
31 of those substances identified in section 124.204,  
32 subsection 9.

33 Sec. 31. Section 124.401, subsection 1, paragraph  
34 b, unnumbered paragraph 1, Code 2016, is amended to  
35 read as follows:

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1 Violation of this subsection with respect to  
2 the following controlled substances, counterfeit  
3 substances, ~~or~~ simulated controlled substances, or  
4 imitation controlled substances is a class "B" felony,  
5 and in addition to the provisions of section 902.9,  
6 subsection 1, paragraph "b", shall be punished by a  
7 fine of not less than five thousand dollars nor more  
8 than one hundred thousand dollars:

9 Sec. 32. Section 124.401, subsection 1, paragraph  
10 b, Code 2016, is amended by adding the following new  
11 subparagraph:

12 NEW SUBPARAGRAPH. (9) More than five kilograms but

13 not more than ten kilograms of a mixture or substance  
14 containing any detectable amount of those substances  
15 identified in section 124.204, subsection 9.

16 Sec. 33. Section 124.401, subsection 1, paragraph  
17 c, unnumbered paragraph 1, Code 2016, is amended to  
18 read as follows:

19 Violation of this subsection with respect to  
20 the following controlled substances, counterfeit  
21 substances, ~~or simulated controlled substances, or~~  
22 imitation controlled substances is a class "C" felony,  
23 and in addition to the provisions of section 902.9,  
24 subsection 1, paragraph "d", shall be punished by a  
25 fine of not less than one thousand dollars nor more  
26 than fifty thousand dollars:

27 Sec. 34. Section 124.401, subsection 1, paragraph  
28 c, Code 2016, is amended by adding the following new  
29 subparagraph:

30 NEW SUBPARAGRAPH. (7A) Five kilograms or less of a  
31 mixture or substance containing any detectable amount  
32 of those substances identified in section 124.204,  
33 subsection 9.

34 Sec. 35. Section 124.401, subsection 1, paragraph  
35 c, subparagraph (8), Code 2016, is amended to read as

PAGE 20

1 follows:

2 (8) Any other controlled substance, counterfeit  
3 substance, ~~or simulated controlled substance, or~~  
4 imitation controlled substance classified in schedule  
5 I, II, or III, except as provided in paragraph "d".

6 Sec. 36. Section 124.401, subsection 1, paragraph  
7 d, Code 2016, is amended to read as follows:

8 *d.* Violation of this subsection, with respect  
9 to any other controlled substances, counterfeit  
10 substances, ~~or simulated controlled substances~~  
11 ~~classified in section 124.204, subsection 4, paragraph~~  
12 ~~"a", or section 124.204, subsection 6, paragraph "i",~~  
13 ~~or, or imitation controlled substances~~ classified  
14 in schedule IV or V is an aggravated misdemeanor.  
15 However, violation of this subsection involving  
16 fifty kilograms or less of marijuana or involving  
17 flunitrazepam is a class "D" felony.

18 Sec. 37. Section 124.401, subsection 2, Code 2016,  
19 is amended to read as follows:

20 2. If the same person commits two or more acts  
21 which are in violation of subsection 1 and the acts  
22 occur in approximately the same location or time  
23 period so that the acts can be attributed to a single  
24 scheme, plan, or conspiracy, the acts may be considered  
25 a single violation and the weight of the controlled  
26 substances, counterfeit substances, ~~or simulated~~

27 controlled substances, or imitation controlled  
 28 substances involved may be combined for purposes of  
 29 charging the offender.  
 30 Sec. 38. Section 124.401, subsection 5, unnumbered  
 31 paragraph 1, Code 2016, is amended to read as follows:  
 32 It is unlawful for any person knowingly or  
 33 intentionally to possess a controlled substance unless  
 34 such substance was obtained directly from, or pursuant to  
 35 to, a valid prescription or order of a practitioner

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1 while acting in the course of the practitioner's  
 2 professional practice, or except as otherwise  
 3 authorized by this chapter. Any person who violates  
 4 this subsection is guilty of a serious misdemeanor for  
 5 a first offense. A person who commits a violation of  
 6 this subsection and who has previously been convicted  
 7 of violating this chapter or chapter ~~124A~~, 124B, or  
 8 453B, or chapter 124A as it existed prior to July  
 9 1, 2016, is guilty of an aggravated misdemeanor. A  
 10 person who commits a violation of this subsection and  
 11 has previously been convicted two or more times of  
 12 violating this chapter or chapter ~~124A~~, 124B, or 453B,  
 13 or chapter 124A as it existed prior to July 1, 2016, is  
 14 guilty of a class "D" felony.

15 Sec. 39. Section 124.401A, Code 2016, is amended to  
 16 read as follows:

17 **124.401A Enhanced penalty for manufacture or**  
 18 **distribution to persons on certain real property.**

19 In addition to any other penalties provided in  
 20 this chapter, a person who is eighteen years of age  
 21 or older who unlawfully manufactures with intent to  
 22 distribute, distributes, or possesses with intent to  
 23 distribute a substance or counterfeit substance listed  
 24 in schedule I, II, or III, or a simulated or imitation  
 25 controlled substance represented to be a controlled  
 26 substance classified in schedule I, II, or III, to  
 27 another person who is eighteen years of age or older in  
 28 or on, or within one thousand feet of the real property  
 29 comprising a public or private elementary or secondary  
 30 school, public park, public swimming pool, public  
 31 recreation center, or on a marked school bus, may be  
 32 sentenced up to an additional term of confinement of  
 33 five years.

34 Sec. 40. Section 124.401B, Code 2016, is amended to  
 35 read as follows:

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1 **124.401B Possession of controlled substances on**  
 2 **certain real property — additional penalty.**

3 In addition to any other penalties provided in this  
4 chapter or another chapter, a person who unlawfully  
5 possesses a substance listed in schedule I, II, or  
6 III, or a simulated or imitation controlled substance  
7 represented to be a controlled substance classified  
8 in schedule I, II, or III, in or on, or within one  
9 thousand feet of the real property comprising a public  
10 or private elementary or secondary school, public park,  
11 public swimming pool, public recreation center, or on  
12 a marked school bus, may be sentenced to one hundred  
13 hours of community service work for a public agency  
14 or a nonprofit charitable organization. The court  
15 shall provide the offender with a written statement of  
16 the terms and monitoring provisions of the community  
17 service.

18 Sec. 41. Section 124.406, subsection 2, Code 2016,  
19 is amended to read as follows:

20 2. A person who is eighteen years of age or older  
21 who:

22 a. Unlawfully distributes or possesses with the  
23 intent to distribute a counterfeit substance listed  
24 in schedule I or II, or a simulated or imitation  
25 controlled substance represented to be a substance  
26 classified in schedule I or II, to a person under  
27 eighteen years of age commits a class "B" felony.  
28 However, if the substance was distributed in or on,  
29 or within one thousand feet of, the real property  
30 comprising a public or private elementary or secondary  
31 school, public park, public swimming pool, public  
32 recreation center, or on a marked school bus, the  
33 person shall serve a minimum term of confinement of ten  
34 years.

35 b. Unlawfully distributes or possesses with intent

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1 to distribute a counterfeit substance listed in  
2 schedule III, or a simulated or imitation controlled  
3 substance represented to be any substance listed in  
4 schedule III, to a person under eighteen years of age  
5 who is at least three years younger than the violator  
6 commits a class "C" felony.

7 c. Unlawfully distributes a counterfeit substance  
8 listed in schedule IV or V, or a simulated or imitation  
9 controlled substance represented to be a substance  
10 listed in schedule IV or V, to a person under eighteen  
11 years of age who is at least three years younger than  
12 the violator commits an aggravated misdemeanor.

13 Sec. 42. Section 124.415, Code 2016, is amended to  
14 read as follows:

15 **124.415 Parental and school notification — persons**  
16 **under eighteen years of age.**



17 A peace officer shall make a reasonable effort to  
 18 identify a person under the age of eighteen discovered  
 19 to be in possession of a controlled substance,  
 20 counterfeit substance, ~~or simulated controlled~~  
 21 substance, or imitation controlled substance in  
 22 violation of this chapter, and if the person is not  
 23 referred to juvenile court, the law enforcement agency  
 24 of which the peace officer is an employee shall make  
 25 a reasonable attempt to notify the person's custodial  
 26 parent or legal guardian of such possession, whether  
 27 or not the person is arrested, unless the officer has  
 28 reasonable grounds to believe that such notification  
 29 is not in the best interests of the person or will  
 30 endanger that person. If the person is taken into  
 31 custody, the peace officer shall notify a juvenile  
 32 court officer who shall make a reasonable effort to  
 33 identify the elementary or secondary school the person  
 34 attends, if any, and to notify the superintendent of  
 35 the school district, the superintendent's designee,

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1 or the authorities in charge of the nonpublic school  
 2 of the taking into custody. A reasonable attempt to  
 3 notify the person includes but is not limited to a  
 4 telephone call or notice by first-class mail.  
 5 Sec. 43. NEW SECTION. 124.417 Imitation controlled  
 6 substances — exceptions.  
 7 It is not unlawful under this chapter for a person  
 8 registered under section 124.302, to manufacture,  
 9 deliver, or possess with the intent to manufacture or  
 10 deliver, or to act with, one or more other persons  
 11 to manufacture, deliver, or possess with the intent  
 12 to manufacture or deliver an imitation controlled  
 13 substance for use as a placebo by a registered  
 14 practitioner in the course of professional practice or  
 15 research.  
 16 Sec. 44. Section 124.502, subsection 1, paragraph  
 17 a, Code 2016, is amended to read as follows:  
 18 a. A district judge or district associate judge,  
 19 within the court's jurisdiction, and upon proper  
 20 oath or affirmation showing probable cause, may issue  
 21 warrants for the purpose of conducting administrative  
 22 inspections under this chapter or a related rule  
 23 ~~or under chapter 124A.~~ The warrant may also permit  
 24 seizures of property appropriate to the inspections.  
 25 For purposes of the issuance of administrative  
 26 inspection warrants, probable cause exists upon showing  
 27 a valid public interest in the effective enforcement  
 28 of the statute or related rules, sufficient to justify  
 29 administrative inspection of the area, premises,  
 30 building, or conveyance in the circumstances specified

31 in the application for the warrant.  
32 Sec. 45. Section 155A.6, subsection 3, Code 2016,  
33 is amended to read as follows:  
34 3. The board shall establish standards for  
35 pharmacist-intern registration and may deny, suspend,

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1 or revoke a pharmacist-intern registration for failure  
2 to meet the standards or for any violation of the laws  
3 of this state, another state, or the United States  
4 relating to prescription drugs, controlled substances,  
5 or nonprescription drugs, or for any violation of this  
6 chapter or chapter 124, ~~124A~~, 124B, 126, 147, or 205,  
7 or any rule of the board.

8 Sec. 46. Section 155A.6A, subsection 5, Code 2016,  
9 is amended to read as follows:

10 5. The board may deny, suspend, or revoke the  
11 registration of, or otherwise discipline, a registered  
12 pharmacy technician for any violation of the laws  
13 of this state, another state, or the United States  
14 relating to prescription drugs, controlled substances,  
15 or nonprescription drugs, or for any violation of this  
16 chapter or chapter 124, ~~124A~~, 124B, 126, 147, 205, or  
17 272C, or any rule of the board.

18 Sec. 47. Section 155A.6B, subsection 5, Code 2016,  
19 is amended to read as follows:

20 5. The board may deny, suspend, or revoke the  
21 registration of a pharmacy support person or otherwise  
22 discipline the pharmacy support person for any  
23 violation of the laws of this state, another state,  
24 or the United States relating to prescription drugs,  
25 controlled substances, or nonprescription drugs, or for  
26 any violation of this chapter or chapter 124, ~~124A~~,  
27 124B, 126, 147, 205, or 272C, or any rule of the board.

28 Sec. 48. Section 155A.13A, subsection 3, Code 2016,  
29 is amended to read as follows:

30 3. *Discipline.* The board may deny, suspend, or  
31 revoke a nonresident pharmacy license for any violation  
32 of this section, section 155A.15, subsection 2,  
33 paragraph "a", "b", "d", "e", "f", "g", "h", or "i",  
34 chapter 124, ~~124A~~, 124B, 126, or 205, or a rule of the  
35 board.

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1 Sec. 49. Section 155A.17, subsection 2, Code 2016,  
2 is amended to read as follows:

3 2. The board shall establish standards for drug  
4 wholesaler licensure and may define specific types of  
5 wholesaler licenses. The board may deny, suspend, or  
6 revoke a drug wholesale license for failure to meet the

7 applicable standards or for a violation of the laws  
 8 of this state, another state, or the United States  
 9 relating to prescription drugs, devices, or controlled  
 10 substances, or for a violation of this chapter, chapter  
 11 124, ~~124A~~, 124B, 126, or 205, or a rule of the board.  
 12 Sec. 50. Section 155A.42, subsection 4, Code 2016,  
 13 is amended to read as follows:

14 4. The board may deny, suspend, or revoke a limited  
 15 drug and device distributor's license for failure to  
 16 meet the applicable standards or for a violation of  
 17 the laws of this state, another state, or the United  
 18 States relating to prescription drugs or controlled  
 19 substances, or for a violation of this chapter, chapter  
 20 124, ~~124A~~, 124B, 126, 205, or 272C, or a rule of the  
 21 board.

22 Sec. 51. REPEAL. Chapter 124A, Code 2016, is  
 23 repealed.>

24 2. Title page, by striking lines 1 through 5 and  
 25 inserting <An Act relating to controlled substances  
 26 and the medical cannabidiol Act, including imitation  
 27 controlled substances, temporarily designating  
 28 substances as controlled substances, including  
 29 effective date provisions, and providing criminal  
 30 penalties.>>

NUNN of Polk

H-8290

1 Amend the amendment, H-8289, to the Senate  
 2 amendment, H-1340, to House File 567, as amended,  
 3 passed, and reprinted by the House, as follows:

4 1. By striking page 1, line 1, through page 26,  
 5 line 30, and inserting:  
 6 <Amend the Senate amendment, H-3140, to House File  
 7 567, as amended, passed, and reprinted by the House,  
 8 as follows:

9 1. By striking page 1, line 1, through page 15,  
 10 line 26, and inserting:

11 < Amend House File 567, as amended, passed, and  
 12 reprinted by the House, as follows:

13 1. By striking everything after the enacting clause  
 14 and inserting:

15 <DIVISION I  
 16 MEDICAL CANNABIDIOL

17 Section 1. Section 124.401, subsection 5,  
 18 unnumbered paragraph 3, Code 2016, is amended to read  
 19 as follows:

20 A person may knowingly or intentionally recommend,  
 21 possess, use, dispense, deliver, transport, or  
 22 administer cannabidiol if the recommendation,  
 23 possession, use, dispensing, delivery, transporting,

24 or administering is in accordance with the provisions  
25 of chapter ~~124D~~ 124E. For purposes of this paragraph,  
26 “*cannabidiol*” means the same as defined in section  
27 ~~124D-2~~ 124E.2.

28 Sec. 2. NEW SECTION. 124E.1 Short title.

29 This chapter shall be known and may be cited as the  
30 “*Medical Cannabidiol Act*”.

31 Sec. 3. NEW SECTION. 124E.2 Definitions.

32 As used in this chapter:

33 1. “*Debilitating medical condition*” means any of the  
34 following:

35 a. Cancer, if the underlying condition or treatment

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1 produces one or more of the following:

2 (1) Severe or chronic pain.

3 (2) Nausea or severe vomiting.

4 (3) Cachexia or severe wasting.

5 b. Multiple sclerosis with severe and persistent  
6 muscle spasms.

7 c. Seizures, including those characteristic of  
8 epilepsy.

9 d. AIDS or HIV as defined in section 141A.1.

10 e. Crohn’s disease.

11 f. Amyotrophic lateral sclerosis.

12 g. Any terminal illness, with a probable life  
13 expectancy of under one year, if the illness or its  
14 treatment produces one or more of the following:

15 (1) Severe or chronic pain.

16 (2) Nausea or severe vomiting.

17 (3) Cachexia or severe wasting.

18 2. “*Department*” means the department of public  
19 health.

20 3. “*Disqualifying felony offense*” means a violation  
21 under federal or state law of a felony under federal or  
22 state law, which has as an element the possession, use,  
23 or distribution of a controlled substance, as defined  
24 in 21 U.S.C. §802(6).

25 4. “*Health care practitioner*” means an individual  
26 licensed under chapter 148 to practice medicine and  
27 surgery or osteopathic medicine and surgery.

28 5. “*Medical cannabidiol*” means a nonpsychoactive  
29 cannabinoid found in the plant *Cannabis sativa* L.  
30 or, *Cannabis indica* or any other preparation thereof  
31 that is essentially free from plant material, and has  
32 a tetrahydrocannabinol level of no more than three  
33 percent, and that is delivered in any of the following  
34 forms:

35 a. Liquid, including but not limited to oil.

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1 b. Pill.

2 c. Through a vaporized delivery method with the use  
3 of liquid or oil but which does not include the use of  
4 dried leaves or plant form.

5 6. *“Primary caregiver”* means a person including but  
6 not limited to a parent or legal guardian, at least  
7 twenty-one years of age, who has been designated by  
8 a patient’s health care practitioner as a necessary  
9 caretaker taking responsibility for managing the  
10 well-being of the patient with respect to the use of  
11 medical cannabidiol pursuant to the provisions of this  
12 chapter.

13 7. *“Written certification”* means a document signed  
14 by a health care practitioner, with whom the patient  
15 has established a patient-provider relationship, which  
16 states that the patient has a debilitating medical  
17 condition and identifies that condition and provides  
18 any other relevant information.

19 Sec. 4. **NEW SECTION. 124E.3 Health care**  
20 **practitioner certification — duties.**

21 1. Prior to a patient’s submission of an  
22 application for a medical cannabidiol card pursuant to  
23 section 124E.4, a health care practitioner shall do all  
24 of the following:

25 a. Determine, in the health care practitioner’s  
26 medical judgment, whether the patient whom the health  
27 care practitioner has examined and treated suffers from  
28 a debilitating medical condition that qualifies for  
29 the use of medical cannabidiol under this chapter, and  
30 if so determined, provide the patient with a written  
31 certification of that diagnosis.

32 b. Provide explanatory information as provided by  
33 the department to the patient about the therapeutic  
34 use of medical cannabidiol and the possible risks,  
35 benefits, and side effects of the proposed treatment.

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1 2. Subsequently, the health care practitioner shall  
2 do the following:

3 a. Determine, on an annual basis, if the patient  
4 continues to suffer from a debilitating medical  
5 condition and, if so, issue the patient a new  
6 certification of that diagnosis.

7 b. Otherwise comply with all requirements  
8 established by the department pursuant to rule.

9 3. A health care practitioner may provide, but has  
10 no duty to provide, a written certification pursuant  
11 to this section.

12 Sec. 5. **NEW SECTION. 124E.4 Medical cannabidiol**

13 **registration card.**

14 1. *Issuance to patient.* Subject to subsection 7,  
15 the department may approve the issuance of a medical  
16 cannabidiol registration card by the department of  
17 transportation to a patient who:

18 a. Is at least eighteen years of age.

19 b. Is a permanent resident of this state.

20 c. Submits a written certification to the  
21 department signed by the patient's health care  
22 practitioner that the patient is suffering from a  
23 debilitating medical condition.

24 d. Submits an application to the department, on a  
25 form created by the department, in consultation with  
26 the department of transportation, that contains all of  
27 the following:

28 (1) The patient's full name, Iowa residence  
29 address, date of birth, and telephone number.

30 (2) A copy of the patient's valid photograph  
31 identification.

32 (3) Full name, address, and telephone number of the  
33 patient's health care practitioner.

34 (4) Full name, residence address, date of birth,  
35 and telephone number of each primary caregiver of the

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1 patient, if any.

2 (5) Any other information required by rule.

3 e. Has not been convicted of a disqualifying felony  
4 offense.

5 2. *Patient card contents.* A medical cannabidiol  
6 registration card issued to a patient by the department  
7 of transportation pursuant to subsection 1 shall  
8 contain, at a minimum, all of the following:

9 a. The patient's full name, Iowa residence address,  
10 and date of birth.

11 b. The patient's photograph.

12 c. The date of issuance and expiration date of the  
13 registration card.

14 d. Any other information required by rule.

15 3. *Issuance to primary caregiver.* For a patient in  
16 a primary caregiver's care, subject to subsection 7,  
17 the department may approve the issuance of a medical  
18 cannabidiol registration card by the department of  
19 transportation to the primary caregiver who:

20 a. Is at least twenty-one years of age.

21 b. Submits a written certification to the  
22 department signed by the patient's health care  
23 practitioner that the patient in the primary  
24 caregiver's care is suffering from a debilitating  
25 medical condition.

26 c. Submits an application to the department, on a

27 form created by the department, in consultation with  
 28 the department of transportation, that contains all of  
 29 the following:

- 30 (1) The primary caregiver's full name, residence
- 31 address, date of birth, and telephone number.
- 32 (2) The patient's full name.
- 33 (3) A copy of the primary caregiver's valid
- 34 photograph identification.
- 35 (4) Full name, address, and telephone number of the

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- 1 patient's health care practitioner.
- 2 (5) Any other information required by rule.
- 3 *d.* Has not been convicted of a disqualifying felony
- 4 offense.
- 5 4. *Primary caregiver card contents.* A medical
- 6 cannabidiol registration card issued by the department
- 7 of transportation to a primary caregiver pursuant to
- 8 subsection 3 shall contain, at a minimum, all of the
- 9 following:
  - 10 *a.* The primary caregiver's full name, residence
  - 11 address, and date of birth.
  - 12 *b.* The primary caregiver's photograph.
  - 13 *c.* The date of issuance and expiration date of the
  - 14 registration card.
  - 15 *d.* The registration card number of each patient
  - 16 in the primary caregiver's care. If the patient
  - 17 in the primary caregiver's care is under the age of
  - 18 eighteen, the full name of the patient's parent or
  - 19 legal guardian.
  - 20 *e.* Any other information required by rule.
- 21 5. *Expiration date of card.* A medical cannabidiol
- 22 registration card issued pursuant to this section shall
- 23 expire one year after the date of issuance and may be
- 24 renewed.
- 25 6. *Card issuance — department of*
- 26 *transportation.* The department may enter into
- 27 a chapter 28E agreement with the department of
- 28 transportation to facilitate the issuance of medical
- 29 cannabidiol registration cards pursuant to subsections
- 30 1 and 3.
- 31 7. *Federally approved clinical trials.* The
- 32 department shall not approve the issuance of a medical
- 33 cannabidiol card pursuant to this section for a patient
- 34 who is enrolled in a federally approved clinical trial
- 35 for the treatment of a debilitating medical condition

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- 1 with medical cannabidiol.
- 2 Sec. 6. NEW SECTION. 124E.5 Department duties —

3 **rules.**

4 1. *a.* The department shall maintain a confidential  
5 file of the names of each patient to or for whom the  
6 department issues a medical cannabidiol registration  
7 card and the name of each primary caregiver to whom the  
8 department issues a medical cannabidiol registration  
9 card under section 124E.4.

10 *b.* Individual names contained in the file shall be  
11 confidential and shall not be subject to disclosure,  
12 except as provided in subparagraph (1).

13 (1) Information in the confidential file maintained  
14 pursuant to paragraph “*a.*” may be released on an  
15 individual basis to the following persons under the  
16 following circumstances:

17 (a) To authorized employees or agents of the  
18 department and the department of transportation as  
19 necessary to perform the duties of the department and  
20 the department of transportation pursuant to this  
21 chapter.

22 (b) To authorized employees of law enforcement  
23 agencies of a state or political subdivision thereof,  
24 but only for the purpose of verifying that a person  
25 is lawfully in possession of a medical cannabidiol  
26 registration card issued pursuant to this chapter.

27 (c) To any other authorized persons recognized by  
28 the department by rule, but only for the purpose of  
29 verifying that a person is lawfully in possession of a  
30 medical cannabidiol registration card issued pursuant  
31 to this chapter.

32 (2) Release of information pursuant to subparagraph  
33 (1) shall be consistent with the federal Health  
34 Insurance Portability and Accountability Act of 1996,  
35 Pub. L. No. 104-191.

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1 2. The department shall adopt rules pursuant to  
2 chapter 17A to administer this chapter which shall  
3 include but not be limited to rules to do all of the  
4 following:

5 *a.* Govern the manner in which the department shall  
6 consider applications for new and renewal medical  
7 cannabidiol registration cards.

8 *b.* Ensure that the medical cannabidiol registration  
9 card program operates on a self-sustaining basis.

10 *c.* Review and publicly report the existing medical  
11 and scientific literature regarding the range of  
12 recommended dosages for each debilitating medical  
13 condition and the range of chemical compositions of  
14 any plant of the genus *cannabis* that will likely be  
15 medically beneficial for each of the debilitating  
16 medical conditions. The department shall make this  
17 information available to patients with debilitating



18 medical conditions beginning December 1, 2016, and  
19 update the information annually.

20 Sec. 7. **NEW SECTION. 124E.6 Use of medical**  
21 **cannabidiol — affirmative defenses.**

22 1. A health care practitioner, including any  
23 authorized agent or employee thereof, shall not be  
24 subject to prosecution for the unlawful certification,  
25 possession, or administration of marijuana under the  
26 laws of this state for activities arising directly  
27 out of or directly related to the certification or  
28 use of medical cannabidiol or medical cannabidiol  
29 products in the treatment of a patient diagnosed with  
30 a debilitating medical condition as authorized by this  
31 chapter.

32 2. *a.* In a prosecution for the unlawful possession  
33 of marijuana under the laws of this state, including  
34 but not limited to chapters 124 and 453B, it is an  
35 affirmative and complete defense to the prosecution

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1 that the patient has been diagnosed with a debilitating  
2 medical condition, used or possessed medical  
3 cannabidiol or medical cannabidiol products pursuant  
4 to a certification by a health care practitioner as  
5 authorized under this chapter, and, for a patient  
6 eighteen years of age or older, is in possession of  
7 a valid medical cannabidiol registration card issued  
8 pursuant to this chapter.

9 *b.* In a prosecution for the unlawful possession  
10 of marijuana under the laws of this state, including  
11 but not limited to chapters 124 and 453B, it is an  
12 affirmative and complete defense to the prosecution  
13 that the person possessed medical cannabidiol or  
14 medical cannabidiol products because the person is a  
15 primary caregiver of a patient who has been diagnosed  
16 with a debilitating medical condition and is in  
17 possession of a valid medical cannabidiol registration  
18 card issued pursuant to this chapter, and where  
19 the primary caregiver's possession of the medical  
20 cannabidiol or medical cannabidiol products is on  
21 behalf of the patient and for the patient's use only as  
22 authorized under this chapter.

23 *c.* If a patient or primary caregiver is charged  
24 with the unlawful possession of marijuana under the  
25 laws of this state, including but not limited to  
26 chapters 124 and 453B, and is not in possession of  
27 the person's medical cannabidiol registration card,  
28 any charge or charges filed against the person shall  
29 be dismissed by the court if the person produces to  
30 the court prior to or at the person's trial a medical  
31 cannabidiol registration card issued to that person and

32 valid at the time the person was charged.  
33 3. An agency of this state or a political  
34 subdivision thereof, including any law enforcement  
35 agency, shall not remove or initiate proceedings to

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1 remove a patient under the age of eighteen from the  
2 home of a parent based solely upon the parent's or  
3 patient's possession or use of medical cannabidiol or  
4 medical cannabidiol products as authorized under this  
5 chapter.  
6 4. The department, the department of  
7 transportation, and any health care practitioner,  
8 including any authorized agent or employee thereof, are  
9 not subject to any civil or disciplinary penalties by  
10 the board of medicine or any business, occupational,  
11 or professional licensing board or entity, solely for  
12 activities conducted relating to a patient's possession  
13 or use of medical cannabidiol or medical cannabidiol  
14 products as authorized under this chapter. Nothing in  
15 this section affects a professional licensing board  
16 from taking action in response to violations of any  
17 other section of law.  
18 5. Notwithstanding any law to the contrary, the  
19 department, the department of transportation, the  
20 governor, or any employee of any state agency shall not  
21 be held civilly or criminally liable for any injury,  
22 loss of property, personal injury, or death caused by  
23 any act or omission while acting within the scope of  
24 office or employment as authorized under this chapter.  
25 6. An attorney shall not be subject to disciplinary  
26 action by the Iowa supreme court or attorney  
27 disciplinary board for providing legal assistance to  
28 a patient, primary caregiver, or others based upon a  
29 patient's or primary caregiver's possession or use of  
30 medical cannabidiol as authorized under this chapter.  
31 7. Possession of a medical cannabidiol registration  
32 card or an application for a medical cannabidiol  
33 registration card by a person entitled to possess or  
34 apply for a medical cannabidiol registration card shall  
35 not constitute probable cause or reasonable suspicion,

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1 and shall not be used to support a search of the person  
2 or property of the person possessing or applying for  
3 the medical cannabidiol registration card, or otherwise  
4 subject the person or property of the person to  
5 inspection by any governmental agency.  
6 Sec. 8. NEW SECTION. 124E.7 Medical cannabidiol  
7 source.

8 Medical cannabidiol provided exclusively pursuant to  
 9 a written certification of a health care practitioner  
 10 shall be obtained from an out-of-state source.

11 Sec. 9. NEW SECTION. 124E.8 Penalties.

12 A person who knowingly or intentionally possesses  
 13 or uses medical cannabidiol in violation of the  
 14 requirements of this chapter is subject to the  
 15 penalties provided under chapters 124 and 453B.

16 Sec. 10. NEW SECTION. 124E.9 Use of medical  
 17 cannabidiol — smoking prohibited.

18 A patient shall not consume medical cannabidiol  
 19 possessed or used as authorized under this chapter by  
 20 smoking medical cannabidiol.

21 Sec. 11. NEW SECTION. 124E.10 Medical cannabidiol  
 22 therapeutic research impact assessment task force.

23 1. A medical cannabidiol therapeutic research  
 24 impact assessment task force is created within the  
 25 department. The task force shall consist of the  
 26 following members:

27 a. Four members of the general assembly who shall  
 28 serve as ex officio, nonvoting members to be appointed  
 29 as follows:

30 (1) Two members of the house of representatives,  
 31 one selected by the speaker of the house of  
 32 representatives, the other selected by the minority  
 33 leader of the house of representatives.

34 (2) Two members of the senate, one selected by the  
 35 majority leader of the senate, the other selected by

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1 the minority leader of the senate.

2 b. Eighteen voting members as follows:

3 (1) Two members who are primary caregivers who are  
 4 patients with a valid medical cannabidiol registration  
 5 card.

6 (2) Two members who are primary caregivers who are  
 7 parents of patients under age eighteen.

8 (3) Four members representing health care  
 9 providers, including one licensed pharmacist.

10 (4) Four members representing law enforcement, one  
 11 from the Iowa police chiefs association, one from the  
 12 Iowa state sheriffs' and deputies' association, one  
 13 from the Iowa peace officers association, and one from  
 14 the Iowa county attorneys association.

15 (5) Four members representing substance use  
 16 disorder treatment providers.

17 (6) One member representing the department of  
 18 public health.

19 (7) One member representing the department of  
 20 public safety.

21 2. Task force members shall be appointed by July

22 15, 2016, and shall meet annually.

23 3. Two co-chairpersons of the task force shall be  
24 chosen from the members. One co-chairperson shall be  
25 selected by the speaker of the house of representatives  
26 and the other co-chairperson shall be selected by the  
27 majority leader of the senate.

28 4. The task force shall review and evaluate the  
29 impact of the use of medical cannabidiol, including  
30 Iowa's experience and the experience of other states  
31 involving medical cannabidiol, on all of the following:

32 a. Program design and implementation.

33 b. The impact on the health care provider  
34 community.

35 c. Patient experiences.

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1 d. The impact on the incidence of substance abuse.

2 e. Access to and quality of medical cannabidiol and  
3 medical cannabidiol products.

4 f. The impact on law enforcement and prosecutions.

5 g. Public awareness and perception.

6 h. Any unintended consequences.

7 5. The task force shall submit its recommendations  
8 to the governor and the general assembly no later than  
9 December 15 in each year the task force is required to  
10 meet.

11 6. This section is repealed July 1, 2021.

12 Sec. 12. Section 730.5, subsection 11, Code 2016,  
13 is amended by adding the following new paragraph:  
14 NEW PARAGRAPH. f. Testing or taking action against  
15 an individual with a confirmed positive test result due  
16 to the individual's use of cannabidiol as authorized  
17 under chapter 124E.

18 Sec. 13. TRANSITION PROVISIONS. A medical  
19 cannabidiol registration card issued under chapter  
20 124D prior to the effective date of this division of  
21 this Act, remains effective and continues in effect  
22 as issued for the twelve-month period following its  
23 issuance. This division of this Act does not preclude  
24 the medical cannabidiol cardholder from seeking to  
25 renew the holder's medical cannabidiol registration  
26 card under this division of this Act prior to the  
27 expiration of the twelve-month period.

28 Sec. 14. REPEAL. Chapter 124D, Code 2016, is  
29 repealed.

30 Sec. 15. EFFECTIVE UPON ENACTMENT. This division  
31 of this Act, being deemed of immediate importance,  
32 takes effect upon enactment.

33 DIVISION II  
34 SYNTHETIC DRUGS

35 Sec. 16. Section 124.101, Code 2016, is amended by

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1 adding the following new subsection:

2 NEW SUBSECTION. 15A. *“Imitation controlled*  
3 *substance”* means a substance which is not a controlled  
4 substance but which by color, shape, size, markings,  
5 and other aspects of dosage unit appearance, and  
6 packaging or other factors, appears to be or resembles  
7 a controlled substance. The board of pharmacy may  
8 designate a substance as an imitation controlled  
9 substance pursuant to the board’s rulemaking authority  
10 and in accordance with chapter 17A. *“Imitation*  
11 *controlled substance”* also means any substance  
12 determined to be an imitation controlled substance  
13 pursuant to section 124.101B.

14 Sec. 17. NEW SECTION. **124.101B Factors indicating**  
15 **an imitation controlled substance.**

16 If a substance has not been designated as an  
17 imitation controlled substance by the board of pharmacy  
18 and if dosage unit appearance alone does not establish  
19 that a substance is an imitation controlled substance,  
20 the following factors may be considered in determining  
21 whether the substance is an imitation controlled  
22 substance:

23 1. The person in control of the substance expressly  
24 or impliedly represents that the substance has the  
25 effect of a controlled substance.

26 2. The person in control of the substance expressly  
27 or impliedly represents that the substance because  
28 of its nature or appearance can be sold or delivered  
29 as a controlled substance or as a substitute for a  
30 controlled substance.

31 3. The person in control of the substance either  
32 demands or receives money or other property having a  
33 value substantially greater than the actual value of  
34 the substance as consideration for delivery of the  
35 substance.

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1 Sec. 18. Section 124.201, subsection 4, Code 2016,  
2 is amended to read as follows:

3 4. If any new substance is designated as a  
4 controlled substance under federal law and notice of  
5 the designation is given to the board, the board shall  
6 similarly designate as controlled the new substance  
7 under this chapter after the expiration of thirty days  
8 from publication in the federal register of a final  
9 order designating a new substance as a controlled  
10 substance, unless within that thirty-day period the  
11 board objects to the new designation. In that case  
12 the board shall publish the reasons for objection and

13 afford all interested parties an opportunity to be  
14 heard. At the conclusion of the hearing the board  
15 shall announce its decision. Upon publication of  
16 objection to a new substance being designated as a  
17 controlled substance under this chapter by the board,  
18 control under this chapter is stayed until the board  
19 publishes its decision. If a substance is designated  
20 as controlled by the board under this subsection the  
21 control shall be considered a temporary and if, within  
22 ~~sixty days after the next regular session of the~~  
23 ~~general assembly convenes, the general assembly has not~~  
24 ~~made the corresponding changes in this chapter, the~~  
25 ~~temporary designation of control of the substance by~~  
26 ~~the board shall be nullified amendment to the schedules~~  
27 of controlled substances in this chapter. If the  
28 board so designates a substance as controlled, which  
29 is considered a temporary amendment to the schedules  
30 of controlled substances in this chapter, and if  
31 the general assembly does not amend this chapter to  
32 enact the temporary amendment and make the enactment  
33 effective within two years from the date the temporary  
34 amendment first became effective, the temporary  
35 amendment is repealed by operation of law two years

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1 from the effective date of the temporary amendment. A  
2 temporary amendment repealed by operation of law is  
3 subject to section 4.13 relating to the construction  
4 of statutes and the application of a general savings  
5 provision.  
6 Sec. 19. Section 124.204, subsection 4, paragraph  
7 ai, subparagraphs (3), (4), and (5), Code 2016, are  
8 amended by striking the subparagraphs.  
9 Sec. 20. Section 124.204, subsection 4, paragraph  
10 aj, Code 2016, is amended by striking the paragraph and  
11 inserting in lieu thereof the following:  
12 *aj.* 5-methoxy-N,N-dimethyltryptamine.  
13 Some trade or other names:  
14 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT.  
15 Sec. 21. Section 124.204, subsection 4, paragraph  
16 ak, Code 2016, is amended by striking the paragraph and  
17 inserting in lieu thereof the following:  
18 *ak.* 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine  
19 (2C-E).  
20 Sec. 22. Section 124.204, subsection 4, Code 2016,  
21 is amended by adding the following new paragraphs:  
22 NEW PARAGRAPH. *al.* 2-(2,5-Dimethoxy-4-  
23 methylphenyl)ethanamine (2C-D).  
24 NEW PARAGRAPH. *am.* 2-(4-Chloro-2,5-  
25 dimethoxyphenyl)ethanamine (2C-C).  
26 NEW PARAGRAPH. *an.* 2-(4-Iodo-2,5-

- 27 dimethoxyphenyl)ethanamine (2C-I).  
 28 NEW PARAGRAPH. *ao.* 2-[4-(Ethylthio)-2,5-  
 29 dimethoxyphenyl]ethanamine (2C-T-2).  
 30 NEW PARAGRAPH. *ap.* 2-[4-(Isopropylthio)-2,5-  
 31 dimethoxyphenyl]ethanamine (2C-T-4).  
 32 NEW PARAGRAPH. *aq.* 2-(2,5-Dimethoxyphenyl)  
 33 ethanamine (2C-H).  
 34 NEW PARAGRAPH. *ar.* 2-(2,5-Dimethoxy-4-  
 35 nitrophenyl)ethanamine (2C-N).

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- 1 NEW PARAGRAPH. *as.* 2-(2,5-Dimethoxy-4-(n)-  
 2 propylphenyl)ethanamine (2C-P).  
 3 Sec. 23. Section 124.204, subsection 6, paragraph  
 4 i, subparagraph (3), Code 2016, is amended by striking  
 5 the subparagraph and inserting in lieu thereof the  
 6 following:  
 7 (3) 3,4-Methylenedioxy-N-methylcathinone  
 8 (methylone).  
 9 Sec. 24. Section 124.204, subsection 6, paragraph  
 10 i, subparagraphs (23), (24), (25), and (26), Code 2016,  
 11 are amended by striking the subparagraphs.  
 12 Sec. 25. Section 124.204, subsection 9, Code 2016,  
 13 is amended by adding the following new paragraphs:  
 14 NEW PARAGRAPH. *oa.* HU-210.  
 15 [(6aR,10aR)-9-(hydroxymethyl)-  
 16 6,6-dimethyl-3-(2-methyloctan-2-yl) 6a,7,10,10a-  
 17 tetrahydrobenzo[c] chromen-1-ol].  
 18 NEW PARAGRAPH. *ooa.* HU-211(dexanabinol,  
 19 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
 20 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]  
 21 chromen-1-ol).  
 22 NEW PARAGRAPH. *ooo.* Unless specifically exempted  
 23 or unless listed in another schedule, any material,  
 24 compound, mixture, or preparation which contains any  
 25 quantity of cannabimimetic agents, or which contains  
 26 their salts, isomers, and salts of isomers whenever the  
 27 existence of such salts, isomers, and salts of isomers  
 28 is possible within the specific chemical designation.  
 29 (1) The term “*cannabimimetic agents*” means any  
 30 substance that is a cannabinoid receptor type 1 (CB1  
 31 receptor) agonist as demonstrated by binding studies  
 32 and functional assays within any of the following  
 33 structural classes:  
 34 (a) 2-(3-hydroxycyclohexyl)phenol with substitution  
 35 at the 5-position of the phenolic ring by alkyl or

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- 1 alkenyl, whether or not substituted on the cyclohexyl  
 2 ring to any extent.

- 3 (b) 3-(1-naphthoyl)indole or  
4 3-(1-naphthylmethane)indole by substitution at the  
5 nitrogen atom of the indole ring, whether or not  
6 further substituted on the indole ring to any extent,  
7 whether or not substituted on the naphthoyl or naphthyl  
8 ring to any extent.
- 9 (c) 3-(1-naphthoyl)pyrrole by substitution at the  
10 nitrogen atom of the pyrrole ring, whether or not  
11 further substituted in the pyrrole ring to any extent,  
12 whether or not substituted on the naphthoyl ring to any  
13 extent.
- 14 (d) 1-(1-naphthylmethylene)indene by substitution  
15 of the 3-position of the indene ring, whether or not  
16 further substituted in the indene ring to any extent,  
17 whether or not substituted on the naphthyl ring to any  
18 extent.
- 19 (e) 3-phenylacetylindole or 3-benzoylindole by  
20 substitution at the nitrogen atom of the indole ring,  
21 whether or not further substituted in the indole ring  
22 to any extent, whether or not substituted on the phenyl  
23 ring to any extent.
- 24 (2) Such terms include:
- 25 (a) CP 47,497 and homologues  
26 5-(1,1-dimethylheptyl)-2-  
27 [(1R,3S)-3-hydroxycyclohexyl]phenol.
- 28 (b) JWH-018 and AM678  
29 1-Pentyl-3-(1-naphthoyl)indole.
- 30 (c) JWH-073 1-Butyl-3-(1-naphthoyl)indole.  
31 (d) JWH-200[1-[2-(4-morpholinyl)ethyl]-1H-  
32 indol-3-yl]-1-naphthalenyl-methanone.  
33 (e) JWH-19 1-hexyl-3-(1-naphthoyl)indole.  
34 (f) JWH-81  
35 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole.

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- 1 (g) JWH-122  
2 1-pentyl-3-(4-methyl-1-naphthoyl)indole.  
3 (h) JWH-250  
4 1-pentyl-3-(2-methoxyphenylacetyl)indole.  
5 (i) RCS-4 and SR-19  
6 1-pentyl-3-[(4methoxy)-benzoyl]indole.  
7 (j) RCS-8 and SR 18 1-cyclohexylethyl-3-  
8 (2-methoxyphenylacetyl)indole.  
9 (k) AM2201  
10 1-(5-fluoropentyl)-3-(1-naphthoyl)indole.  
11 (l) JWH-203  
12 1-pentyl-3-(2-chlorophenylacetyl)indole.  
13 (m) JWH-398  
14 1-pentyl-3-(4-chloro-1-naphthoyl)indole.  
15 (n) AM694  
16 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.



17 (o) Cannabicyclohexanol or CP-47,497 C8-homolog 5-  
 18 (1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol.  
 19 Sec. 26. Section 124.208, subsection 5, paragraph  
 20 a, subparagraphs (3) and (4), Code 2016, are amended by  
 21 striking the subparagraphs.  
 22 Sec. 27. Section 124.210, subsection 2, Code 2016,  
 23 is amended by adding the following new paragraph:  
 24 NEW PARAGRAPH. c. 2-[(dimethylamino)methyl]-1-  
 25 (3-methoxyphenyl)cyclohexanol, its salts, optical  
 26 and geometric isomers, and salts of these isomers  
 27 (including tramadol).  
 28 Sec. 28. Section 124.210, subsection 3, Code 2016,  
 29 is amended by adding the following new paragraphs:  
 30 NEW PARAGRAPH. *bb.* Alfaxalone.  
 31 NEW PARAGRAPH. *bc.* Suvorexant.  
 32 Sec. 29. Section 124.401, subsection 1, unnumbered  
 33 paragraph 1, Code 2016, is amended to read as follows:  
 34 Except as authorized by this chapter, it is unlawful  
 35 for any person to manufacture, deliver, or possess with

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1 the intent to manufacture or deliver, a controlled  
 2 substance, a counterfeit substance, ~~or~~ a simulated  
 3 controlled substance, or an imitation controlled  
 4 substance, or to act with, enter into a common scheme  
 5 or design with, or conspire with one or more other  
 6 persons to manufacture, deliver, or possess with  
 7 the intent to manufacture or deliver a controlled  
 8 substance, a counterfeit substance, ~~or~~ a simulated  
 9 controlled substance, or an imitation controlled  
 10 substance.  
 11 Sec. 30. Section 124.401, subsection 1, paragraph  
 12 a, unnumbered paragraph 1, Code 2016, is amended to  
 13 read as follows:  
 14 Violation of this subsection, with respect to  
 15 the following controlled substances, counterfeit  
 16 substances, ~~or~~ simulated controlled substances, or  
 17 imitation controlled substances, is a class "B" felony,  
 18 and notwithstanding section 902.9, subsection 1,  
 19 paragraph "b", shall be punished by confinement for no  
 20 more than fifty years and a fine of not more than one  
 21 million dollars:  
 22 Sec. 31. Section 124.401, subsection 1, paragraph  
 23 a, Code 2016, is amended by adding the following new  
 24 subparagraph:  
 25 NEW SUBPARAGRAPH. (8) More than ten kilograms of a  
 26 mixture or substance containing any detectable amount  
 27 of those substances identified in section 124.204,  
 28 subsection 9.  
 29 Sec. 32. Section 124.401, subsection 1, paragraph  
 30 b, unnumbered paragraph 1, Code 2016, is amended to

31 read as follows:

32 Violation of this subsection with respect to  
33 the following controlled substances, counterfeit  
34 substances, ~~or simulated controlled substances, or~~  
35 imitation controlled substances is a class "B" felony,

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1 and in addition to the provisions of section 902.9,  
2 subsection 1, paragraph "b", shall be punished by a  
3 fine of not less than five thousand dollars nor more  
4 than one hundred thousand dollars:

5 Sec. 33. Section 124.401, subsection 1, paragraph  
6 b, Code 2016, is amended by adding the following new  
7 subparagraph:

8 NEW SUBPARAGRAPH. (9) More than five kilograms but  
9 not more than ten kilograms of a mixture or substance  
10 containing any detectable amount of those substances  
11 identified in section 124.204, subsection 9.

12 Sec. 34. Section 124.401, subsection 1, paragraph  
13 c, unnumbered paragraph 1, Code 2016, is amended to  
14 read as follows:

15 Violation of this subsection with respect to  
16 the following controlled substances, counterfeit  
17 substances, ~~or simulated controlled substances, or~~  
18 imitation controlled substances is a class "C" felony,  
19 and in addition to the provisions of section 902.9,  
20 subsection 1, paragraph "d", shall be punished by a  
21 fine of not less than one thousand dollars nor more  
22 than fifty thousand dollars:

23 Sec. 35. Section 124.401, subsection 1, paragraph  
24 c, Code 2016, is amended by adding the following new  
25 subparagraph:

26 NEW SUBPARAGRAPH. (7A) Five kilograms or less of a  
27 mixture or substance containing any detectable amount  
28 of those substances identified in section 124.204,  
29 subsection 9.

30 Sec. 36. Section 124.401, subsection 1, paragraph  
31 c, subparagraph (8), Code 2016, is amended to read as  
32 follows:

33 (8) Any other controlled substance, counterfeit  
34 substance, ~~or simulated controlled substance, or~~  
35 imitation controlled substance classified in schedule

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1 I, II, or III, except as provided in paragraph "d".

2 Sec. 37. Section 124.401, subsection 1, paragraph  
3 d, Code 2016, is amended to read as follows:

4 *d.* Violation of this subsection, with respect  
5 to any other controlled substances, counterfeit  
6 substances, ~~or simulated controlled substances~~

7 ~~classified in section 124.204, subsection 4, paragraph~~  
 8 ~~“a”, or section 124.204, subsection 6, paragraph “c”,~~  
 9 ~~or, or imitation controlled substances~~ classified  
 10 in schedule IV or V is an aggravated misdemeanor.  
 11 However, violation of this subsection involving  
 12 fifty kilograms or less of marijuana or involving  
 13 flunitrazepam is a class “D” felony.

14 Sec. 38. Section 124.401, subsection 2, Code 2016,  
 15 is amended to read as follows:

16 2. If the same person commits two or more acts  
 17 which are in violation of subsection 1 and the acts  
 18 occur in approximately the same location or time  
 19 period so that the acts can be attributed to a single  
 20 scheme, plan, or conspiracy, the acts may be considered  
 21 a single violation and the weight of the controlled  
 22 substances, counterfeit substances, ~~or simulated~~  
 23 ~~controlled substances, or imitation controlled~~  
 24 ~~substances~~ involved may be combined for purposes of  
 25 charging the offender.

26 Sec. 39. Section 124.401, subsection 5, unnumbered  
 27 paragraph 1, Code 2016, is amended to read as follows:

28 It is unlawful for any person knowingly or  
 29 intentionally to possess a controlled substance unless  
 30 such substance was obtained directly from, or pursuant  
 31 to, a valid prescription or order of a practitioner  
 32 while acting in the course of the practitioner’s  
 33 professional practice, or except as otherwise  
 34 authorized by this chapter. Any person who violates  
 35 this subsection is guilty of a serious misdemeanor for

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1 a first offense. A person who commits a violation of  
 2 this subsection and who has previously been convicted  
 3 of violating this chapter or chapter ~~124A~~, 124B, or  
 4 ~~453B, or chapter 124A as it existed prior to July~~  
 5 ~~1, 2016~~, is guilty of an aggravated misdemeanor. A  
 6 person who commits a violation of this subsection and  
 7 has previously been convicted two or more times of  
 8 violating this chapter or chapter ~~124A~~, 124B, or 453B,  
 9 ~~or chapter 124A as it existed prior to July 1, 2016~~, is  
 10 guilty of a class “D” felony.

11 Sec. 40. Section 124.401A, Code 2016, is amended to  
 12 read as follows:

13 **124.401A Enhanced penalty for manufacture or**  
 14 **distribution to persons on certain real property.**

15 In addition to any other penalties provided in  
 16 this chapter, a person who is eighteen years of age  
 17 or older who unlawfully manufactures with intent to  
 18 distribute, distributes, or possesses with intent to  
 19 distribute a substance or counterfeit substance listed  
 20 in schedule I, II, or III, or a simulated or imitation

21 controlled substance represented to be a controlled  
22 substance classified in schedule I, II, or III, to  
23 another person who is eighteen years of age or older in  
24 or on, or within one thousand feet of the real property  
25 comprising a public or private elementary or secondary  
26 school, public park, public swimming pool, public  
27 recreation center, or on a marked school bus, may be  
28 sentenced up to an additional term of confinement of  
29 five years.

30 Sec. 41. Section 124.401B, Code 2016, is amended to  
31 read as follows:

32 **124.401B Possession of controlled substances on**  
33 **certain real property — additional penalty.**

34 In addition to any other penalties provided in this  
35 chapter or another chapter, a person who unlawfully

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1 possesses a substance listed in schedule I, II, or  
2 III, or a simulated or imitation controlled substance  
3 represented to be a controlled substance classified  
4 in schedule I, II, or III, in or on, or within one  
5 thousand feet of the real property comprising a public  
6 or private elementary or secondary school, public park,  
7 public swimming pool, public recreation center, or on  
8 a marked school bus, may be sentenced to one hundred  
9 hours of community service work for a public agency  
10 or a nonprofit charitable organization. The court  
11 shall provide the offender with a written statement of  
12 the terms and monitoring provisions of the community  
13 service.

14 Sec. 42. Section 124.406, subsection 2, Code 2016,  
15 is amended to read as follows:

16 2. A person who is eighteen years of age or older  
17 who:

18 a. Unlawfully distributes or possesses with the  
19 intent to distribute a counterfeit substance listed  
20 in schedule I or II, or a simulated or imitation  
21 controlled substance represented to be a substance  
22 classified in schedule I or II, to a person under  
23 eighteen years of age commits a class "B" felony.  
24 However, if the substance was distributed in or on,  
25 or within one thousand feet of, the real property  
26 comprising a public or private elementary or secondary  
27 school, public park, public swimming pool, public  
28 recreation center, or on a marked school bus, the  
29 person shall serve a minimum term of confinement of ten  
30 years.

31 b. Unlawfully distributes or possesses with intent  
32 to distribute a counterfeit substance listed in  
33 schedule III, or a simulated or imitation controlled  
34 substance represented to be any substance listed in

35 schedule III, to a person under eighteen years of age

PAGE 25

1 who is at least three years younger than the violator  
 2 commits a class “C” felony.  
 3 c. Unlawfully distributes a counterfeit substance  
 4 listed in schedule IV or V, or a simulated or imitation  
 5 controlled substance represented to be a substance  
 6 listed in schedule IV or V, to a person under eighteen  
 7 years of age who is at least three years younger than  
 8 the violator commits an aggravated misdemeanor.

9 Sec. 43. Section 124.415, Code 2016, is amended to  
 10 read as follows:

11 **124.415 Parental and school notification — persons**  
 12 **under eighteen years of age.**

13 A peace officer shall make a reasonable effort to  
 14 identify a person under the age of eighteen discovered  
 15 to be in possession of a controlled substance,  
 16 counterfeit substance, ~~or~~ simulated controlled  
 17 substance, or imitation controlled substance in  
 18 violation of this chapter, and if the person is not  
 19 referred to juvenile court, the law enforcement agency  
 20 of which the peace officer is an employee shall make  
 21 a reasonable attempt to notify the person’s custodial  
 22 parent or legal guardian of such possession, whether  
 23 or not the person is arrested, unless the officer has  
 24 reasonable grounds to believe that such notification  
 25 is not in the best interests of the person or will  
 26 endanger that person. If the person is taken into  
 27 custody, the peace officer shall notify a juvenile  
 28 court officer who shall make a reasonable effort to  
 29 identify the elementary or secondary school the person  
 30 attends, if any, and to notify the superintendent of  
 31 the school district, the superintendent’s designee,  
 32 or the authorities in charge of the nonpublic school  
 33 of the taking into custody. A reasonable attempt to  
 34 notify the person includes but is not limited to a  
 35 telephone call or notice by first-class mail.

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1 Sec. 44. NEW SECTION. **124.417 Imitation controlled**  
 2 **substances — exceptions.**

3 It is not unlawful under this chapter for a person  
 4 registered under section 124.302, to manufacture,  
 5 deliver, or possess with the intent to manufacture or  
 6 deliver, or to act with, one or more other persons  
 7 to manufacture, deliver, or possess with the intent  
 8 to manufacture or deliver an imitation controlled  
 9 substance for use as a placebo by a registered  
 10 practitioner in the course of professional practice or

11 research.

12 Sec. 45. Section 124.502, subsection 1, paragraph  
13 a, Code 2016, is amended to read as follows:

14 a. A district judge or district associate judge,  
15 within the court's jurisdiction, and upon proper  
16 oath or affirmation showing probable cause, may issue  
17 warrants for the purpose of conducting administrative  
18 inspections under this chapter or a related rule  
19 ~~or under chapter 124A~~. The warrant may also permit  
20 seizures of property appropriate to the inspections.  
21 For purposes of the issuance of administrative  
22 inspection warrants, probable cause exists upon showing  
23 a valid public interest in the effective enforcement  
24 of the statute or related rules, sufficient to justify  
25 administrative inspection of the area, premises,  
26 building, or conveyance in the circumstances specified  
27 in the application for the warrant.

28 Sec. 46. Section 155A.6, subsection 3, Code 2016,  
29 is amended to read as follows:

30 3. The board shall establish standards for  
31 pharmacist-intern registration and may deny, suspend,  
32 or revoke a pharmacist-intern registration for failure  
33 to meet the standards or for any violation of the laws  
34 of this state, another state, or the United States  
35 relating to prescription drugs, controlled substances,

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1 or nonprescription drugs, or for any violation of this  
2 chapter or chapter 124, ~~124A~~, 124B, 126, 147, or 205,  
3 or any rule of the board.

4 Sec. 47. Section 155A.6A, subsection 5, Code 2016,  
5 is amended to read as follows:

6 5. The board may deny, suspend, or revoke the  
7 registration of, or otherwise discipline, a registered  
8 pharmacy technician for any violation of the laws  
9 of this state, another state, or the United States  
10 relating to prescription drugs, controlled substances,  
11 or nonprescription drugs, or for any violation of this  
12 chapter or chapter 124, ~~124A~~, 124B, 126, 147, 205, or  
13 272C, or any rule of the board.

14 Sec. 48. Section 155A.6B, subsection 5, Code 2016,  
15 is amended to read as follows:

16 5. The board may deny, suspend, or revoke the  
17 registration of a pharmacy support person or otherwise  
18 discipline the pharmacy support person for any  
19 violation of the laws of this state, another state,  
20 or the United States relating to prescription drugs,  
21 controlled substances, or nonprescription drugs, or for  
22 any violation of this chapter or chapter 124, ~~124A~~,  
23 124B, 126, 147, 205, or 272C, or any rule of the board.

24 Sec. 49. Section 155A.13A, subsection 3, Code 2016,

25 is amended to read as follows:

26 3. *Discipline.* The board may deny, suspend, or  
 27 revoke a nonresident pharmacy license for any violation  
 28 of this section, section 155A.15, subsection 2,  
 29 paragraph “a”, “b”, “d”, “e”, “f”, “g”, “h”, or “i”,  
 30 chapter 124, ~~124A~~, 124B, 126, or 205, or a rule of the  
 31 board.

32 Sec. 50. Section 155A.17, subsection 2, Code 2016,  
 33 is amended to read as follows:

34 2. The board shall establish standards for drug  
 35 wholesaler licensure and may define specific types of

PAGE 28

1 wholesaler licenses. The board may deny, suspend, or  
 2 revoke a drug wholesale license for failure to meet the  
 3 applicable standards or for a violation of the laws  
 4 of this state, another state, or the United States  
 5 relating to prescription drugs, devices, or controlled  
 6 substances, or for a violation of this chapter, chapter  
 7 124, ~~124A~~, 124B, 126, or 205, or a rule of the board.

8 Sec. 51. Section 155A.42, subsection 4, Code 2016,  
 9 is amended to read as follows:

10 4. The board may deny, suspend, or revoke a limited  
 11 drug and device distributor’s license for failure to  
 12 meet the applicable standards or for a violation of  
 13 the laws of this state, another state, or the United  
 14 States relating to prescription drugs or controlled  
 15 substances, or for a violation of this chapter, chapter  
 16 124, ~~124A~~, 124B, 126, 205, or 272C, or a rule of the  
 17 board.

18 Sec. 52. REPEAL. Chapter 124A, Code 2016, is  
 19 repealed.>

20 2. Title page, by striking lines 1 through 5 and  
 21 inserting <An Act relating to controlled substances  
 22 and the medical cannabidiol Act, including imitation  
 23 controlled substances, temporarily designating  
 24 substances as controlled substances, including  
 25 effective date provisions, and providing criminal  
 26 penalties.>>>

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H-8291

1 Amend the amendment, H-8286, to the Senate  
 2 amendment, H-8278, to House File 2459, as amended,  
 3 passed, and reprinted by the House, as follows:

4 1. By striking page 1, line 1, through page 21,  
 5 line 18, and inserting:

6 <Amend the Senate amendment, H-8278, to House File  
 7 2459, as amended, passed, and reprinted by the House,

8 as follows:

9 1. By striking page 1, line 1, through page 20,  
10 line 34, and inserting:

11 <Amend House File 2459, as amended, passed, and  
12 reprinted by the House, as follows:

13 \_\_\_\_\_. By striking everything after the enacting  
14 clause and inserting:

15 <DIVISION I

16 EQUAL PAY TASK FORCE AND REPORT

17 Section 1. EQUAL PAY.

18 1. An equal pay task force is created. The task  
19 force shall consist of seven members appointed by the  
20 governor.

21 2. The task force shall study wage discrepancies  
22 within public and private employment and between public  
23 and private employers.

24 3. The task force shall submit a report regarding  
25 its findings and its recommendations regarding  
26 potential actions for the elimination and prevention  
27 of such discrepancies to the governor and the general  
28 assembly no later than December 22, 2017.

29 DIVISION II

30 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION

31 Sec. 2. ADDITIONAL UNFAIR OR DISCRIMINATORY  
32 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

33 1. As stated in chapter 216, the general assembly  
34 finds that the practice of discriminating against any  
35 employee because of the age, race, creed, color, sex,

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1 sexual orientation, gender identity, national origin,  
2 religion, or disability of such employee by paying  
3 wages to such employee at a rate less than the rate  
4 paid to other employees does all of the following:

5 a. Unjustly discriminates against the person  
6 receiving the lesser rate.

7 b. Leads to low employee morale, high turnover, and  
8 frequent labor unrest.

9 c. Discourages employees paid at lesser wage rates  
10 from training for higher level jobs.

11 d. Curtails employment opportunities, decreases  
12 employees' mobility, and increases labor costs.

13 e. Impairs purchasing power and threatens the  
14 maintenance of an adequate standard of living by such  
15 employees and their families.

16 f. Prevents optimum utilization of the state's  
17 available labor resources.

18 g. Threatens the well-being of citizens of this  
19 state and adversely affects the general welfare.

20 2. As stated in section 216.6A, it remains  
21 unfair or discriminatory practice for any employer



22 or agent of any employer to discriminate against  
 23 any employee because of the age, race, creed, color,  
 24 sex, sexual orientation, gender identity, national  
 25 origin, religion, or disability of such employee by  
 26 paying wages to such employee at a rate less than the  
 27 rate paid to other employees who are employed within  
 28 the same establishment for equal work on jobs, the  
 29 performance of which requires equal skill, effort, and  
 30 responsibility, and which are performed under similar  
 31 working conditions. As also stated in section 216.6A,  
 32 an employer or agent of an employer who is paying wages  
 33 to an employee at a rate less than the rate paid to  
 34 other employees in violation of this section shall not  
 35 remedy the violation by reducing the wage rate of any

PAGE 3

1 employee.

2 DIVISION III

3 STANDING APPROPRIATIONS AND RELATED MATTERS

4 Sec. 3. 2015 Iowa Acts, chapter 138, section 3, is  
 5 amended by adding the following new subsection:

6 NEW SUBSECTION. 4. For the peace officers'  
 7 retirement, accident, and disability system retirement  
 8 fund under section 97A.11A:  
 9 ..... \$ 2,500,000

10 Sec. 4. 2015 Iowa Acts, chapter 138, is amended by  
 11 adding the following new section:

12 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.

13 1. The appropriations made pursuant to section  
 14 2.12 for the expenses of the general assembly and  
 15 legislative agencies for the fiscal year beginning July  
 16 1, 2016, and ending June 30, 2017, are reduced by the  
 17 following amount:

18 ..... \$ 5,850,000

19 2. The budgeted amounts for the general assembly  
 20 and legislative agencies for the fiscal year beginning  
 21 July 1, 2016, may be adjusted to reflect the unexpended  
 22 budgeted amounts from the previous fiscal year.

23 3. Annual membership dues for organizations,  
 24 associations, and conferences shall not be paid from  
 25 moneys appropriated pursuant to section 2.12.

26 4. Costs for out-of-state travel and per diems  
 27 for out-of-state travel shall not be paid from moneys  
 28 appropriated pursuant to section 2.12.

29 Sec. 5. 2015 Iowa Acts, chapter 138, is amended by  
 30 adding the following new section:

31 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
 32 is amended by adding the following new subsection:

33 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
 34 and in addition to the reduction applicable pursuant  
 35 to subsection 2, the state aid for area education

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1 agencies and the portion of the combined district cost  
 2 calculated for these agencies for the fiscal year  
 3 beginning July 1, 2016, and ending June 30, 2017, shall  
 4 be reduced by the department of management by twenty  
 5 million dollars. The reduction for each area education  
 6 agency shall be prorated based on the reduction that  
 7 the agency received in the fiscal year beginning July  
 8 1, 2003.

9 Sec. 6. Section 2.48, subsection 3, Code 2016, is  
 10 amended by adding the following new paragraph:

11 NEW PARAGRAPH. *of.* In 2016:

12 (1) The homestead tax credit under chapter 425.

13 (2) The elderly and disabled property tax credit  
 14 under chapter 425.

15 (3) The agricultural land tax credit under chapter  
 16 426.

17 (4) The military service tax credit under chapter  
 18 426A.

19 (5) The business property tax credit under chapter  
 20 426C.

21 (6) The commercial and industrial property tax  
 22 replacement claims under section 441.21A.

23 Sec. 7. Section 230.8, Code 2016, is amended to  
 24 read as follows:

25 **230.8 Transfers of persons with mental illness —**  
 26 **expenses.**

27 The transfer to any state hospitals or to the places  
 28 of their residence of persons with mental illness who  
 29 have no residence in this state or whose residence is  
 30 unknown and deemed to be a state case, shall be made  
 31 according to the directions of the administrator,  
 32 and when practicable by employees of the state  
 33 hospitals. The actual and necessary expenses of such  
 34 transfers shall be paid by the department on itemized  
 35 vouchers sworn to by the claimants and approved by

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1 the administrator, ~~and the amount of the expenses is~~  
 2 ~~appropriated to the department from any funds in the~~  
 3 ~~state treasury not otherwise appropriated.~~

4 Sec. 8. Section 820.24, Code 2016, is amended to  
 5 read as follows:

6 **820.24 Expenses — how paid.**

7 When the punishment of the crime shall be the  
 8 confinement of the criminal in the penitentiary, the  
 9 expenses shall be paid ~~out of the state treasury, on~~  
 10 ~~the certificate of the governor and warrant of the~~  
 11 ~~director of the department of administrative services~~  
 12 by the department of corrections; and in all other

13 cases they shall be paid out of the county treasury in  
 14 the county wherein the crime is alleged to have been  
 15 committed. The expenses shall be the fees paid to the  
 16 officers of the state on whose governor the requisition  
 17 is made, and all necessary and actual traveling  
 18 expenses incurred in returning the prisoner.

19 DIVISION IV

20 MISCELLANEOUS PROVISIONS

21 Sec. 9. BUDGET PROCESS FOR FISCAL YEAR 2017-2018.

22 1. For the budget process applicable to the fiscal  
 23 year beginning July 1, 2017, on or before October 1,  
 24 2016, in lieu of the information specified in section  
 25 8.23, subsection 1, unnumbered paragraph 1, and  
 26 paragraph "a", all departments and establishments of  
 27 the government shall transmit to the director of the  
 28 department of management, on blanks to be furnished  
 29 by the director, estimates of their expenditure  
 30 requirements, including every proposed expenditure, for  
 31 the ensuing fiscal year, together with supporting data  
 32 and explanations as called for by the director of the  
 33 department of management after consultation with the  
 34 legislative services agency.

35 2. The estimates of expenditure requirements

PAGE 6

1 shall be in a form specified by the director of  
 2 the department of management, and the expenditure  
 3 requirements shall include all proposed expenditures  
 4 and shall be prioritized by program or the results to  
 5 be achieved. The estimates shall be accompanied by  
 6 performance measures for evaluating the effectiveness  
 7 of the programs or results.

8 Sec. 10. TIME AND ATTENDANCE SOLUTION — EXECUTIVE  
 9 BRANCH. It is the intent of the general assembly that  
 10 executive branch agencies make use of an existing  
 11 master agreement entered into by the department of  
 12 administrative services on November 17, 2015, to  
 13 develop a statewide time and attendance solution.  
 14 The statewide time and attendance solution will  
 15 have the ability to generate savings within state  
 16 government, minimize compliance risk, and improve  
 17 workforce productivity with a vendor who specializes in  
 18 measuring metrics to monitor performance and measures  
 19 financial and operational activities by incorporating  
 20 modeling and data analytics, baseline numbers, and any  
 21 additional pertinent information.

22 Sec. 11. WATER QUALITY — IOWA FINANCE  
 23 AUTHORITY. There is appropriated from the general fund  
 24 of the state to the Iowa finance authority for the  
 25 fiscal year beginning July 1, 2016, and ending June 30,  
 26 2017, the following amount, or so much thereof as is

27 necessary, to be used for the purpose designated:  
 28 For deposit in the water quality financial  
 29 assistance fund created in section 16.134A, if enacted  
 30 by 2016 Iowa Acts, House File 2451:  
 31 ..... \$ 2,000,000  
 32 Sec. 12. SALARY MODEL ADMINISTRATOR. The salary  
 33 model administrator shall work in conjunction with  
 34 the legislative services agency to maintain the  
 35 state's salary model used for analyzing, comparing,

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1 and projecting state employee salary and benefit  
 2 information, including information relating to  
 3 employees of the state board of regents. The  
 4 department of revenue, the department of administrative  
 5 services, the five institutions under the jurisdiction  
 6 of the state board of regents, the judicial district  
 7 departments of correctional services, and the state  
 8 department of transportation shall provide salary data  
 9 to the department of management and the legislative  
 10 services agency to operate the state's salary  
 11 model. The format and frequency of provision of the  
 12 salary data shall be determined by the department of  
 13 management and the legislative services agency. The  
 14 information shall be used in collective bargaining  
 15 processes under chapter 20 and in calculating the  
 16 funding needs contained within the annual salary  
 17 adjustment legislation. A state employee organization  
 18 as defined in section 20.3, subsection 4, may request  
 19 information produced by the model, but the information  
 20 provided shall not contain information attributable to  
 21 individual employees.

22 Sec. 13. Section 24.32, Code 2016, is amended to  
 23 read as follows:

24 **24.32 Decision certified.**

25 After a hearing upon the appeal, the state board  
 26 shall certify its decision to the county auditor and  
 27 to the parties to the appeal as provided by rule, and  
 28 the decision shall be final. The county auditor shall  
 29 make up the records in accordance with the decision and  
 30 the levying board shall make its levy in accordance  
 31 with the decision. Upon receipt of the decision, the  
 32 certifying board shall correct its records accordingly,  
 33 if necessary. Final disposition of all appeals shall  
 34 be made by the state board ~~on or before April 30 of~~  
 35 ~~each year~~ within forty-five days after the date of the

PAGE 8

1 appeal hearing.

2 Sec. 14. Section 284.6, subsection 8, Code 2016, is

3 amended to read as follows:

4 8. For each year in which a school district  
 5 receives funds calculated and paid to school  
 6 districts for professional development pursuant to  
 7 section 257.10, subsection 10, or section 257.37A,  
 8 subsection 2, the school district shall create quality  
 9 professional development opportunities. Not less  
 10 than thirty-six hours in the school calendar, held  
 11 outside of the minimum school day, shall be set aside  
 12 during nonpreparation time or designated professional  
 13 development time to allow practitioners to collaborate  
 14 with each other to deliver educational programs and  
 15 assess student learning, or to engage in peer review  
 16 pursuant to section 284.8, subsection 1. The funds  
 17 may be used to implement the professional development  
 18 provisions of the teacher career paths and leadership  
 19 roles specified in section 284.7 or 284.15, including  
 20 but not limited to providing professional development  
 21 to teachers, including additional salaries for  
 22 time beyond the normal negotiated agreement; pay  
 23 for substitute teachers; professional development  
 24 materials, speakers, and professional development  
 25 content; textbooks and curriculum materials used for  
 26 classroom purposes, if purchase of such textbooks and  
 27 curriculum materials includes professional development;  
 28 and costs associated with implementing the individual  
 29 professional development plans. The use of the funds  
 30 shall be balanced between school district, attendance  
 31 center, and individual professional development plans,  
 32 making every reasonable effort to provide equal access  
 33 to all teachers.

34 Sec. 15. Section 418.12, subsection 5, Code 2016,  
 35 is amended to read as follows:

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1 5. If the department of revenue determines that  
 2 the revenue accruing to the fund or accounts within  
 3 the fund exceeds thirty million dollars for a fiscal  
 4 year or exceeds the amount necessary for the purposes  
 5 of this chapter if the amount necessary is less than  
 6 thirty million dollars for a fiscal year, then those  
 7 excess moneys shall be credited by the department of  
 8 revenue for deposit in the general fund of the state.

9 Sec. 16. Section 669.11, Code 2016, is amended to  
 10 read as follows:

11 **669.11 Payment of award.**

12 1. Any Except as provided in subsection 2, an award  
 13 to a claimant under this chapter, and any judgment in  
 14 favor of any claimant under this chapter, shall be  
 15 paid promptly out of appropriations which have been  
 16 made for such purpose, if any; but any such amount or

17 part thereof which cannot be paid promptly from such  
18 appropriations shall be paid promptly out of any money  
19 in the state treasury not otherwise appropriated.  
20 Payment shall be made only upon receipt of a written  
21 release by the claimant in a form approved by the  
22 attorney general.

23 2. An award under this chapter, and any judgment  
24 in favor of any claimant under this chapter, for a  
25 claim relating to conduct or actions of an employee  
26 of the hospital and medical clinics at the university  
27 of Iowa that is paid by moneys from the general fund  
28 of the state through the state appeal board shall be  
29 reimbursed by the hospital and medical clinics at the  
30 university of Iowa. Payment shall be made only upon  
31 receipt of a written release by the claimant in a form  
32 approved by the attorney general.

33 Sec. 17. Section 915.25, subsection 3, as enacted  
34 by 2016 Iowa Acts, Senate File 2288, section 16, is  
35 amended to read as follows:

PAGE 10

1 3. Notwithstanding the provisions of sections  
2 232.147, 232.149, and 232.149A, an intake or juvenile  
3 court officer shall disclose to the alleged victim  
4 of a delinquent act, upon the request of the victim,  
5 the complaint, the name and address of the child  
6 who allegedly committed the delinquent act, and  
7 the disposition of the complaint. If the alleged  
8 delinquent act would be a forcible felony serious  
9 misdemeanor, aggravated misdemeanor, or felony offense  
10 if committed by an adult, the intake or juvenile court  
11 officer shall provide notification to the victim of the  
12 delinquent act as required by section 915.24.

13 Sec. 18. 2016 Iowa Acts, Senate File 2314, section  
14 22, if enacted, is amended to read as follows:

15 SEC. 59. SECRETARY OF STATE. There is appropriated  
16 from the general fund of the state to the office of  
17 the secretary of state for the fiscal year beginning  
18 July 1, 2016, and ending June 30, 2017, the following  
19 amounts, or so much thereof as is necessary, to be used  
20 for the purposes designated:

21	1. ADMINISTRATION AND ELECTIONS	
22	For salaries, support, maintenance, and	
23	miscellaneous purposes, and for not more than the	
24	following full-time equivalent positions:	
25	.....	\$ 1,440,890
26	..... FTEs	<del>13.10</del>
27		<u>15.60</u>

28 The state department or state agency which provides  
29 data processing services to support voter registration  
30 file maintenance and storage shall provide those

31 services without charge.  
 32 2. BUSINESS SERVICES  
 33 For salaries, support, maintenance, and  
 34 miscellaneous purposes, and for not more than the  
 35 following full-time equivalent positions:

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1	.....	\$ 1,440,891
2	.....	FTEs <del>13.10</del>
3		<u>15.60</u>

4  
 5 DIVISION V  
 6 CORRECTIVE PROVISIONS

7 Sec. 19. Section 29C.24, subsection 3, paragraph  
 8 a, subparagraphs (3) and (6), if enacted by 2016 Iowa  
 9 Acts, Senate File 2306, section 2, are amended to read  
 10 as follows:

11 (3) The imposition of income taxes under chapter  
 12 422, divisions II and III, including the requirement  
 13 to file tax returns under sections 422.13 through  
 14 422.15 or section 422.36, as applicable, and  
 15 including the requirement to withhold and remit  
 16 income tax from out-of-state employees under section  
 17 422.16. In addition, the performance of disaster or  
 18 emergency-related work during a disaster response  
 19 period by an out-of-state business or out-of-state  
 20 employee shall not require an out-of-state business  
 21 to be included in a consolidated return under section  
 22 422.37, and shall not increase the amount of net income  
 23 of the out-of-state business allocated and apportioned  
 24 to the state under ~~sections~~ section 422.8 or 422.33, as  
 25 applicable.

26 (6) The assessment of property taxes by the  
 27 department of revenue under sections 428.24 through  
 28 428.26, 428.28, and 428.29, or chapters 433, 434,  
 29 435, and 437 through 438, or by a local assessor  
 30 under another provision of law, on property brought  
 31 into the state to aid in the performance of disaster  
 32 or emergency-related work during a disaster response  
 33 period if such property does not remain in the state  
 34 after the conclusion of the disaster response period.

35 Sec. 20. Section 29C.24, subsection 4, if enacted  
 by 2016 Iowa Acts, Senate File 2306, section 2, is

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1 amended to read as follows:  
 2 4. *Business and employee status after a disaster*  
 3 *response period.* An out-of-state business or  
 4 out-of-state employee that remains in the state after  
 5 the conclusion of the disaster response period ~~for~~  
 6 during which the disaster or emergency-related work

7 was performed shall be fully subject to the state's  
8 standards for establishing presence, residency, or  
9 doing business as otherwise provided by law, and  
10 shall be responsible for any resulting taxes, fees,  
11 licensing, registration, filing, or other requirements.  
12 Sec. 21. Section 155A.13, subsection 3, paragraph  
13 d, if enacted by 2016 Iowa Acts, Senate File 453,  
14 section 3, is amended to read as follows:

15 d. An applicant seeking a special or limited-use  
16 pharmacy licensed license for a proposed telepharmacy  
17 site that does not meet the mileage requirement  
18 established in paragraph "c" and is not statutorily  
19 exempt from the mileage requirement may apply to the  
20 board for a waiver of the mileage requirement. A  
21 waiver request shall only be granted if the applicant  
22 can demonstrate to the board that the proposed  
23 telepharmacy site is located in an area where there is  
24 limited access to pharmacy services and can establish  
25 the existence of compelling circumstances that justify  
26 waiving the mileage requirement. The board's decision  
27 to grant or deny a waiver request shall be a proposed  
28 decision subject to mandatory review by the director  
29 ~~of the department~~ of public health. The director  
30 shall review a proposed decision and shall have the  
31 power to approve, modify, or veto a proposed decision.  
32 The director's decision on a waiver request shall be  
33 considered final agency action subject to judicial  
34 review under chapter 17A.

35 Sec. 22. Section 229.13, subsection 7, paragraph a,

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1 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
2 File 2259, section 1, is amended to read as follows:

3 (1) The respondent's mental health professional  
4 acting within the scope of the mental health  
5 professional's practice shall notify the committing  
6 court, with preference given to the committing judge,  
7 if available, in the appropriate county ~~who~~ and the  
8 court shall enter a written order directing that  
9 the respondent be taken into immediate custody by  
10 the appropriate sheriff or sheriff's deputy. The  
11 appropriate sheriff or sheriff's deputy shall exercise  
12 all due diligence in taking the respondent into  
13 protective custody to a hospital or other suitable  
14 facility.

15 Sec. 23. Section 256.11, subsection 4, Code 2016,  
16 as amended by 2016 Iowa Acts, House File 2392, section  
17 26, if enacted, is amended to read as follows:

18 4. The following shall be taught in grades seven  
19 and eight: English-language arts; social studies;  
20 mathematics; science; health; age-appropriate and



21 research-based human growth and development; career  
 22 exploration and development; physical education; music;  
 23 and visual art. Career exploration and development  
 24 shall be designed so that students are appropriately  
 25 prepared to create an individual career and academic  
 26 plan pursuant to section 279.61, incorporate  
 27 foundational career and technical education concepts  
 28 aligned with the six career and technical education  
 29 service areas as defined in ~~paragraph~~ subsection 5,  
 30 ~~subsection~~ paragraph "h", and incorporate relevant  
 31 twenty-first century skills. The health curriculum  
 32 shall include age-appropriate and research-based  
 33 information regarding the characteristics of  
 34 sexually transmitted diseases, including HPV and the  
 35 availability of a vaccine to prevent HPV, and acquired

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1 immune deficiency syndrome. The state board as part  
 2 of accreditation standards shall adopt curriculum  
 3 definitions for implementing the program in grades  
 4 seven and eight. However, this subsection shall  
 5 not apply to the teaching of career exploration and  
 6 development in nonpublic schools. For purposes of this  
 7 section, "*age-appropriate*", "*HPV*", and "*research-based*"  
 8 mean the same as defined in section 279.50.

9 Sec. 24. Section 272.25, subsection 3, Code 2016,  
 10 as amended by 2016 Iowa Acts, Senate File 2196, section  
 11 3, is amended to read as follows:

12 3. A requirement that the program include  
 13 instruction in skills and strategies to be used in  
 14 classroom management of individuals, and of small and  
 15 large groups, under varying conditions; skills for  
 16 communicating and working constructively with pupils,  
 17 teachers, administrators, and parents; preparation in  
 18 reading theory, knowledge, strategies, and approaches,  
 19 and for integrating literacy instruction ~~in~~ into  
 20 content areas in accordance with section 256.16; and  
 21 skills for understanding the role of the board of  
 22 education and the functions of other education agencies  
 23 in the state. The requirement shall be based upon  
 24 recommendations of the department of education after  
 25 consultation with teacher education faculty members in  
 26 colleges and universities.

27 Sec. 25. Section 521A.6B, subsection 5, paragraph  
 28 e, if enacted by 2016 Iowa Acts, House File 2394,  
 29 section 10, is amended to read as follows:

30 e. Entering into agreements with or obtaining  
 31 documentation from any insurer registered under  
 32 section 521A.4, any member of an internationally  
 33 active insurance group, and any other state, federal,  
 34 or international regulatory agency for members of the

35 internationally active insurance group, that provides

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1 the basis for or otherwise clarifies the commissioner's  
 2 role as group-wide supervisor of an internationally  
 3 active insurance group, including provisions for  
 4 resolving disputes with other regulatory officials.  
 5 Such agreements or documentation shall not serve as  
 6 evidence in any proceeding that any insurer or person  
 7 within an insurance ~~company~~ holding company system  
 8 not domiciled or incorporated in this state is doing  
 9 business in this state or is otherwise subject to  
 10 jurisdiction in this state.

11 Sec. 26. Section 598C.102, subsection 8, paragraph  
 12 b, if enacted by 2016 Iowa Acts, Senate File 2233,  
 13 section 2, is amended to read as follows:

14 b. An individual who has custodial responsibility  
 15 for a child under a law of this state other than this  
 16 chapter.

17 Sec. 27. 2016 Iowa Acts, House File 2269, section  
 18 20, subsection 1, is amended to read as follows:

19 1. It is amended, rescinded, or supplemented by the  
 20 affirmative action of the executive ~~council~~ committee  
 21 of the Iowa beef cattle producers association created  
 22 in section 181.3, as amended in this Act.

23 Sec. 28. 2016 Iowa Acts, Senate File 378, section  
 24 2, is amended to read as follows:

25 SEC. 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
 26 repealed.

27 Sec. 29. 2016 Iowa Acts, Senate File 2185, section  
 28 2, if enacted, is amended by striking the section and  
 29 inserting in lieu thereof the following:

30 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
 31 amended to read as follows:

32 3. A person who violates this section commits a  
 33 ~~serious~~ an aggravated misdemeanor.

34 DIVISION VI  
 35 AREA EDUCATION AGENCY FUNDING

PAGE 16

1 Sec. 30. SPECIAL EDUCATION SUPPORT SERVICES  
 2 FUNDING. Notwithstanding the provisions of section  
 3 257.35, subsection 11, and section 257.37, subsection  
 4 6, for the budget year beginning July 1, 2016, an area  
 5 education agency shall use the total amount determined  
 6 to be available to the area education agency under  
 7 section 257.35 and any unreserved fund balances for  
 8 media services or education services that exceed  
 9 an amount equal to 5 percent of the area education  
 10 agency's budget for media services and education

11 services for that budget year, and including funds  
 12 that exceed the payment for special education support  
 13 services pursuant to section 257.35, in a manner to  
 14 best maintain the level of required area education  
 15 agency special education support services.

16 Sec. 31. EFFECTIVE UPON ENACTMENT. This division  
 17 of this Act, being deemed of immediate importance,  
 18 takes effect upon enactment.

#### 19 DIVISION VII

#### 20 SCHOOL DISTRICT FUNDING

21 Sec. 32. Section 257.2, subsection 2, Code 2016, is  
 22 amended by striking the subsection.

23 Sec. 33. **NEW SECTION. 257.14A District cost per**  
 24 **pupil equity — budget adjustment.**

25 1. The board of directors of an eligible school  
 26 district with a regular program district cost per pupil  
 27 for the budget year beginning July 1, 2016, that is  
 28 less than the highest regular program district cost  
 29 per pupil among all school districts in the state for  
 30 the same budget year that wishes to receive the budget  
 31 adjustment under this section may adopt a resolution  
 32 by June 30, 2016, and shall notify the department of  
 33 management of the adoption of the resolution and the  
 34 amount of the budget adjustment to be received.

35 2. *a.* For the budget year beginning July 1,

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1 2016, each eligible school district that satisfies  
 2 the requirements of subsection 1 shall be eligible  
 3 for a budget adjustment for that budget year in an  
 4 amount not to exceed the difference between the school  
 5 district's regular program district cost per pupil  
 6 for the budget year beginning July 1, 2016, and the  
 7 highest regular program district cost per pupil among  
 8 all school districts in the state for the same budget  
 9 year multiplied by the district's budget enrollment  
 10 for the budget year beginning July 1, 2016. The  
 11 resolution adopted under subsection 1 may specify a  
 12 budget adjustment amount that is less than the maximum  
 13 amount authorized under this paragraph "a".

14 *b.* The eligible school district shall fund the  
 15 budget adjustment solely by using cash reserve moneys  
 16 available to the school district during the budget  
 17 year beginning July 1, 2016. Amounts used to fund the  
 18 budget adjustment may be used by the school district  
 19 for any school general fund purpose.

20 *c.* An eligible school district receiving a budget  
 21 adjustment under this section shall be subject to the  
 22 reduction of the maximum cash reserve levy authorized  
 23 in section 298.10, subsection 3, paragraph "b", and  
 24 shall in one or more subsequent budget years reimburse

25 the school district's cash reserve amount the total  
 26 amount of the budget adjustment received during the  
 27 budget year beginning July 1, 2016, using school  
 28 district general fund moneys that are part of the  
 29 school district's authorized expenditures in section  
 30 257.7.

31 3. A budget adjustment received under this section  
 32 shall not affect the eligibility for or amount of any  
 33 other budget adjustment authorized by law for the same  
 34 budget year. In addition, a budget adjustment under  
 35 this section shall be limited to the budget year for

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1 which the adjustment was authorized and shall not be  
 2 included in any computation of a school district's cost  
 3 for any future budget year.

4 4. For purposes of this section, "*eligible school*  
 5 *district*" means a school district located in whole or  
 6 in part within a county with a population in excess of  
 7 one hundred fifty thousand but less than two hundred  
 8 thousand and that has a budget enrollment in excess  
 9 of ten thousand for the budget year beginning July 1,  
 10 2016.

11 Sec. 34. Section 257.34, Code 2016, is amended to  
 12 read as follows:

13 **257.34 Cash reserve information.**

14 1. If a school district receives less state school  
 15 foundation aid under section 257.1 than is due under  
 16 that section for a base year and the school district  
 17 uses funds from its cash reserve during the base year  
 18 to make up for the amount of state aid not paid, the  
 19 board of directors of the school district shall include  
 20 in its general fund budget document information about  
 21 the amount of the cash reserve used to replace state  
 22 school foundation aid not paid.

23 2. If a school district uses funds from its cash  
 24 reserve during the budget year beginning July 1, 2016,  
 25 to fund a budget adjustment under section 257.14A, the  
 26 board of directors of the school district shall include  
 27 in its general fund budget document information about  
 28 the amount of the cash reserve used for such purpose.

29 Sec. 35. Section 298.10, subsection 3, Code 2016,  
 30 is amended to read as follows:

31 3. a. For fiscal years beginning on or after  
 32 July 1, 2012, the cash reserve levy for a budget  
 33 year shall not exceed twenty percent of the general  
 34 fund expenditures for the year previous to the base  
 35 year minus the unexpended fund balance, as defined in

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1 section 257.2, for the year previous to the base year.  
 2 b. For fiscal years beginning on or after July  
 3 1, 2017, the maximum amount of the cash reserve levy  
 4 calculated under paragraph "a" shall be reduced by an  
 5 amount equal to the amount of the budget adjustment  
 6 authorized by the school district under section 257.14A  
 7 that has not been reimbursed by the school district  
 8 pursuant to section 257.14, subsection 2, paragraph  
 9 "c".

10 Sec. 36. EFFECTIVE UPON ENACTMENT. This division  
 11 of this Act, being deemed of immediate importance,  
 12 takes effect upon enactment.

13 DIVISION VIII  
 14 WATER UTILITIES

15 Sec. 37. Section 388.1, Code 2016, is amended by  
 16 adding the following new subsections:

17 NEW SUBSECTION. 1A. "Population" means the  
 18 population shown by the latest preceding certified  
 19 federal census or the latest applicable population  
 20 estimate issued by the federal government, whichever is  
 21 most recent and available as of July 1 of the preceding  
 22 fiscal year.

23 NEW SUBSECTION. 2A. "Water utility services"  
 24 means providing water at retail or wholesale cost;  
 25 water withdrawal, storage, treatment, or distribution  
 26 facilities; other equipment or facilities necessary for  
 27 the operation of a water utility; or water management,  
 28 operation, or billing services.

29 Sec. 38. Section 388.3, Code 2016, is amended to  
 30 read as follows:

31 **388.3 Procedure upon approval.**

32 1. If a proposal to establish a utility board  
 33 receives a favorable majority vote, the mayor shall  
 34 appoint the board members, as provided in the proposal,  
 35 subject to the approval of the council. The council

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1 shall by resolution provide for staggered six-year  
 2 terms for, and shall set the compensation of, board  
 3 members.  
 4 2. A board member appointed to fill a vacancy  
 5 occurring by reason other than the expiration of a term  
 6 is appointed for the balance of the unexpired term.  
 7 3. A public officer or a salaried employee of the  
 8 city may not serve on a utility board.  
 9 4. Notwithstanding section 388.2, a board for  
 10 a city with a population of more than one hundred  
 11 ninety thousand that provides water utility services  
 12 to persons who reside outside of the city limits or to

13 other cities shall be appointed as follows:  
 14 a. The mayor of the city with a population of one  
 15 hundred ninety thousand or more shall appoint two board  
 16 members, subject to approval by the city council.  
 17 b. The mayor of each city with a population of  
 18 more than fifteen thousand and less than one hundred  
 19 ninety thousand where the city utility provides utility  
 20 services shall each appoint one board member, subject  
 21 to approval by the respective city councils.  
 22 c. The board of supervisors of each county in which  
 23 the city utility provides utility services shall each  
 24 appoint one board member. Such board members shall  
 25 reside in an area in which the city utility provides  
 26 utility services that is not within a city with a  
 27 population of more than fifteen thousand. However, if  
 28 the utility services in the county are provided to a  
 29 rural water district organized under chapter 357A, the  
 30 board of the rural water district shall appoint the  
 31 board member.  
 32 5. The board established in subsection 4 shall, by  
 33 resolution, provide for staggered six-year terms and  
 34 shall set the compensation for the board members.

## DIVISION IX

PAGE 21

1 CITY UTILITY BILLINGS AND COLLECTIONS — LIENS  
 2 Sec. 39. Section 384.84, subsection 4, paragraph  
 3 a, Code 2016, is amended by adding the following new  
 4 subparagraph:  
 5 NEW SUBPARAGRAPH. (4) A lien under subparagraph  
 6 (1) shall not be placed upon a premises that is a  
 7 mobile home, modular home, or manufactured home served  
 8 by any of the services under that subparagraph if the  
 9 mobile home, modular home, or manufactured home is  
 10 owned by a tenant of and located in a mobile home park  
 11 or manufactured home community and the mobile home park  
 12 or manufactured home community owner or manager is the  
 13 account holder, unless the lease agreement specifies  
 14 that the tenant is responsible for payment of a portion  
 15 of the rates or charges billed to the account holder.  
 16 Sec. 40. Section 384.84, subsections 10 and 11,  
 17 Code 2016, are amended to read as follows:  
 18 10. For the purposes of this section, “*premises*”  
 19 includes a mobile home, modular home, or manufactured  
 20 home as defined in section 435.1, when the mobile home,  
 21 modular home, or manufactured home is taxed as real  
 22 estate, and mobile home park and “*manufactured home*  
 23 community” mean as defined in section 435.1.  
 24 11. Notwithstanding subsection 4, except for mobile  
 25 home parks or manufactured home communities where the  
 26 mobile home park or manufactured home community owner

27 or manager is responsible for paying the rates or  
 28 charges for services, a lien shall not be filed against  
 29 the land if the premises are located on leased land.  
 30 If the premises are located on leased land, a lien may  
 31 be filed against the premises only.

32 DIVISION X  
 33 ELECTRIC TRANSMISSION LINES  
 34 Sec. 41. NEW SECTION. 478.6A Merchant line  
 35 franchises — requirements — limitations.

PAGE 22

1 1. *a.* For purposes of this section, “*bifurcation*”  
 2 means the conducting of two separate hearings when  
 3 a petition involves the taking of property under  
 4 eminent domain, one hearing considering whether the  
 5 proposed line is necessary to serve a public use and  
 6 represents a reasonable relationship to an overall plan  
 7 of transmitting electricity in the public interest, and  
 8 the other considering the granting of eminent domain  
 9 authority.

10 *b.* For purposes of this section, “*merchant*  
 11 *line*” means a high-voltage direct current electric  
 12 transmission line which does not provide for the  
 13 erection of electric substations at intervals of less  
 14 than fifty miles, which substations are necessary  
 15 to accommodate both the purchase and sale to persons  
 16 located in this state of electricity generated or  
 17 transmitted by the franchisee.

18 2. A petition for a franchise to construct a  
 19 merchant line, in addition to any other applicable  
 20 requirements pursuant to this chapter, shall be subject  
 21 to all of the following:

22 *a.* The board shall not permit the bifurcation in  
 23 any manner of a petition and shall reject any request  
 24 by a petitioner for bifurcation.

25 *b.* Notwithstanding section 478.10, the sale and  
 26 transfer of a merchant line, by voluntary or judicial  
 27 sale or otherwise, shall not carry with it the transfer  
 28 of the franchise.

29 *c.* Notwithstanding section 478.21, if a petition  
 30 that involves the taking of property under eminent  
 31 domain is not approved by the board and a franchise  
 32 granted within three years following the date of  
 33 the first informational meeting held in any county  
 34 regarding the petition, pursuant to section 478.2, the  
 35 utilities board shall reject the petition and make a

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1 record of the rejection. A petitioner may not file a  
 2 petition for the same or a similar project that has

3 been rejected under this subsection within sixty months  
4 following the date of rejection.

5 *d.* The board shall not grant a petition that  
6 involves the taking of property under eminent domain  
7 unless a minimum of seventy-five percent of the  
8 easements necessary to construct the project have been  
9 obtained voluntarily.

10 *e.* In considering whether to grant a petition that  
11 involves the taking of property under eminent domain,  
12 section 478.3, subsection 3, is not applicable, and  
13 the term “*public*” shall be interpreted to be limited to  
14 consumers located in this state.

15 Sec. 42. EFFECTIVE UPON ENACTMENT. This division  
16 of this Act, being deemed of immediate importance,  
17 takes effect upon enactment.

18 Sec. 43. APPLICABILITY. This division of this Act  
19 is applicable to petitions for franchise filed on or  
20 after November 1, 2014, that have not been approved  
21 by the utilities board on or after the effective date  
22 of this division of this Act, and to petitions for  
23 franchise filed on or after the effective date of this  
24 division of this Act.>>>

25 2. Title page, line 4, after <date> by inserting  
26 <and applicability>

RIZER of Linn

H-8292

1 Amend the amendment, H-8286, to the Senate  
2 amendment, H-8278, to House File 2459, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. By striking page 2, line 34, through page 3,  
5 line 4.

SMITH of Marshall  
ANDERSON of Polk  
BENNETT of Linn  
COHOON of Des Moines  
DUNKEL of Dubuque  
GAINES of Polk  
HALL of Woodbury  
HUNTER of Polk  
JACOBY of Johnson  
KELLEY of Jasper  
LENSING of Johnson  
MASCHER of Johnson  
MEYER of Polk  
OLDSON of Polk  
PRICHARD of Floyd  
STAED of Linn  
STUTSMAN of Johnson

ABDUL-SAMAD of Polk  
BEARINGER of Fayette  
BROWN-POWERS of Black Hawk  
DAWSON of Woodbury  
FORBES of Polk  
GASKILL of Wapello  
HEDDENS of Story  
ISENHART of Dubuque  
KEARNS of Lee  
KRESSIG of Black Hawk  
LYKAM of Scott  
McCONKEY of Pottawattamie  
H. MILLER of Webster  
OURTH of Warren  
RUNNING-MARQUARDT of Linn  
STECKMAN of Cerro Gordo  
T. TAYLOR of Linn



THEDE of Scott  
WINCKLER of Scott

WESSEL-KROESCHELL of Story  
WOLFE of Clinton

H-8293

1 Amend Senate File 492, as passed by the Senate, as  
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I

5 DISASTER CASE MANAGEMENT GRANT FUND AND PROGRAM>

6 2. Page 3, after line 22 by inserting:

7 <DIVISION \_\_\_

8 MEDICAL CANNABIS

9 Sec. \_\_\_. Section 124.204, subsection 4, paragraphs  
10 m and u, Code 2016, are amended by striking the  
11 paragraphs.

12 Sec. \_\_\_. Section 124.204, subsection 7, Code 2016,  
13 is amended by striking the subsection.

14 Sec. \_\_\_. Section 124.206, subsection 7, Code 2016,  
15 is amended to read as follows:

16 7. *Hallucinogenic substances.* Unless specifically  
17 excepted or unless listed in another schedule, any  
18 material, compound, mixture, or preparation which  
19 contains any quantity of the following substances,  
20 or, for purposes of paragraphs "a" and "b", which  
21 contains any of its salts, isomers, or salts of isomers  
22 whenever the existence of such salts, isomers, or salts  
23 of isomers is possible within the specific chemical  
24 designation (for purposes of this paragraph only, the  
25 term "isomer" includes the optical, positional, and  
26 geometric isomers):

27 a. Marijuana ~~when used for medicinal purposes~~  
28 ~~pursuant to rules of the board.~~

29 b. Tetrahydrocannabinols, meaning  
30 tetrahydrocannabinols naturally contained in a  
31 plant of the genus cannabis (cannabis plant) as well  
32 as synthetic equivalents of the substances contained  
33 in the cannabis plant, or in the resinous extractives  
34 of such plant, and synthetic substances, derivatives,  
35 and their isomers with similar chemical structure and

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1 pharmacological activity to those substances contained  
2 in the plant, such as the following:

3 (1) 1 cis or trans tetrahydrocannabinol, and their  
4 optical isomers.

5 (2) 6 cis or trans tetrahydrocannabinol, and their  
6 optical isomers.

7 (3) 3,4 cis or trans tetrahydrocannabinol, and  
8 their optical isomers. (Since nomenclature of these  
9 substances is not internationally standardized,

10 compounds of these structures, regardless of numerical  
 11 designation of atomic positions covered.)

12 ~~b.~~ c. Nabilone [another name for  
 13 nabilone: (+-) -  
 14 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
 15 dimethyl-9H-dibenzo[b,d]pyran-9-one].

16 Sec. \_\_\_\_ Section 124.401, subsection 5, unnumbered  
 17 paragraph 3, Code 2016, is amended to read as follows:

18 A person may knowingly or intentionally recommend,  
 19 possess, use, dispense, deliver, transport, or  
 20 administer ~~cannabidiol~~ medical cannabis if the  
 21 recommendation, possession, use, dispensing, delivery,  
 22 transporting, or administering is in accordance with  
 23 the provisions of chapter ~~124D~~ 124E. For purposes of  
 24 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
 25 the same as defined in section ~~124D.2~~ 124E.2.

26 Sec. \_\_\_\_ **NEW SECTION. 124E.1 Short title.**

27 This chapter shall be known and may be cited as the  
 28 *“Compassionate Use of Medical Cannabis Act”*.

29 Sec. \_\_\_\_ **NEW SECTION. 124E.2 Definitions.**

30 As used in this chapter:

31 1. *“Debilitating medical condition”* means any of the  
 32 following:

33 a. Cancer, if the underlying condition or treatment  
 34 produces one or more of the following:

35 (1) Intractable pain.

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1 (2) Nausea or severe vomiting.

2 (3) Cachexia or severe wasting.

3 b. Multiple sclerosis.

4 c. Epilepsy or seizure disorders.

5 d. AIDS or HIV as defined in section 141A.1.

6 e. Crohn’s disease or ulcerative colitis.

7 f. Amyotrophic lateral sclerosis.

8 g. Intractable pain.

9 h. Glaucoma.

10 i. Any terminal illness, with a probable life  
 11 expectancy of under one year, if the illness or its  
 12 treatment produces one or more of the following:

13 (1) Intractable pain.

14 (2) Nausea or severe vomiting.

15 (3) Cachexia or severe wasting.

16 j. Any other chronic or debilitating disease or  
 17 medical condition or its medical treatment approved by  
 18 the department pursuant to rule.

19 2. *“Department”* means the department of public  
 20 health.

21 3. *“Disqualifying felony offense”* means a violation  
 22 under federal or state law of a felony offense, which  
 23 has as an element the possession, use, or distribution

24 of a controlled substance, as defined in 21 U.S.C.

25 §802(6).

26 4. “*Enclosed, locked facility*” means a closet, room,  
27 greenhouse, or other enclosed area equipped with locks  
28 or other security devices that permit access only by a  
29 cardholder.

30 5. “*Health care practitioner*” means an individual  
31 licensed under chapter 148 to practice medicine and  
32 surgery or osteopathic medicine and surgery or an  
33 individual licensed to prescribe medicine in any other  
34 state and provides specialty care for an Iowa resident  
35 for one or more of the debilitating medical conditions

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1 provided in this chapter.

2 6. “*Intractable pain*” means a pain in which the  
3 cause of the pain cannot be removed or otherwise  
4 treated with the consent of the patient and which, in  
5 the generally accepted course of medical practice, no  
6 relief or cure of the cause of the pain is possible,  
7 or none has been found after reasonable efforts.  
8 Reasonable efforts for relieving or curing the cause of  
9 the pain may be determined on the basis of but are not  
10 limited to any of the following:

11 a. When treating a nonterminally ill patient for  
12 intractable pain, evaluation by the attending physician  
13 and one or more physicians specializing in pain  
14 medicine or the treatment of the area, system, or organ  
15 of the body perceived as the source of the pain.

16 b. When treating a terminally ill patient,  
17 evaluation by the attending physician who does so in  
18 accordance with the level of care, skill, and treatment  
19 that would be recognized by a reasonably prudent  
20 physician under similar conditions and circumstances.

21 7. “*Medical cannabis*” means any species of the genus  
22 cannabis plant, or any mixture or preparation of them,  
23 including whole plant extracts and resins.

24 8. “*Medical cannabis manufacturer*” means an entity  
25 licensed by the department to manufacture and to  
26 possess, cultivate, transport, or supply medical  
27 cannabis pursuant to the provisions of this chapter.

28 9. “*Medical cannabis patient center*” means an entity  
29 licensed under section 124E.8 that acquires medical  
30 cannabis from a medical cannabis manufacturer in this  
31 state for the purpose of dispensing medical cannabis in  
32 this state pursuant to this chapter.

33 10. “*Primary caregiver*” means a person, at least  
34 eighteen years of age, who has been designated by a  
35 patient’s health care practitioner or a person having

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1 custody of a patient, as a necessary caretaker taking  
2 responsibility for managing the well-being of the  
3 patient with respect to the use of medical cannabis  
4 pursuant to the provisions of this chapter.  
5 11. "*Written certification*" means a document signed  
6 by a health care practitioner, with whom the patient  
7 has established a patient-provider relationship, which  
8 states that the patient has a debilitating medical  
9 condition and identifies that condition and provides  
10 any other relevant information.

11 Sec. \_\_. NEW SECTION. **124E.3 Health care**  
12 **practitioner certification — duties.**

13 1. Prior to a patient's submission of an  
14 application for a medical cannabis registration card  
15 pursuant to section 124E.4, a health care practitioner  
16 shall do all of the following:

17 a. Determine, in the health care practitioner's  
18 medical judgment, whether the patient whom the health  
19 care practitioner has examined and treated suffers from  
20 a debilitating medical condition that qualifies for  
21 the use of medical cannabis under this chapter, and  
22 if so determined, provide the patient with a written  
23 certification of that diagnosis.

24 b. Provide explanatory information as provided by  
25 the department to the patient about the therapeutic use  
26 of medical cannabis.

27 2. Determine, on an annual basis, if the patient  
28 continues to suffer from a debilitating medical  
29 condition and, if so, issue the patient a new  
30 certification of that diagnosis.

31 3. Otherwise comply with all requirements  
32 established by the department pursuant to rule.

33 4. A health care practitioner may provide, but has  
34 no duty to provide, a written certification pursuant  
35 to this section.

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1 Sec. \_\_. NEW SECTION. **124E.4 Medical cannabis**  
2 **registration card.**

3 1. *Issuance to patient.* The department may approve  
4 the issuance of a medical cannabis registration card by  
5 the department of transportation to a patient who:

6 a. Is at least eighteen years of age.

7 b. Is a permanent resident of this state.

8 c. Submits a written certification to the  
9 department signed by the patient's health care  
10 practitioner that the patient is suffering from a  
11 debilitating medical condition.

12 d. Submits an application to the department, on a

13 form created by the department, in consultation with  
 14 the department of transportation, that contains all of  
 15 the following:

- 16 (1) The patient's full name, Iowa residence  
 17 address, date of birth, and telephone number.
  - 18 (2) A copy of the patient's valid photo  
 19 identification.
  - 20 (3) Full name, address, and telephone number of the  
 21 patient's health care practitioner.
  - 22 (4) Full name, residence address, date of birth,  
 23 and telephone number of each primary caregiver of the  
 24 patient, if any.
  - 25 (5) Any other information required by rule.
- 26 2. *Patient card contents.* A medical cannabis  
 27 registration card issued to a patient by the department  
 28 of transportation pursuant to subsection 1 shall  
 29 contain, at a minimum, all of the following:
- 30 a. The patient's full name, Iowa residence address,  
 31 and date of birth.
  - 32 b. The patient's photograph.
  - 33 c. The date of issuance and expiration date of the  
 34 registration card.
  - 35 d. Any other information required by rule.

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- 1 3. *Issuance to primary caregiver.* For a patient in  
 2 a primary caregiver's care, the department may approve  
 3 the issuance of a medical cannabis registration card  
 4 by the department of transportation to the primary  
 5 caregiver who:
  - 6 a. Is at least eighteen years of age.
  - 7 b. Submits a written certification to the  
 8 department signed by the patient's health care  
 9 practitioner that the patient in the primary  
 10 caregiver's care is suffering from a debilitating  
 11 medical condition.
  - 12 c. Submits an application to the department, on a  
 13 form created by the department, in consultation with  
 14 the department of transportation, that contains all of  
 15 the following:
  - 16 (1) The primary caregiver's full name, residence  
 17 address, date of birth, and telephone number.
  - 18 (2) The patient's full name.
  - 19 (3) A copy of the primary caregiver's valid photo  
 20 identification.
  - 21 (4) Full name, address, and telephone number of the  
 22 patient's health care practitioner.
  - 23 (5) Any other information required by rule.
- 24 4. *Primary caregiver card contents.* A medical  
 25 cannabis registration card issued by the department  
 26 of transportation to a primary caregiver pursuant to

27 subsection 3 shall contain, at a minimum, all of the  
 28 following:  
 29 *a.* The primary caregiver's full name, residence  
 30 address, and date of birth.  
 31 *b.* The primary caregiver's photograph.  
 32 *c.* The date of issuance and expiration date of the  
 33 registration card.  
 34 *d.* The registration card number of each patient  
 35 in the primary caregiver's care. If the patient

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1 in the primary caregiver's care is under the age of  
 2 eighteen, the full name of the patient's parent or  
 3 legal guardian.  
 4 *e.* Any other information required by rule.  
 5 5. *Expiration date of card.* A medical cannabis  
 6 registration card issued pursuant to this section shall  
 7 expire one year after the date of issuance and may be  
 8 renewed.  
 9 6. *Card issuance — department of*  
 10 *transportation.* The department may enter into  
 11 a chapter 28E agreement with the department of  
 12 transportation to facilitate the issuance of medical  
 13 cannabis registration cards pursuant to subsections 1  
 14 and 3.  
 15 Sec. \_\_\_\_\_. NEW SECTION. **124E.5 Medical advisory**  
 16 **board — duties.**  
 17 1. No later than August 15, 2016, the director  
 18 of public health shall establish a medical advisory  
 19 board consisting of nine practitioners representing the  
 20 fields of neurology, pain management, gastroenterology,  
 21 oncology, psychiatry, pediatrics, infectious disease,  
 22 family medicine, and pharmacy. The practitioners  
 23 shall be nationally board-certified in their area of  
 24 specialty and knowledgeable about the use of medical  
 25 cannabis.  
 26 2. A quorum of the advisory board shall consist of  
 27 five members.  
 28 3. The duties of the advisory board shall include  
 29 but not be limited to the following:  
 30 *a.* Reviewing and recommending to the department for  
 31 approval additional chronic or debilitating diseases or  
 32 medical conditions or their treatments as debilitating  
 33 medical conditions that qualify for the use of medical  
 34 cannabis under this chapter.  
 35 *b.* Accepting and reviewing petitions to add chronic

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1 or debilitating diseases or medical conditions or their  
 2 medical treatments to the list of debilitating medical

3 conditions that qualify for the use of medical cannabis  
4 under this chapter.

5 c. Advising the department regarding the location  
6 and number of necessary medical cannabis patient  
7 centers throughout the state on a continuous basis, the  
8 form and quantity of allowable medical cannabis to be  
9 dispensed to a patient or primary caregiver, and the  
10 general oversight of medical cannabis manufacturers and  
11 medical cannabis patient centers in this state.

12 d. Convening at least twice per year to conduct  
13 public hearings and to evaluate petitions, which  
14 shall be maintained as confidential personal health  
15 information, to add chronic or debilitating diseases or  
16 medical conditions or their medical treatments to the  
17 list of debilitating medical conditions that qualify  
18 for the use of medical cannabis under this chapter.

19 Sec. \_\_. NEW SECTION. **124E.6 Medical cannabis**  
20 **manufacturer licensure.**

21 1. a. The department shall license up to two  
22 medical cannabis manufacturers to manufacture  
23 medical cannabis within this state consistent with  
24 the provisions of this chapter by December 1, 2016.  
25 The department shall license new medical cannabis  
26 manufacturers or relicense the existing medical  
27 cannabis manufacturers by December 1 of each year.

28 b. Information submitted during the application  
29 process shall be confidential until the medical  
30 cannabis manufacturer is licensed by the department  
31 unless otherwise protected from disclosure under state  
32 or federal law.

33 2. As a condition for licensure, a medical cannabis  
34 manufacturer must agree to begin supplying medical  
35 cannabis to medical cannabis patient centers in this

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1 state by July 1, 2017.

2 3. The department shall consider the following  
3 factors in determining whether to license a medical  
4 cannabis manufacturer:

5 a. The technical expertise of the medical cannabis  
6 manufacturer in medical cannabis.

7 b. The qualifications of the medical cannabis  
8 manufacturer's employees.

9 c. The long-term financial stability of the medical  
10 cannabis manufacturer.

11 d. The ability to provide appropriate security  
12 measures on the premises of the medical cannabis  
13 manufacturer.

14 e. Whether the medical cannabis manufacturer  
15 has demonstrated an ability to meet certain medical  
16 cannabis production needs for medical use regarding

17 the range of recommended dosages for each debilitating  
18 medical condition, the range of chemical compositions  
19 of any plant of the genus cannabis that will likely  
20 be medically beneficial for each of the debilitating  
21 medical conditions, and the form of the medical  
22 cannabis in the manner determined by the department  
23 pursuant to rule.

24 *f.* The medical cannabis manufacturer's projection  
25 of and ongoing assessment of fees on patients with  
26 debilitating medical conditions.

27 4. The department shall require each medical  
28 cannabis manufacturer to contract with the state  
29 hygienic laboratory at the university of Iowa in Iowa  
30 City to test the medical cannabis produced by the  
31 manufacturer. The department shall require that the  
32 laboratory report testing results to the manufacturer  
33 in a manner determined by the department pursuant to  
34 rule.

35 Sec. \_\_\_\_ NEW SECTION. **124E.7 Medical cannabis**

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1 **manufacturers.**

2 1. A medical cannabis manufacturer shall contract  
3 with the state hygienic laboratory at the university  
4 of Iowa in Iowa City for purposes of testing the  
5 medical cannabis manufactured by the medical cannabis  
6 manufacturer as to content, contamination, and  
7 consistency. The cost of all laboratory testing shall  
8 be paid by the medical cannabis manufacturer.

9 2. The operating documents of a medical cannabis  
10 manufacturer shall include all of the following:

11 *a.* Procedures for the oversight of the medical  
12 cannabis manufacturer and procedures to ensure accurate  
13 record keeping.

14 *b.* Procedures for the implementation of appropriate  
15 security measures to deter and prevent the theft of  
16 medical cannabis and unauthorized entrance into areas  
17 containing medical cannabis.

18 3. A medical cannabis manufacturer shall implement  
19 security requirements, including requirements for  
20 protection of each location by a fully operational  
21 security alarm system, facility access controls,  
22 perimeter intrusion detection systems, and a personnel  
23 identification system.

24 4. A medical cannabis manufacturer shall not share  
25 office space with, refer patients to, or have any  
26 financial relationship with a health care practitioner.

27 5. A medical cannabis manufacturer shall not permit  
28 any person to consume medical cannabis on the property  
29 of the medical cannabis manufacturer.

30 6. A medical cannabis manufacturer is subject to



31 reasonable inspection by the department.  
 32 7. A medical cannabis manufacturer shall not  
 33 employ a person under eighteen years of age or who has  
 34 been convicted of a disqualifying felony offense. An  
 35 employee of a medical cannabis manufacturer shall be

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1 subject to a background investigation conducted by the  
 2 division of criminal investigation of the department  
 3 of public safety and a national criminal history  
 4 background check.  
 5 8. A medical cannabis manufacturer shall not  
 6 operate in any location, whether for manufacturing,  
 7 cultivating, harvesting, packaging, or processing,  
 8 within one thousand feet of a public or private school  
 9 existing before the date of the medical cannabis  
 10 manufacturer's licensure by the department.  
 11 9. A medical cannabis manufacturer shall comply  
 12 with reasonable restrictions set by the department  
 13 relating to signage, marketing, display, and  
 14 advertising of medical cannabis.  
 15 10. *a.* A medical cannabis manufacturer shall  
 16 provide a reliable and ongoing supply of medical  
 17 cannabis to medical cannabis patient centers pursuant  
 18 to this chapter.  
 19 *b.* All manufacturing, cultivating, harvesting,  
 20 packaging, and processing of medical cannabis shall  
 21 take place in an enclosed, locked facility at a  
 22 physical address provided to the department during the  
 23 licensure process.  
 24 *c.* A medical cannabis manufacturer shall not  
 25 manufacture edible medical cannabis products utilizing  
 26 food coloring.  
 27 *d.* A medical cannabis manufacturer shall  
 28 manufacture a reliable and ongoing supply of medical  
 29 cannabis to treat every debilitating medical condition  
 30 listed in this chapter.  
 31 Sec. \_\_. **NEW SECTION. 124E.8 Medical cannabis**  
 32 **patient center licensure.**  
 33 1. *a.* The department shall license by April 1,  
 34 2017, up to four medical cannabis patient centers to  
 35 dispense medical cannabis within this state consistent

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1 with the provisions of this chapter. The department  
 2 shall license new medical cannabis patient centers or  
 3 relicense the existing medical cannabis manufacturers  
 4 by December 1 of each year.  
 5 *b.* Information submitted during the application  
 6 process shall be confidential until the medical

- 7 cannabis patient center is licensed by the department  
8 unless otherwise protected from disclosure under state  
9 or federal law.
- 10 2. As a condition for licensure, a medical cannabis  
11 patient center must agree to begin supplying medical  
12 cannabis to patients by July 1, 2017.
- 13 3. The department shall consider the following  
14 factors in determining whether to license a medical  
15 cannabis patient center:
- 16 a. The technical expertise of the medical cannabis  
17 patient center regarding medical cannabis.
- 18 b. The qualifications of the medical cannabis  
19 patient center's employees.
- 20 c. The long-term financial stability of the medical  
21 cannabis patient center.
- 22 d. The ability to provide appropriate security  
23 measures on the premises of the medical cannabis  
24 patient center.
- 25 e. The medical cannabis patient center's projection  
26 and ongoing assessment of fees for the purchase of  
27 medical cannabis on patients with debilitating medical  
28 conditions.
- 29 Sec. \_\_\_\_ **NEW SECTION.** **124E.9 Medical cannabis**  
30 **patient centers.**
- 31 1. a. The medical cannabis patient centers shall  
32 be located based on geographical need throughout the  
33 state to improve patient access.
- 34 b. A medical cannabis patient center may dispense  
35 medical cannabis pursuant to the provisions of this

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- 1 chapter but shall not dispense any medical cannabis  
2 in a form or quantity other than the form or quantity  
3 allowed by the department pursuant to rule.
- 4 2. The operating documents of a medical cannabis  
5 patient center shall include all of the following:
- 6 a. Procedures for the oversight of the medical  
7 cannabis patient center and procedures to ensure  
8 accurate record keeping.
- 9 b. Procedures for the implementation of appropriate  
10 security measures to deter and prevent the theft of  
11 medical cannabis and unauthorized entrance into areas  
12 containing medical cannabis.
- 13 3. A medical cannabis patient center shall  
14 implement security requirements, including requirements  
15 for protection by a fully operational security alarm  
16 system, facility access controls, perimeter intrusion  
17 detection systems, and a personnel identification  
18 system.
- 19 4. A medical cannabis patient center shall not  
20 share office space with, refer patients to, or have any

21 financial relationship with a health care practitioner.

22 5. A medical cannabis patient center shall not  
23 permit any person to consume medical cannabis on the  
24 property of the medical cannabis patient center.

25 6. A medical cannabis patient center is subject to  
26 reasonable inspection by the department.

27 7. A medical cannabis patient center shall not  
28 employ a person under eighteen years of age or who has  
29 been convicted of a disqualifying felony offense. An  
30 employee of a medical cannabis patient center shall be  
31 subject to a background investigation conducted by the  
32 division of criminal investigation of the department  
33 of public safety and a national criminal history  
34 background check.

35 8. A medical cannabis patient center shall not

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1 operate in any location within one thousand feet of a  
2 public or private school existing before the date of  
3 the medical cannabis patient center's licensure by the  
4 department.

5 9. A medical cannabis patient center shall  
6 comply with reasonable restrictions set by the  
7 department relating to signage, marketing, display, and  
8 advertising of medical cannabis.

9 10. Prior to dispensing of any medical cannabis,  
10 a medical cannabis patient center shall do all of the  
11 following:

12 a. Verify that the medical cannabis patient center  
13 has received a valid medical cannabis registration card  
14 from a patient or a patient's primary caregiver, if  
15 applicable.

16 b. Assign a tracking number to any medical cannabis  
17 dispensed from the medical cannabis patient center.

18 c. (1) Properly package medical cannabis in  
19 compliance with federal law regarding child resistant  
20 packaging and exemptions for packaging for elderly  
21 patients, and label medical cannabis with a list of  
22 all active ingredients and individually identifying  
23 information, including all of the following:

24 (a) The name and date of birth of the patient and  
25 the patient's primary caregiver, if appropriate.

26 (b) The medical cannabis registration card numbers  
27 of the patient and the patient's primary caregiver, if  
28 applicable.

29 (c) The chemical composition of the medical  
30 cannabis.

31 (2) Proper packaging of medical cannabis shall  
32 include but not be limited to all of the following:

33 (a) Warning labels regarding the use of medical  
34 cannabis by a woman during pregnancy and while

35 breastfeeding.

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1 (b) Clearly labeled packaging indicating that  
2 an edible medical cannabis product contains medical  
3 cannabis and which packaging shall not imitate candy  
4 products or in any way make the product marketable to  
5 children.

6 11. A medical cannabis patient center shall employ  
7 a pharmacist licensed pursuant to chapter 155A.

8 12. A medical cannabis patient center shall keep  
9 a reliable and ongoing supply of medical cannabis to  
10 treat every debilitating medical condition listed in  
11 this chapter.

12 Sec. \_\_\_\_ NEW SECTION. **124E.10 Department duties**  
13 **— rules.**

14 1. *a.* The department shall maintain a confidential  
15 file of the names of each patient to or for whom the  
16 department issues a medical cannabis registration  
17 card, the name of each primary caregiver to whom the  
18 department issues a medical cannabis registration card  
19 under section 124E.4, and the names of each health care  
20 practitioner who provides a written certification for  
21 medical cannabis pursuant to this chapter.

22 *b.* Individual names contained in the file shall be  
23 confidential and shall not be subject to disclosure,  
24 except as provided in subparagraph (1).

25 (1) Information in the confidential file maintained  
26 pursuant to paragraph “a” may be released on an  
27 individual basis to the following persons under the  
28 following circumstances:

29 (a) To authorized employees or agents of the  
30 department and the department of transportation as  
31 necessary to perform the duties of the department and  
32 the department of transportation pursuant to this  
33 chapter.

34 (b) To authorized employees of state or local  
35 law enforcement agencies, but only for the purpose of

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1 verifying that a person is lawfully in possession of a  
2 medical cannabis registration card issued pursuant to  
3 this chapter.

4 (c) To authorized employees of a medical cannabis  
5 patient center, but only for the purpose of verifying  
6 that a person is lawfully in possession of a medical  
7 cannabis registration card issued pursuant to this  
8 chapter.

9 (2) Release of information pursuant to subparagraph  
10 (1) shall be consistent with the federal Health

11 Insurance Portability and Accountability Act of 1996,  
12 Pub. L. No. 104-191.

13 2. The department shall adopt rules pursuant to  
14 chapter 17A to administer this chapter which shall  
15 include but not be limited to rules to do all of the  
16 following:

17 *a.* Govern the manner in which the department shall  
18 consider applications for new and renewal medical  
19 cannabis registration cards.

20 *b.* Identify criteria and set forth procedures for  
21 including additional chronic or debilitating diseases  
22 or medical conditions or their medical treatments  
23 on the list of debilitating medical conditions that  
24 qualify for the use of medical cannabis. Procedures  
25 shall include a petition process and shall allow for  
26 public comment and public hearings before the medical  
27 advisory board.

28 *c.* Set forth additional chronic or debilitating  
29 diseases or medical conditions or associated medical  
30 treatments for inclusion on the list of debilitating  
31 medical conditions that qualify for the use of medical  
32 cannabis as recommended by the medical advisory board.

33 *d.* Establish the form and quantity of medical  
34 cannabis allowed to be dispensed to a patient or  
35 primary caregiver pursuant to this chapter. The

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1 form and quantity of medical cannabis shall be  
2 appropriate to serve the medical needs of patients with  
3 debilitating conditions.

4 *e.* Establish requirements for the licensure of  
5 medical cannabis manufacturers and medical cannabis  
6 patient centers and set forth procedures for medical  
7 cannabis manufacturers and medical cannabis patient  
8 centers to obtain licenses.

9 *f.* Develop a dispensing system for medical cannabis  
10 within this state that provides for all of the  
11 following:

12 (1) Medical cannabis patient centers within  
13 this state housed on secured grounds and operated by  
14 licensed medical cannabis patient centers.

15 (2) The dispensing of medical cannabis to patients  
16 and their primary caregivers to occur at locations  
17 designated by the department.

18 *g.* Specify and implement procedures that address  
19 public safety including security procedures and product  
20 quality including measures to ensure contaminant-free  
21 cultivation of medical cannabis, safety, and labeling.

22 *h.* Establish and implement a real-time, statewide  
23 medical cannabis registry management sale tracking  
24 system that is available to medical cannabis patient

25 centers on a twenty-four-hour-day, seven-day-a-week  
26 basis for the purpose of verifying that a person  
27 is lawfully in possession of a medical cannabis  
28 registration card issued pursuant to this chapter  
29 and for tracking the date of the sale and quantity of  
30 medical cannabis purchased by a patient or a primary  
31 caregiver.  
32 *i.* Establish and implement a medical cannabis  
33 inventory and delivery tracking system to track  
34 medical cannabis from production by a medical cannabis  
35 manufacturer through dispensing at a medical cannabis

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1 patient center.  
2 Sec. \_\_. NEW SECTION. 124E.11 Reciprocity.  
3 A valid medical cannabis registration card, or its  
4 equivalent, issued under the laws of another state  
5 that allows an out-of-state patient to possess or  
6 use medical cannabis in the jurisdiction of issuance  
7 shall have the same force and effect as a valid  
8 medical cannabis registration card issued pursuant to  
9 this chapter, except that an out-of-state patient in  
10 this state shall not obtain medical cannabis from a  
11 medical cannabis patient center in this state and an  
12 out-of-state patient shall not smoke medical cannabis.  
13 Sec. \_\_. NEW SECTION. 124E.12 Use of medical  
14 cannabis — smoking prohibited.  
15 A patient shall not consume medical cannabis  
16 possessed or used as authorized by this chapter by  
17 smoking medical cannabis.  
18 Sec. \_\_. NEW SECTION. 124E.13 Use of medical  
19 cannabis — affirmative defenses.  
20 1. A health care practitioner, including any  
21 authorized agent or employee thereof, shall not be  
22 subject to prosecution for the unlawful certification,  
23 possession, or administration of marijuana under the  
24 laws of this state for activities arising directly  
25 out of or directly related to the certification or  
26 use of medical cannabis in the treatment of a patient  
27 diagnosed with a debilitating medical condition as  
28 authorized by this chapter.  
29 2. A medical cannabis manufacturer, including any  
30 authorized agent or employee thereof, shall not be  
31 subject to prosecution for manufacturing, possessing,  
32 cultivating, harvesting, packaging, processing,  
33 transporting, or supplying medical cannabis pursuant  
34 to this chapter.  
35 3. A medical cannabis patient center, including

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1 any authorized agent or employee thereof, shall not be  
2 subject to prosecution for transporting, supplying, or  
3 dispensing medical cannabis pursuant to this chapter.

4 a. In a prosecution for the unlawful possession  
5 of marijuana under the laws of this state, including  
6 but not limited to chapters 124 and 453B, it is an  
7 affirmative and complete defense to the prosecution  
8 that the patient has been diagnosed with a debilitating  
9 medical condition, used or possessed medical  
10 cannabis pursuant to a certification by a health care  
11 practitioner as authorized under this chapter, and,  
12 for a patient eighteen years of age or older, is in  
13 possession of a valid medical cannabis registration  
14 card.

15 b. In a prosecution for the unlawful possession  
16 of marijuana under the laws of this state, including  
17 but not limited to chapters 124 and 453B, it is an  
18 affirmative and complete defense to the prosecution  
19 that the person possessed medical cannabis because the  
20 person is a primary caregiver of a patient who has been  
21 diagnosed with a debilitating medical condition and is  
22 in possession of a valid medical cannabis registration  
23 card, and where the primary caregiver's possession of  
24 the medical cannabis is on behalf of the patient and  
25 for the patient's use only as authorized under this  
26 chapter.

27 c. If a patient or primary caregiver is charged  
28 with the commission of a crime and is not in possession  
29 of the person's medical cannabis registration card,  
30 any charge or charges filed against the person shall  
31 be dismissed by the court if the person produces to  
32 the court prior to or at the person's trial a medical  
33 cannabis registration card issued to that person and  
34 valid at the time the person was charged.

35 4. An agency of this state or a political

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1 subdivision thereof, including any law enforcement  
2 agency, shall not remove or initiate proceedings to  
3 remove a patient under the age of eighteen from the  
4 home of a parent based solely upon the parent's or  
5 patient's possession or use of medical cannabis as  
6 authorized under this chapter.

7 Sec. \_\_\_\_ REPEAL. Chapter 124D, Code 2016, is  
8 repealed.

9 Sec. \_\_\_\_ EMERGENCY RULES. The department may  
10 adopt emergency rules under section 17A.4, subsection  
11 3, and section 17A.5, subsection 2, paragraph "b",  
12 to implement the provisions of this division of this

13 Act and the rules shall be effective immediately upon  
 14 filing unless a later date is specified in the rules.  
 15 Any rules adopted in accordance with this section shall  
 16 also be published as a notice of intended action as  
 17 provided in section 17A.4.

18 Sec. \_\_\_\_. TRANSITION PROVISIONS. A medical  
 19 cannabis registration card issued under chapter 124D  
 20 prior to July 1, 2016, remains effective and continues  
 21 in effect as issued for the twelve-month period  
 22 following its issuance. This division of this Act does  
 23 not preclude the permit holder from seeking to renew  
 24 the permit under this division of this Act prior to the  
 25 expiration of the twelve-month period.>

26 3. Title page, by striking lines 1 and 2 and  
 27 inserting <An Act relating to statewide programs for  
 28 the health and safety of Iowa residents and making  
 29 penalties applicable.>

30 4. By renumbering, redesignating, and correcting  
 31 internal references as necessary.

FORBES of Polk  
 KRESSIG of Black Hawk

H-8294

1 Amend Senate File 2299, as amended, passed, and  
 2 reprinted by the Senate, as follows:

3 1. Page 1, before line 1 by inserting:  
 4 <DIVISION I  
 5 EARLY CHILDHOOD IOWA INITIATIVE>

6 2. Page 8, after line 4 by inserting:

7 <DIVISION \_\_  
 8 MEDICAL CANNABIS

9 Sec. \_\_\_\_. Section 124.204, subsection 4, paragraphs  
 10 m and u, Code 2016, are amended by striking the  
 11 paragraphs.

12 Sec. \_\_\_\_. Section 124.204, subsection 7, Code 2016,  
 13 is amended by striking the subsection.

14 Sec. \_\_\_\_. Section 124.206, subsection 7, Code 2016,  
 15 is amended to read as follows:

16 7. *Hallucinogenic substances*. Unless specifically  
 17 excepted or unless listed in another schedule, any  
 18 material, compound, mixture, or preparation which  
 19 contains any quantity of the following substances,  
 20 or, for purposes of paragraphs "a" and "b", which  
 21 contains any of its salts, isomers, or salts of isomers  
 22 whenever the existence of such salts, isomers, or salts  
 23 of isomers is possible within the specific chemical  
 24 designation (for purposes of this paragraph only, the  
 25 term "isomer" includes the optical, positional, and  
 26 geometric isomers):

27 a. Marijuana ~~when used for medicinal purposes~~



28 pursuant to rules of the board.  
 29 *b.* Tetrahydrocannabinols, meaning  
 30 tetrahydrocannabinols naturally contained in a  
 31 plant of the genus *cannabis* (*cannabis* plant) as well  
 32 as synthetic equivalents of the substances contained  
 33 in the *cannabis* plant, or in the resinous extractives  
 34 of such plant, and synthetic substances, derivatives,  
 35 and their isomers with similar chemical structure and

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1 pharmacological activity to those substances contained  
 2 in the plant, such as the following:  
 3 (1) 1 cis or trans tetrahydrocannabinol, and their  
 4 optical isomers.  
 5 (2) 6 cis or trans tetrahydrocannabinol, and their  
 6 optical isomers.  
 7 (3) 3,4 cis or trans tetrahydrocannabinol, and  
 8 their optical isomers. (Since nomenclature of these  
 9 substances is not internationally standardized,  
 10 compounds of these structures, regardless of numerical  
 11 designation of atomic positions covered.)  
 12 *b.* *c.* Nabilone [another name for  
 13 nabilone: (+) -  
 14 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
 15 dimethyl-9H-dibenzo[b,d]pyran-9-one].  
 16 Sec. \_\_. Section 124.401, subsection 5, unnumbered  
 17 paragraph 3, Code 2016, is amended to read as follows:  
 18 A person may knowingly or intentionally recommend,  
 19 possess, use, dispense, deliver, transport, or  
 20 administer ~~cannabidiol~~ medical cannabis if the  
 21 recommendation, possession, use, dispensing, delivery,  
 22 transporting, or administering is in accordance with  
 23 the provisions of chapter ~~124D~~ 124E. For purposes of  
 24 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
 25 the same as defined in section ~~124D.2~~ 124E.2.  
 26 Sec. \_\_. **NEW SECTION. 124E.1 Short title.**  
 27 This chapter shall be known and may be cited as the  
 28 *“Compassionate Use of Medical Cannabis Act”*.  
 29 Sec. \_\_. **NEW SECTION. 124E.2 Definitions.**  
 30 As used in this chapter:  
 31 1. *“Debilitating medical condition”* means any of the  
 32 following:  
 33 *a.* Cancer, if the underlying condition or treatment  
 34 produces one or more of the following:  
 35 (1) Intractable pain.

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1 (2) Nausea or severe vomiting.  
 2 (3) Cachexia or severe wasting.  
 3 *b.* Multiple sclerosis.

- 4 c. Epilepsy or seizure disorders.  
5 d. AIDS or HIV as defined in section 141A.1.  
6 e. Crohn's disease or ulcerative colitis.  
7 f. Amyotrophic lateral sclerosis.  
8 g. Intractable pain.  
9 h. Glaucoma.  
10 i. Any terminal illness, with a probable life  
11 expectancy of under one year, if the illness or its  
12 treatment produces one or more of the following:  
13 (1) Intractable pain.  
14 (2) Nausea or severe vomiting.  
15 (3) Cachexia or severe wasting.  
16 j. Any other chronic or debilitating disease or  
17 medical condition or its medical treatment approved by  
18 the department pursuant to rule.  
19 2. "Department" means the department of public  
20 health.  
21 3. "Disqualifying felony offense" means a violation  
22 under federal or state law of a felony offense, which  
23 has as an element the possession, use, or distribution  
24 of a controlled substance, as defined in 21 U.S.C.  
25 §802(6).  
26 4. "Enclosed, locked facility" means a closet, room,  
27 greenhouse, or other enclosed area equipped with locks  
28 or other security devices that permit access only by a  
29 cardholder.  
30 5. "Health care practitioner" means an individual  
31 licensed under chapter 148 to practice medicine and  
32 surgery or osteopathic medicine and surgery or an  
33 individual licensed to prescribe medicine in any other  
34 state and provides specialty care for an Iowa resident  
35 for one or more of the debilitating medical conditions

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- 1 provided in this chapter.  
2 6. "Intractable pain" means a pain in which the  
3 cause of the pain cannot be removed or otherwise  
4 treated with the consent of the patient and which, in  
5 the generally accepted course of medical practice, no  
6 relief or cure of the cause of the pain is possible,  
7 or none has been found after reasonable efforts.  
8 Reasonable efforts for relieving or curing the cause of  
9 the pain may be determined on the basis of but are not  
10 limited to any of the following:  
11 a. When treating a nonterminally ill patient for  
12 intractable pain, evaluation by the attending physician  
13 and one or more physicians specializing in pain  
14 medicine or the treatment of the area, system, or organ  
15 of the body perceived as the source of the pain.  
16 b. When treating a terminally ill patient,  
17 evaluation by the attending physician who does so in

18 accordance with the level of care, skill, and treatment  
 19 that would be recognized by a reasonably prudent  
 20 physician under similar conditions and circumstances.  
 21 7. *“Medical cannabis”* means any species of the genus  
 22 cannabis plant, or any mixture or preparation of them,  
 23 including whole plant extracts and resins.  
 24 8. *“Medical cannabis manufacturer”* means an entity  
 25 licensed by the department to manufacture and to  
 26 possess, cultivate, transport, or supply medical  
 27 cannabis pursuant to the provisions of this chapter.  
 28 9. *“Medical cannabis patient center”* means an entity  
 29 licensed under section 124E.8 that acquires medical  
 30 cannabis from a medical cannabis manufacturer in this  
 31 state for the purpose of dispensing medical cannabis in  
 32 this state pursuant to this chapter.  
 33 10. *“Primary caregiver”* means a person, at least  
 34 eighteen years of age, who has been designated by a  
 35 patient’s health care practitioner or a person having

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1 custody of a patient, as a necessary caretaker taking  
 2 responsibility for managing the well-being of the  
 3 patient with respect to the use of medical cannabis  
 4 pursuant to the provisions of this chapter.  
 5 11. *“Written certification”* means a document signed  
 6 by a health care practitioner, with whom the patient  
 7 has established a patient-provider relationship, which  
 8 states that the patient has a debilitating medical  
 9 condition and identifies that condition and provides  
 10 any other relevant information.  
 11 Sec. \_\_\_\_\_. **NEW SECTION. 124E.3 Health care**  
 12 **practitioner certification — duties.**  
 13 1. Prior to a patient’s submission of an  
 14 application for a medical cannabis registration card  
 15 pursuant to section 124E.4, a health care practitioner  
 16 shall do all of the following:  
 17 a. Determine, in the health care practitioner’s  
 18 medical judgment, whether the patient whom the health  
 19 care practitioner has examined and treated suffers from  
 20 a debilitating medical condition that qualifies for  
 21 the use of medical cannabis under this chapter, and  
 22 if so determined, provide the patient with a written  
 23 certification of that diagnosis.  
 24 b. Provide explanatory information as provided by  
 25 the department to the patient about the therapeutic use  
 26 of medical cannabis.  
 27 2. Determine, on an annual basis, if the patient  
 28 continues to suffer from a debilitating medical  
 29 condition and, if so, issue the patient a new  
 30 certification of that diagnosis.  
 31 3. Otherwise comply with all requirements

32 established by the department pursuant to rule.  
33 4. A health care practitioner may provide, but has  
34 no duty to provide, a written certification pursuant  
35 to this section.

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1 Sec. \_\_. NEW SECTION. **124E.4 Medical cannabis**  
2 **registration card.**  
3 1. *Issuance to patient.* The department may approve  
4 the issuance of a medical cannabis registration card by  
5 the department of transportation to a patient who:  
6 a. Is at least eighteen years of age.  
7 b. Is a permanent resident of this state.  
8 c. Submits a written certification to the  
9 department signed by the patient's health care  
10 practitioner that the patient is suffering from a  
11 debilitating medical condition.  
12 d. Submits an application to the department, on a  
13 form created by the department, in consultation with  
14 the department of transportation, that contains all of  
15 the following:  
16 (1) The patient's full name, Iowa residence  
17 address, date of birth, and telephone number.  
18 (2) A copy of the patient's valid photo  
19 identification.  
20 (3) Full name, address, and telephone number of the  
21 patient's health care practitioner.  
22 (4) Full name, residence address, date of birth,  
23 and telephone number of each primary caregiver of the  
24 patient, if any.  
25 (5) Any other information required by rule.  
26 2. *Patient card contents.* A medical cannabis  
27 registration card issued to a patient by the department  
28 of transportation pursuant to subsection 1 shall  
29 contain, at a minimum, all of the following:  
30 a. The patient's full name, Iowa residence address,  
31 and date of birth.  
32 b. The patient's photograph.  
33 c. The date of issuance and expiration date of the  
34 registration card.  
35 d. Any other information required by rule.

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1 3. *Issuance to primary caregiver.* For a patient in  
2 a primary caregiver's care, the department may approve  
3 the issuance of a medical cannabis registration card  
4 by the department of transportation to the primary  
5 caregiver who:  
6 a. Is at least eighteen years of age.  
7 b. Submits a written certification to the

8 department signed by the patient's health care  
 9 practitioner that the patient in the primary  
 10 caregiver's care is suffering from a debilitating  
 11 medical condition.

12 c. Submits an application to the department, on a  
 13 form created by the department, in consultation with  
 14 the department of transportation, that contains all of  
 15 the following:

16 (1) The primary caregiver's full name, residence  
 17 address, date of birth, and telephone number.

18 (2) The patient's full name.

19 (3) A copy of the primary caregiver's valid photo  
 20 identification.

21 (4) Full name, address, and telephone number of the  
 22 patient's health care practitioner.

23 (5) Any other information required by rule.

24 4. *Primary caregiver card contents.* A medical  
 25 cannabis registration card issued by the department  
 26 of transportation to a primary caregiver pursuant to  
 27 subsection 3 shall contain, at a minimum, all of the  
 28 following:

29 a. The primary caregiver's full name, residence  
 30 address, and date of birth.

31 b. The primary caregiver's photograph.

32 c. The date of issuance and expiration date of the  
 33 registration card.

34 d. The registration card number of each patient  
 35 in the primary caregiver's care. If the patient

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1 in the primary caregiver's care is under the age of  
 2 eighteen, the full name of the patient's parent or  
 3 legal guardian.

4 e. Any other information required by rule.

5 5. *Expiration date of card.* A medical cannabis  
 6 registration card issued pursuant to this section shall  
 7 expire one year after the date of issuance and may be  
 8 renewed.

9 6. *Card issuance — department of*  
 10 *transportation.* The department may enter into  
 11 a chapter 28E agreement with the department of  
 12 transportation to facilitate the issuance of medical  
 13 cannabis registration cards pursuant to subsections 1  
 14 and 3.

15 Sec. \_\_. NEW SECTION. **124E.5 Medical advisory**  
 16 **board — duties.**

17 1. No later than August 15, 2016, the director  
 18 of public health shall establish a medical advisory  
 19 board consisting of nine practitioners representing the  
 20 fields of neurology, pain management, gastroenterology,  
 21 oncology, psychiatry, pediatrics, infectious disease,

22 family medicine, and pharmacy. The practitioners  
23 shall be nationally board-certified in their area of  
24 specialty and knowledgeable about the use of medical  
25 cannabis.

26 2. A quorum of the advisory board shall consist of  
27 five members.

28 3. The duties of the advisory board shall include  
29 but not be limited to the following:

30 *a.* Reviewing and recommending to the department for  
31 approval additional chronic or debilitating diseases or  
32 medical conditions or their treatments as debilitating  
33 medical conditions that qualify for the use of medical  
34 cannabis under this chapter.

35 *b.* Accepting and reviewing petitions to add chronic

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1 or debilitating diseases or medical conditions or their  
2 medical treatments to the list of debilitating medical  
3 conditions that qualify for the use of medical cannabis  
4 under this chapter.

5 *c.* Advising the department regarding the location  
6 and number of necessary medical cannabis patient  
7 centers throughout the state on a continuous basis, the  
8 form and quantity of allowable medical cannabis to be  
9 dispensed to a patient or primary caregiver, and the  
10 general oversight of medical cannabis manufacturers and  
11 medical cannabis patient centers in this state.

12 *d.* Convening at least twice per year to conduct  
13 public hearings and to evaluate petitions, which  
14 shall be maintained as confidential personal health  
15 information, to add chronic or debilitating diseases or  
16 medical conditions or their medical treatments to the  
17 list of debilitating medical conditions that qualify  
18 for the use of medical cannabis under this chapter.

19 Sec. \_\_. NEW SECTION. **124E.6 Medical cannabis**  
20 **manufacturer licensure.**

21 1. *a.* The department shall license up to two  
22 medical cannabis manufacturers to manufacture  
23 medical cannabis within this state consistent with  
24 the provisions of this chapter by December 1, 2016.  
25 The department shall license new medical cannabis  
26 manufacturers or relicense the existing medical  
27 cannabis manufacturers by December 1 of each year.

28 *b.* Information submitted during the application  
29 process shall be confidential until the medical  
30 cannabis manufacturer is licensed by the department  
31 unless otherwise protected from disclosure under state  
32 or federal law.

33 2. As a condition for licensure, a medical cannabis  
34 manufacturer must agree to begin supplying medical  
35 cannabis to medical cannabis patient centers in this

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1 state by July 1, 2017.

2 3. The department shall consider the following

3 factors in determining whether to license a medical

4 cannabis manufacturer:

5 a. The technical expertise of the medical cannabis

6 manufacturer in medical cannabis.

7 b. The qualifications of the medical cannabis

8 manufacturer's employees.

9 c. The long-term financial stability of the medical

10 cannabis manufacturer.

11 d. The ability to provide appropriate security

12 measures on the premises of the medical cannabis

13 manufacturer.

14 e. Whether the medical cannabis manufacturer

15 has demonstrated an ability to meet certain medical

16 cannabis production needs for medical use regarding

17 the range of recommended dosages for each debilitating

18 medical condition, the range of chemical compositions

19 of any plant of the genus cannabis that will likely

20 be medically beneficial for each of the debilitating

21 medical conditions, and the form of the medical

22 cannabis in the manner determined by the department

23 pursuant to rule.

24 f. The medical cannabis manufacturer's projection

25 of and ongoing assessment of fees on patients with

26 debilitating medical conditions.

27 4. The department shall require each medical

28 cannabis manufacturer to contract with the state

29 hygienic laboratory at the university of Iowa in Iowa

30 City to test the medical cannabis produced by the

31 manufacturer. The department shall require that the

32 laboratory report testing results to the manufacturer

33 in a manner determined by the department pursuant to

34 rule.

35 Sec. \_\_\_. NEW SECTION. 124E.7 Medical cannabis

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1 **manufacturers.**

2 1. A medical cannabis manufacturer shall contract

3 with the state hygienic laboratory at the university

4 of Iowa in Iowa City for purposes of testing the

5 medical cannabis manufactured by the medical cannabis

6 manufacturer as to content, contamination, and

7 consistency. The cost of all laboratory testing shall

8 be paid by the medical cannabis manufacturer.

9 2. The operating documents of a medical cannabis

10 manufacturer shall include all of the following:

11 a. Procedures for the oversight of the medical

12 cannabis manufacturer and procedures to ensure accurate

13 record keeping.  
14 *b.* Procedures for the implementation of appropriate  
15 security measures to deter and prevent the theft of  
16 medical cannabis and unauthorized entrance into areas  
17 containing medical cannabis.  
18 *3.* A medical cannabis manufacturer shall implement  
19 security requirements, including requirements for  
20 protection of each location by a fully operational  
21 security alarm system, facility access controls,  
22 perimeter intrusion detection systems, and a personnel  
23 identification system.  
24 *4.* A medical cannabis manufacturer shall not share  
25 office space with, refer patients to, or have any  
26 financial relationship with a health care practitioner.  
27 *5.* A medical cannabis manufacturer shall not permit  
28 any person to consume medical cannabis on the property  
29 of the medical cannabis manufacturer.  
30 *6.* A medical cannabis manufacturer is subject to  
31 reasonable inspection by the department.  
32 *7.* A medical cannabis manufacturer shall not  
33 employ a person under eighteen years of age or who has  
34 been convicted of a disqualifying felony offense. An  
35 employee of a medical cannabis manufacturer shall be

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1 subject to a background investigation conducted by the  
2 division of criminal investigation of the department  
3 of public safety and a national criminal history  
4 background check.  
5 *8.* A medical cannabis manufacturer shall not  
6 operate in any location, whether for manufacturing,  
7 cultivating, harvesting, packaging, or processing,  
8 within one thousand feet of a public or private school  
9 existing before the date of the medical cannabis  
10 manufacturer's licensure by the department.  
11 *9.* A medical cannabis manufacturer shall comply  
12 with reasonable restrictions set by the department  
13 relating to signage, marketing, display, and  
14 advertising of medical cannabis.  
15 *10. a.* A medical cannabis manufacturer shall  
16 provide a reliable and ongoing supply of medical  
17 cannabis to medical cannabis patient centers pursuant  
18 to this chapter.  
19 *b.* All manufacturing, cultivating, harvesting,  
20 packaging, and processing of medical cannabis shall  
21 take place in an enclosed, locked facility at a  
22 physical address provided to the department during the  
23 licensure process.  
24 *c.* A medical cannabis manufacturer shall not  
25 manufacture edible medical cannabis products utilizing  
26 food coloring.



27 *d.* A medical cannabis manufacturer shall  
 28 manufacture a reliable and ongoing supply of medical  
 29 cannabis to treat every debilitating medical condition  
 30 listed in this chapter.

31 Sec. \_\_\_\_ NEW SECTION. **124E.8 Medical cannabis**  
 32 **patient center licensure.**

33 1. *a.* The department shall license by April 1,  
 34 2017, up to four medical cannabis patient centers to  
 35 dispense medical cannabis within this state consistent

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1 with the provisions of this chapter. The department  
 2 shall license new medical cannabis patient centers or  
 3 relicense the existing medical cannabis manufacturers  
 4 by December 1 of each year.

5 *b.* Information submitted during the application  
 6 process shall be confidential until the medical  
 7 cannabis patient center is licensed by the department  
 8 unless otherwise protected from disclosure under state  
 9 or federal law.

10 2. As a condition for licensure, a medical cannabis  
 11 patient center must agree to begin supplying medical  
 12 cannabis to patients by July 1, 2017.

13 3. The department shall consider the following  
 14 factors in determining whether to license a medical  
 15 cannabis patient center:

16 *a.* The technical expertise of the medical cannabis  
 17 patient center regarding medical cannabis.

18 *b.* The qualifications of the medical cannabis  
 19 patient center's employees.

20 *c.* The long-term financial stability of the medical  
 21 cannabis patient center.

22 *d.* The ability to provide appropriate security  
 23 measures on the premises of the medical cannabis  
 24 patient center.

25 *e.* The medical cannabis patient center's projection  
 26 and ongoing assessment of fees for the purchase of  
 27 medical cannabis on patients with debilitating medical  
 28 conditions.

29 Sec. \_\_\_\_ NEW SECTION. **124E.9 Medical cannabis**  
 30 **patient centers.**

31 1. *a.* The medical cannabis patient centers shall  
 32 be located based on geographical need throughout the  
 33 state to improve patient access.

34 *b.* A medical cannabis patient center may dispense  
 35 medical cannabis pursuant to the provisions of this

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1 chapter but shall not dispense any medical cannabis  
 2 in a form or quantity other than the form or quantity

- 3 allowed by the department pursuant to rule.  
4 2. The operating documents of a medical cannabis  
5 patient center shall include all of the following:  
6 a. Procedures for the oversight of the medical  
7 cannabis patient center and procedures to ensure  
8 accurate record keeping.  
9 b. Procedures for the implementation of appropriate  
10 security measures to deter and prevent the theft of  
11 medical cannabis and unauthorized entrance into areas  
12 containing medical cannabis.  
13 3. A medical cannabis patient center shall  
14 implement security requirements, including requirements  
15 for protection by a fully operational security alarm  
16 system, facility access controls, perimeter intrusion  
17 detection systems, and a personnel identification  
18 system.  
19 4. A medical cannabis patient center shall not  
20 share office space with, refer patients to, or have any  
21 financial relationship with a health care practitioner.  
22 5. A medical cannabis patient center shall not  
23 permit any person to consume medical cannabis on the  
24 property of the medical cannabis patient center.  
25 6. A medical cannabis patient center is subject to  
26 reasonable inspection by the department.  
27 7. A medical cannabis patient center shall not  
28 employ a person under eighteen years of age or who has  
29 been convicted of a disqualifying felony offense. An  
30 employee of a medical cannabis patient center shall be  
31 subject to a background investigation conducted by the  
32 division of criminal investigation of the department  
33 of public safety and a national criminal history  
34 background check.  
35 8. A medical cannabis patient center shall not

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- 1 operate in any location within one thousand feet of a  
2 public or private school existing before the date of  
3 the medical cannabis patient center's licensure by the  
4 department.  
5 9. A medical cannabis patient center shall  
6 comply with reasonable restrictions set by the  
7 department relating to signage, marketing, display, and  
8 advertising of medical cannabis.  
9 10. Prior to dispensing of any medical cannabis,  
10 a medical cannabis patient center shall do all of the  
11 following:  
12 a. Verify that the medical cannabis patient center  
13 has received a valid medical cannabis registration card  
14 from a patient or a patient's primary caregiver, if  
15 applicable.  
16 b. Assign a tracking number to any medical cannabis

17 dispensed from the medical cannabis patient center.  
 18 c. (1) Properly package medical cannabis in  
 19 compliance with federal law regarding child resistant  
 20 packaging and exemptions for packaging for elderly  
 21 patients, and label medical cannabis with a list of  
 22 all active ingredients and individually identifying  
 23 information, including all of the following:  
 24 (a) The name and date of birth of the patient and  
 25 the patient's primary caregiver, if appropriate.  
 26 (b) The medical cannabis registration card numbers  
 27 of the patient and the patient's primary caregiver, if  
 28 applicable.  
 29 (c) The chemical composition of the medical  
 30 cannabis.  
 31 (2) Proper packaging of medical cannabis shall  
 32 include but not be limited to all of the following:  
 33 (a) Warning labels regarding the use of medical  
 34 cannabis by a woman during pregnancy and while  
 35 breastfeeding.

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1 (b) Clearly labeled packaging indicating that  
 2 an edible medical cannabis product contains medical  
 3 cannabis and which packaging shall not imitate candy  
 4 products or in any way make the product marketable to  
 5 children.  
 6 11. A medical cannabis patient center shall employ  
 7 a pharmacist licensed pursuant to chapter 155A.  
 8 12. A medical cannabis patient center shall keep  
 9 a reliable and ongoing supply of medical cannabis to  
 10 treat every debilitating medical condition listed in  
 11 this chapter.  
 12 **Sec. \_\_\_\_.** **NEW SECTION. 124E.10 Department duties**  
 13 **— rules.**  
 14 1. a. The department shall maintain a confidential  
 15 file of the names of each patient to or for whom the  
 16 department issues a medical cannabis registration  
 17 card, the name of each primary caregiver to whom the  
 18 department issues a medical cannabis registration card  
 19 under section 124E.4, and the names of each health care  
 20 practitioner who provides a written certification for  
 21 medical cannabis pursuant to this chapter.  
 22 b. Individual names contained in the file shall be  
 23 confidential and shall not be subject to disclosure,  
 24 except as provided in subparagraph (1).  
 25 (1) Information in the confidential file maintained  
 26 pursuant to paragraph "a" may be released on an  
 27 individual basis to the following persons under the  
 28 following circumstances:  
 29 (a) To authorized employees or agents of the  
 30 department and the department of transportation as

31 necessary to perform the duties of the department and  
32 the department of transportation pursuant to this  
33 chapter.

34 (b) To authorized employees of state or local  
35 law enforcement agencies, but only for the purpose of

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1 verifying that a person is lawfully in possession of a  
2 medical cannabis registration card issued pursuant to  
3 this chapter.

4 (c) To authorized employees of a medical cannabis  
5 patient center, but only for the purpose of verifying  
6 that a person is lawfully in possession of a medical  
7 cannabis registration card issued pursuant to this  
8 chapter.

9 (2) Release of information pursuant to subparagraph  
10 (1) shall be consistent with the federal Health  
11 Insurance Portability and Accountability Act of 1996,  
12 Pub. L. No. 104-191.

13 2. The department shall adopt rules pursuant to  
14 chapter 17A to administer this chapter which shall  
15 include but not be limited to rules to do all of the  
16 following:

17 a. Govern the manner in which the department shall  
18 consider applications for new and renewal medical  
19 cannabis registration cards.

20 b. Identify criteria and set forth procedures for  
21 including additional chronic or debilitating diseases  
22 or medical conditions or their medical treatments  
23 on the list of debilitating medical conditions that  
24 qualify for the use of medical cannabis. Procedures  
25 shall include a petition process and shall allow for  
26 public comment and public hearings before the medical  
27 advisory board.

28 c. Set forth additional chronic or debilitating  
29 diseases or medical conditions or associated medical  
30 treatments for inclusion on the list of debilitating  
31 medical conditions that qualify for the use of medical  
32 cannabis as recommended by the medical advisory board.

33 d. Establish the form and quantity of medical  
34 cannabis allowed to be dispensed to a patient or  
35 primary caregiver pursuant to this chapter. The

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1 form and quantity of medical cannabis shall be  
2 appropriate to serve the medical needs of patients with  
3 debilitating conditions.

4 e. Establish requirements for the licensure of  
5 medical cannabis manufacturers and medical cannabis  
6 patient centers and set forth procedures for medical

7 cannabis manufacturers and medical cannabis patient  
 8 centers to obtain licenses.

9 *f.* Develop a dispensing system for medical cannabis  
 10 within this state that provides for all of the  
 11 following:

12 (1) Medical cannabis patient centers within  
 13 this state housed on secured grounds and operated by  
 14 licensed medical cannabis patient centers.

15 (2) The dispensing of medical cannabis to patients  
 16 and their primary caregivers to occur at locations  
 17 designated by the department.

18 *g.* Specify and implement procedures that address  
 19 public safety including security procedures and product  
 20 quality including measures to ensure contaminant-free  
 21 cultivation of medical cannabis, safety, and labeling.

22 *h.* Establish and implement a real-time, statewide  
 23 medical cannabis registry management sale tracking  
 24 system that is available to medical cannabis patient  
 25 centers on a twenty-four-hour-day, seven-day-a-week  
 26 basis for the purpose of verifying that a person  
 27 is lawfully in possession of a medical cannabis  
 28 registration card issued pursuant to this chapter  
 29 and for tracking the date of the sale and quantity of  
 30 medical cannabis purchased by a patient or a primary  
 31 caregiver.

32 *i.* Establish and implement a medical cannabis  
 33 inventory and delivery tracking system to track  
 34 medical cannabis from production by a medical cannabis  
 35 manufacturer through dispensing at a medical cannabis

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1 patient center.

2 Sec. \_\_. **NEW SECTION. 124E.11 Reciprocity.**

3 A valid medical cannabis registration card, or its  
 4 equivalent, issued under the laws of another state  
 5 that allows an out-of-state patient to possess or  
 6 use medical cannabis in the jurisdiction of issuance  
 7 shall have the same force and effect as a valid  
 8 medical cannabis registration card issued pursuant to  
 9 this chapter, except that an out-of-state patient in  
 10 this state shall not obtain medical cannabis from a  
 11 medical cannabis patient center in this state and an  
 12 out-of-state patient shall not smoke medical cannabis.

13 Sec. \_\_. **NEW SECTION. 124E.12 Use of medical**  
 14 **cannabis — smoking prohibited.**

15 A patient shall not consume medical cannabis  
 16 possessed or used as authorized by this chapter by  
 17 smoking medical cannabis.

18 Sec. \_\_. **NEW SECTION. 124E.13 Use of medical**  
 19 **cannabis — affirmative defenses.**

20 1. A health care practitioner, including any

21 authorized agent or employee thereof, shall not be  
22 subject to prosecution for the unlawful certification,  
23 possession, or administration of marijuana under the  
24 laws of this state for activities arising directly  
25 out of or directly related to the certification or  
26 use of medical cannabis in the treatment of a patient  
27 diagnosed with a debilitating medical condition as  
28 authorized by this chapter.

29 2. A medical cannabis manufacturer, including any  
30 authorized agent or employee thereof, shall not be  
31 subject to prosecution for manufacturing, possessing,  
32 cultivating, harvesting, packaging, processing,  
33 transporting, or supplying medical cannabis pursuant  
34 to this chapter.

35 3. A medical cannabis patient center, including

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1 any authorized agent or employee thereof, shall not be  
2 subject to prosecution for transporting, supplying, or  
3 dispensing medical cannabis pursuant to this chapter.

4 a. In a prosecution for the unlawful possession  
5 of marijuana under the laws of this state, including  
6 but not limited to chapters 124 and 453B, it is an  
7 affirmative and complete defense to the prosecution  
8 that the patient has been diagnosed with a debilitating  
9 medical condition, used or possessed medical  
10 cannabis pursuant to a certification by a health care  
11 practitioner as authorized under this chapter, and,  
12 for a patient eighteen years of age or older, is in  
13 possession of a valid medical cannabis registration  
14 card.

15 b. In a prosecution for the unlawful possession  
16 of marijuana under the laws of this state, including  
17 but not limited to chapters 124 and 453B, it is an  
18 affirmative and complete defense to the prosecution  
19 that the person possessed medical cannabis because the  
20 person is a primary caregiver of a patient who has been  
21 diagnosed with a debilitating medical condition and is  
22 in possession of a valid medical cannabis registration  
23 card, and where the primary caregiver's possession of  
24 the medical cannabis is on behalf of the patient and  
25 for the patient's use only as authorized under this  
26 chapter.

27 c. If a patient or primary caregiver is charged  
28 with the commission of a crime and is not in possession  
29 of the person's medical cannabis registration card,  
30 any charge or charges filed against the person shall  
31 be dismissed by the court if the person produces to  
32 the court prior to or at the person's trial a medical  
33 cannabis registration card issued to that person and  
34 valid at the time the person was charged.

35 4. An agency of this state or a political

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1 subdivision thereof, including any law enforcement  
2 agency, shall not remove or initiate proceedings to  
3 remove a patient under the age of eighteen from the  
4 home of a parent based solely upon the parent's or  
5 patient's possession or use of medical cannabis as  
6 authorized under this chapter.

7 Sec. \_\_\_. REPEAL. Chapter 124D, Code 2016, is  
8 repealed.

9 Sec. \_\_\_. EMERGENCY RULES. The department may  
10 adopt emergency rules under section 17A.4, subsection  
11 3, and section 17A.5, subsection 2, paragraph "b",  
12 to implement the provisions of this division of this  
13 Act and the rules shall be effective immediately upon  
14 filing unless a later date is specified in the rules.  
15 Any rules adopted in accordance with this section shall  
16 also be published as a notice of intended action as  
17 provided in section 17A.4.

18 Sec. \_\_\_. TRANSITION PROVISIONS. A medical  
19 cannabis registration card issued under chapter 124D  
20 prior to July 1, 2016, remains effective and continues  
21 in effect as issued for the twelve-month period  
22 following its issuance. This division of this Act does  
23 not preclude the permit holder from seeking to renew  
24 the permit under this division of this Act prior to the  
25 expiration of the twelve-month period.>

26 3. Title page, by striking lines 1 and 2 and  
27 inserting <An Act relating to state regulation of the  
28 health and well-being of Iowa residents, including  
29 children, and making penalties applicable.>

30 4. By renumbering, redesignating, and correcting  
31 internal references as necessary.

FORBES of Polk  
KRESSIG of Black Hawk

H-8295

1 Amend the amendment, H-8286, to the Senate  
2 amendment, H-8278, to House File 2459, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 4, line 3, by striking <2003> and inserting  
5 <2016>

DUNKEL of Dubuque  
BROWN-POWERS of Black Hawk  
DAWSON of Woodbury  
ISENHART of Dubuque  
KRESSIG of Black Hawk

BEARINGER of Fayette  
COHOON of Des Moines  
GASKILL of Wapello  
KEARNS of Lee  
LYKAM of Scott

McCONKEY of Pottawattamie  
 PRICHARD of Floyd  
 STECKMAN of Cerro Gordo  
 WINCKLER of Scott

H. MILLER of Webster  
 SMITH of Marshall  
 THEDE of Scott  
 WOLFE of Clinton

H-8296

1 Amend the amendment, H-8294, to Senate File 2299,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:

4 1. By striking page 1, line 1, through page 21,  
 5 line 31, and inserting:

6 <Amend Senate File 2299, as amended, passed, and  
 7 reprinted by the Senate, as follows:

8 1. Page 1, before line 1 by inserting:

9 <DIVISION I  
 10 EARLY CHILDHOOD IOWA INITIATIVE>

11 2. Page 8, after line 4 by inserting:

12 <DIVISION \_\_\_\_  
 13 MEDICAL CANNABIS

14 Sec. \_\_\_\_ Section 124.204, subsection 4, paragraphs  
 15 m and u, Code 2016, are amended by striking the  
 16 paragraphs.

17 Sec. \_\_\_\_ Section 124.204, subsection 7, Code 2016,  
 18 is amended by striking the subsection.

19 Sec. \_\_\_\_ Section 124.206, subsection 7, Code 2016,  
 20 is amended to read as follows:

21 7. *Hallucinogenic substances.* Unless specifically  
 22 excepted or unless listed in another schedule, any  
 23 material, compound, mixture, or preparation which  
 24 contains any quantity of the following substances,  
 25 or, for purposes of paragraphs "a" and "b", which  
 26 contains any of its salts, isomers, or salts of isomers  
 27 whenever the existence of such salts, isomers, or salts  
 28 of isomers is possible within the specific chemical  
 29 designation (for purposes of this paragraph only, the  
 30 term "isomer" includes the optical, positional, and  
 31 geometric isomers):

32 a. Marijuana when used for medicinal purposes  
 33 pursuant to rules of the board.

34 b. Tetrahydrocannabinols, meaning  
 35 tetrahydrocannabinols naturally contained in a

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1 plant of the genus cannabis (cannabis plant) as well  
 2 as synthetic equivalents of the substances contained  
 3 in the cannabis plant, or in the resinous extractives  
 4 of such plant, and synthetic substances, derivatives,  
 5 and their isomers with similar chemical structure and  
 6 pharmacological activity to those substances contained  
 7 in the plant, such as the following:



8 (1) 1 cis or trans tetrahydrocannabinol, and their  
 9 optical isomers.  
 10 (2) 6 cis or trans tetrahydrocannabinol, and their  
 11 optical isomers.  
 12 (3) 3,4 cis or trans tetrahydrocannabinol, and  
 13 their optical isomers. (Since nomenclature of these  
 14 substances is not internationally standardized,  
 15 compounds of these structures, regardless of numerical  
 16 designation of atomic positions covered.)  
 17 ~~b. c.~~ Nabilone [another name for  
 18 nabilone: (+-) -  
 19 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
 20 dimethyl-9H-dibenzo[b,d]pyran-9-one].  
 21 Sec. \_\_\_\_ Section 124.401, subsection 5, unnumbered  
 22 paragraph 3, Code 2016, is amended to read as follows:  
 23 A person may knowingly or intentionally recommend,  
 24 possess, use, dispense, deliver, transport, or  
 25 administer ~~cannabidiol~~ medical cannabis if the  
 26 recommendation, possession, use, dispensing, delivery,  
 27 transporting, or administering is in accordance with  
 28 the provisions of chapter ~~124D~~ 124E. For purposes of  
 29 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
 30 the same as defined in section ~~124D.2~~ 124E.2.  
 31 Sec. \_\_\_\_ NEW SECTION. 124E.1 Short title.  
 32 This chapter shall be known and may be cited as the  
 33 “Compassionate Use of Medical Cannabis Act”.  
 34 Sec. \_\_\_\_ NEW SECTION. 124E.2 Definitions.  
 35 As used in this chapter:

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1 1. “Debilitating medical condition” means any of the  
 2 following:  
 3 a. Cancer, if the underlying condition or treatment  
 4 produces one or more of the following:  
 5 (1) Intractable pain.  
 6 (2) Nausea or severe vomiting.  
 7 (3) Cachexia or severe wasting.  
 8 b. Multiple sclerosis.  
 9 c. Epilepsy or seizure disorders.  
 10 d. AIDS or HIV as defined in section 141A.1.  
 11 e. Crohn’s disease or ulcerative colitis.  
 12 f. Amyotrophic lateral sclerosis.  
 13 g. Intractable pain.  
 14 h. Glaucoma.  
 15 i. Any terminal illness, with a probable life  
 16 expectancy of under one year, if the illness or its  
 17 treatment produces one or more of the following:  
 18 (1) Intractable pain.  
 19 (2) Nausea or severe vomiting.  
 20 (3) Cachexia or severe wasting.  
 21 j. Any other chronic or debilitating disease or

22 medical condition or its medical treatment approved by  
23 the department pursuant to rule.

24 2. *“Department”* means the department of public  
25 health.

26 3. *“Disqualifying felony offense”* means a violation  
27 under federal or state law of a felony offense, which  
28 has as an element the possession, use, or distribution  
29 of a controlled substance, as defined in 21 U.S.C.  
30 §802(6).

31 4. *“Enclosed, locked facility”* means a closet, room,  
32 greenhouse, or other enclosed area equipped with locks  
33 or other security devices that permit access only by a  
34 cardholder.

35 5. *“Health care practitioner”* means an individual

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1 licensed under chapter 148 to practice medicine and  
2 surgery or osteopathic medicine and surgery or an  
3 individual licensed to prescribe medicine in any other  
4 state and provides specialty care for an Iowa resident  
5 for one or more of the debilitating medical conditions  
6 provided in this chapter.

7 6. *“Intractable pain”* means a pain in which the  
8 cause of the pain cannot be removed or otherwise  
9 treated with the consent of the patient and which, in  
10 the generally accepted course of medical practice, no  
11 relief or cure of the cause of the pain is possible,  
12 or none has been found after reasonable efforts.  
13 Reasonable efforts for relieving or curing the cause of  
14 the pain may be determined on the basis of but are not  
15 limited to any of the following:

16 a. When treating a nonterminally ill patient for  
17 intractable pain, evaluation by the attending physician  
18 and one or more physicians specializing in pain  
19 medicine or the treatment of the area, system, or organ  
20 of the body perceived as the source of the pain.

21 b. When treating a terminally ill patient,  
22 evaluation by the attending physician who does so in  
23 accordance with the level of care, skill, and treatment  
24 that would be recognized by a reasonably prudent  
25 physician under similar conditions and circumstances.

26 7. *“Medical cannabis”* means any species of the genus  
27 cannabis plant, or any mixture or preparation of them,  
28 including whole plant extracts and resins.

29 8. *“Medical cannabis manufacturer”* means an entity  
30 licensed by the department to manufacture and to  
31 possess, cultivate, transport, or supply medical  
32 cannabis pursuant to the provisions of this chapter.

33 9. *“Medical cannabis patient center”* means an entity  
34 licensed under section 124E.8 that acquires medical  
35 cannabis from a medical cannabis manufacturer in this

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1 state for the purpose of dispensing medical cannabis in  
2 this state pursuant to this chapter.

3 10. "*Primary caregiver*" means a person, at least  
4 eighteen years of age, who has been designated by a  
5 patient's health care practitioner or a person having  
6 custody of a patient, as a necessary caretaker taking  
7 responsibility for managing the well-being of the  
8 patient with respect to the use of medical cannabis  
9 pursuant to the provisions of this chapter.

10 11. "*Written certification*" means a document signed  
11 by a health care practitioner, with whom the patient  
12 has established a patient-provider relationship, which  
13 states that the patient has a debilitating medical  
14 condition and identifies that condition and provides  
15 any other relevant information.

16 Sec. \_\_\_\_ NEW SECTION. **124E.3 Health care**  
17 **practitioner certification — duties.**

18 1. Prior to a patient's submission of an  
19 application for a medical cannabis registration card  
20 pursuant to section 124E.4, a health care practitioner  
21 shall do all of the following:

22 a. Determine, in the health care practitioner's  
23 medical judgment, whether the patient whom the health  
24 care practitioner has examined and treated suffers from  
25 a debilitating medical condition that qualifies for  
26 the use of medical cannabis under this chapter, and  
27 if so determined, provide the patient with a written  
28 certification of that diagnosis.

29 b. Provide explanatory information as provided by  
30 the department to the patient about the therapeutic use  
31 of medical cannabis.

32 2. Determine, on an annual basis, if the patient  
33 continues to suffer from a debilitating medical  
34 condition and, if so, issue the patient a new  
35 certification of that diagnosis.

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1 3. Otherwise comply with all requirements  
2 established by the department pursuant to rule.

3 4. A health care practitioner may provide, but has  
4 no duty to provide, a written certification pursuant  
5 to this section.

6 Sec. \_\_\_\_ NEW SECTION. **124E.4 Medical cannabis**  
7 **registration card.**

8 1. *Issuance to patient.* The department may approve  
9 the issuance of a medical cannabis registration card by  
10 the department of transportation to a patient who:

11 a. Is at least eighteen years of age.

12 b. Is a permanent resident of this state.

- 13 c. Submits a written certification to the  
14 department signed by the patient's health care  
15 practitioner that the patient is suffering from a  
16 debilitating medical condition.
- 17 d. Submits an application to the department, on a  
18 form created by the department, in consultation with  
19 the department of transportation, that contains all of  
20 the following:
- 21 (1) The patient's full name, Iowa residence  
22 address, date of birth, and telephone number.
- 23 (2) A copy of the patient's valid photo  
24 identification.
- 25 (3) Full name, address, and telephone number of the  
26 patient's health care practitioner.
- 27 (4) Full name, residence address, date of birth,  
28 and telephone number of each primary caregiver of the  
29 patient, if any.
- 30 (5) Any other information required by rule.
- 31 2. *Patient card contents.* A medical cannabis  
32 registration card issued to a patient by the department  
33 of transportation pursuant to subsection 1 shall  
34 contain, at a minimum, all of the following:
- 35 a. The patient's full name, Iowa residence address,

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- 1 and date of birth.
- 2 b. The patient's photograph.
- 3 c. The date of issuance and expiration date of the  
4 registration card.
- 5 d. Any other information required by rule.
- 6 3. *Issuance to primary caregiver.* For a patient in  
7 a primary caregiver's care, the department may approve  
8 the issuance of a medical cannabis registration card  
9 by the department of transportation to the primary  
10 caregiver who:
- 11 a. Is at least eighteen years of age.
- 12 b. Submits a written certification to the  
13 department signed by the patient's health care  
14 practitioner that the patient in the primary  
15 caregiver's care is suffering from a debilitating  
16 medical condition.
- 17 c. Submits an application to the department, on a  
18 form created by the department, in consultation with  
19 the department of transportation, that contains all of  
20 the following:
- 21 (1) The primary caregiver's full name, residence  
22 address, date of birth, and telephone number.
- 23 (2) The patient's full name.
- 24 (3) A copy of the primary caregiver's valid photo  
25 identification.
- 26 (4) Full name, address, and telephone number of the

27 patient's health care practitioner.  
 28 (5) Any other information required by rule.  
 29 4. *Primary caregiver card contents.* A medical  
 30 cannabis registration card issued by the department  
 31 of transportation to a primary caregiver pursuant to  
 32 subsection 3 shall contain, at a minimum, all of the  
 33 following:  
 34 a. The primary caregiver's full name, residence  
 35 address, and date of birth.

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1 b. The primary caregiver's photograph.  
 2 c. The date of issuance and expiration date of the  
 3 registration card.  
 4 d. The registration card number of each patient  
 5 in the primary caregiver's care. If the patient  
 6 in the primary caregiver's care is under the age of  
 7 eighteen, the full name of the patient's parent or  
 8 legal guardian.  
 9 e. Any other information required by rule.  
 10 5. *Expiration date of card.* A medical cannabis  
 11 registration card issued pursuant to this section shall  
 12 expire one year after the date of issuance and may be  
 13 renewed.  
 14 6. *Card issuance — department of*  
 15 *transportation.* The department may enter into  
 16 a chapter 28E agreement with the department of  
 17 transportation to facilitate the issuance of medical  
 18 cannabis registration cards pursuant to subsections 1  
 19 and 3.  
 20 Sec. \_\_\_\_ NEW SECTION. **124E.5 Medical advisory**  
 21 **board — duties.**  
 22 1. No later than August 15, 2016, the director  
 23 of public health shall establish a medical advisory  
 24 board consisting of nine practitioners representing the  
 25 fields of neurology, pain management, gastroenterology,  
 26 oncology, psychiatry, pediatrics, infectious disease,  
 27 family medicine, and pharmacy. The practitioners  
 28 shall be nationally board-certified in their area of  
 29 specialty and knowledgeable about the use of medical  
 30 cannabis.  
 31 2. A quorum of the advisory board shall consist of  
 32 five members.  
 33 3. The duties of the advisory board shall include  
 34 but not be limited to the following:  
 35 a. Reviewing and recommending to the department for

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1 approval additional chronic or debilitating diseases or  
 2 medical conditions or their treatments as debilitating

3 medical conditions that qualify for the use of medical  
4 cannabis under this chapter.

5 *b.* Accepting and reviewing petitions to add chronic  
6 or debilitating diseases or medical conditions or their  
7 medical treatments to the list of debilitating medical  
8 conditions that qualify for the use of medical cannabis  
9 under this chapter.

10 *c.* Advising the department regarding the location  
11 and number of necessary medical cannabis patient  
12 centers throughout the state on a continuous basis, the  
13 form and quantity of allowable medical cannabis to be  
14 dispensed to a patient or primary caregiver, and the  
15 general oversight of medical cannabis manufacturers and  
16 medical cannabis patient centers in this state.

17 *d.* Convening at least twice per year to conduct  
18 public hearings and to evaluate petitions, which  
19 shall be maintained as confidential personal health  
20 information, to add chronic or debilitating diseases or  
21 medical conditions or their medical treatments to the  
22 list of debilitating medical conditions that qualify  
23 for the use of medical cannabis under this chapter.

24 Sec. \_\_. NEW SECTION. 124E.6 Medical cannabis  
25 **manufacturer licensure.**

26 1. *a.* The department shall license up to two  
27 medical cannabis manufacturers to manufacture  
28 medical cannabis within this state consistent with  
29 the provisions of this chapter by December 1, 2016.  
30 The department shall license new medical cannabis  
31 manufacturers or relicense the existing medical  
32 cannabis manufacturers by December 1 of each year.

33 *b.* Information submitted during the application  
34 process shall be confidential until the medical  
35 cannabis manufacturer is licensed by the department

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1 unless otherwise protected from disclosure under state  
2 or federal law.

3 2. As a condition for licensure, a medical cannabis  
4 manufacturer must agree to begin supplying medical  
5 cannabis to medical cannabis patient centers in this  
6 state by July 1, 2017.

7 3. The department shall consider the following  
8 factors in determining whether to license a medical  
9 cannabis manufacturer:

10 *a.* The technical expertise of the medical cannabis  
11 manufacturer in medical cannabis.

12 *b.* The qualifications of the medical cannabis  
13 manufacturer's employees.

14 *c.* The long-term financial stability of the medical  
15 cannabis manufacturer.

16 *d.* The ability to provide appropriate security

17 measures on the premises of the medical cannabis  
18 manufacturer.

19 *e.* Whether the medical cannabis manufacturer  
20 has demonstrated an ability to meet certain medical  
21 cannabis production needs for medical use regarding  
22 the range of recommended dosages for each debilitating  
23 medical condition, the range of chemical compositions  
24 of any plant of the genus cannabis that will likely  
25 be medically beneficial for each of the debilitating  
26 medical conditions, and the form of the medical  
27 cannabis in the manner determined by the department  
28 pursuant to rule.

29 *f.* The medical cannabis manufacturer's projection  
30 of and ongoing assessment of fees on patients with  
31 debilitating medical conditions.

32 4. The department shall require each medical  
33 cannabis manufacturer to contract with the state  
34 hygienic laboratory at the university of Iowa in Iowa  
35 City to test the medical cannabis produced by the

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1 manufacturer. The department shall require that the  
2 laboratory report testing results to the manufacturer  
3 in a manner determined by the department pursuant to  
4 rule.

5 Sec. \_\_\_\_. **NEW SECTION. 124E.7 Medical cannabis**  
6 **manufacturers.**

7 1. A medical cannabis manufacturer shall contract  
8 with the state hygienic laboratory at the university  
9 of Iowa in Iowa City for purposes of testing the  
10 medical cannabis manufactured by the medical cannabis  
11 manufacturer as to content, contamination, and  
12 consistency. The cost of all laboratory testing shall  
13 be paid by the medical cannabis manufacturer.

14 2. The operating documents of a medical cannabis  
15 manufacturer shall include all of the following:

16 *a.* Procedures for the oversight of the medical  
17 cannabis manufacturer and procedures to ensure accurate  
18 record keeping.

19 *b.* Procedures for the implementation of appropriate  
20 security measures to deter and prevent the theft of  
21 medical cannabis and unauthorized entrance into areas  
22 containing medical cannabis.

23 3. A medical cannabis manufacturer shall implement  
24 security requirements, including requirements for  
25 protection of each location by a fully operational  
26 security alarm system, facility access controls,  
27 perimeter intrusion detection systems, and a personnel  
28 identification system.

29 4. A medical cannabis manufacturer shall not share  
30 office space with, refer patients to, or have any

31 financial relationship with a health care practitioner.  
32 5. A medical cannabis manufacturer shall not permit  
33 any person to consume medical cannabis on the property  
34 of the medical cannabis manufacturer.  
35 6. A medical cannabis manufacturer is subject to

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1 reasonable inspection by the department.  
2 7. A medical cannabis manufacturer shall not  
3 employ a person under eighteen years of age or who has  
4 been convicted of a disqualifying felony offense. An  
5 employee of a medical cannabis manufacturer shall be  
6 subject to a background investigation conducted by the  
7 division of criminal investigation of the department  
8 of public safety and a national criminal history  
9 background check.  
10 8. A medical cannabis manufacturer shall not  
11 operate in any location, whether for manufacturing,  
12 cultivating, harvesting, packaging, or processing,  
13 within one thousand feet of a public or private school  
14 existing before the date of the medical cannabis  
15 manufacturer's licensure by the department.  
16 9. A medical cannabis manufacturer shall comply  
17 with reasonable restrictions set by the department  
18 relating to signage, marketing, display, and  
19 advertising of medical cannabis.  
20 10. *a.* A medical cannabis manufacturer shall  
21 provide a reliable and ongoing supply of medical  
22 cannabis to medical cannabis patient centers pursuant  
23 to this chapter.  
24 *b.* All manufacturing, cultivating, harvesting,  
25 packaging, and processing of medical cannabis shall  
26 take place in an enclosed, locked facility at a  
27 physical address provided to the department during the  
28 licensure process.  
29 *c.* A medical cannabis manufacturer shall not  
30 manufacture edible medical cannabis products utilizing  
31 food coloring.  
32 *d.* A medical cannabis manufacturer shall  
33 manufacture a reliable and ongoing supply of medical  
34 cannabis to treat every debilitating medical condition  
35 listed in this chapter.

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1 Sec. \_\_. NEW SECTION. **124E.8 Medical cannabis**  
2 **patient center licensure.**  
3 1. *a.* The department shall license by April 1,  
4 2017, up to four medical cannabis patient centers to  
5 dispense medical cannabis within this state consistent  
6 with the provisions of this chapter. The department



7 shall license new medical cannabis patient centers or  
 8 relicense the existing medical cannabis manufacturers  
 9 by December 1 of each year.

10 *b.* Information submitted during the application  
 11 process shall be confidential until the medical  
 12 cannabis patient center is licensed by the department  
 13 unless otherwise protected from disclosure under state  
 14 or federal law.

15 2. As a condition for licensure, a medical cannabis  
 16 patient center must agree to begin supplying medical  
 17 cannabis to patients by July 1, 2017.

18 3. The department shall consider the following  
 19 factors in determining whether to license a medical  
 20 cannabis patient center:

21 *a.* The technical expertise of the medical cannabis  
 22 patient center regarding medical cannabis.

23 *b.* The qualifications of the medical cannabis  
 24 patient center's employees.

25 *c.* The long-term financial stability of the medical  
 26 cannabis patient center.

27 *d.* The ability to provide appropriate security  
 28 measures on the premises of the medical cannabis  
 29 patient center.

30 *e.* The medical cannabis patient center's projection  
 31 and ongoing assessment of fees for the purchase of  
 32 medical cannabis on patients with debilitating medical  
 33 conditions.

34 Sec. \_\_\_\_ NEW SECTION. **124E.9 Medical cannabis**  
 35 **patient centers.**

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1 1. *a.* The medical cannabis patient centers shall  
 2 be located based on geographical need throughout the  
 3 state to improve patient access.

4 *b.* A medical cannabis patient center may dispense  
 5 medical cannabis pursuant to the provisions of this  
 6 chapter but shall not dispense any medical cannabis  
 7 in a form or quantity other than the form or quantity  
 8 allowed by the department pursuant to rule.

9 2. The operating documents of a medical cannabis  
 10 patient center shall include all of the following:

11 *a.* Procedures for the oversight of the medical  
 12 cannabis patient center and procedures to ensure  
 13 accurate record keeping.

14 *b.* Procedures for the implementation of appropriate  
 15 security measures to deter and prevent the theft of  
 16 medical cannabis and unauthorized entrance into areas  
 17 containing medical cannabis.

18 3. A medical cannabis patient center shall  
 19 implement security requirements, including requirements  
 20 for protection by a fully operational security alarm

21 system, facility access controls, perimeter intrusion  
22 detection systems, and a personnel identification  
23 system.

24 4. A medical cannabis patient center shall not  
25 share office space with, refer patients to, or have any  
26 financial relationship with a health care practitioner.

27 5. A medical cannabis patient center shall not  
28 permit any person to consume medical cannabis on the  
29 property of the medical cannabis patient center.

30 6. A medical cannabis patient center is subject to  
31 reasonable inspection by the department.

32 7. A medical cannabis patient center shall not  
33 employ a person under eighteen years of age or who has  
34 been convicted of a disqualifying felony offense. An  
35 employee of a medical cannabis patient center shall be

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1 subject to a background investigation conducted by the  
2 division of criminal investigation of the department  
3 of public safety and a national criminal history  
4 background check.

5 8. A medical cannabis patient center shall not  
6 operate in any location within one thousand feet of a  
7 public or private school existing before the date of  
8 the medical cannabis patient center's licensure by the  
9 department.

10 9. A medical cannabis patient center shall  
11 comply with reasonable restrictions set by the  
12 department relating to signage, marketing, display, and  
13 advertising of medical cannabis.

14 10. Prior to dispensing of any medical cannabis,  
15 a medical cannabis patient center shall do all of the  
16 following:

17 a. Verify that the medical cannabis patient center  
18 has received a valid medical cannabis registration card  
19 from a patient or a patient's primary caregiver, if  
20 applicable.

21 b. Assign a tracking number to any medical cannabis  
22 dispensed from the medical cannabis patient center.

23 c. (1) Properly package medical cannabis in  
24 compliance with federal law regarding child resistant  
25 packaging and exemptions for packaging for elderly  
26 patients, and label medical cannabis with a list of  
27 all active ingredients and individually identifying  
28 information, including all of the following:

29 (a) The name and date of birth of the patient and  
30 the patient's primary caregiver, if appropriate.

31 (b) The medical cannabis registration card numbers  
32 of the patient and the patient's primary caregiver, if  
33 applicable.

34 (c) The chemical composition of the medical

35 cannabis.

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1 (2) Proper packaging of medical cannabis shall  
 2 include but not be limited to all of the following:  
 3 (a) Warning labels regarding the use of medical  
 4 cannabis by a woman during pregnancy and while  
 5 breastfeeding.  
 6 (b) Clearly labeled packaging indicating that  
 7 an edible medical cannabis product contains medical  
 8 cannabis and which packaging shall not imitate candy  
 9 products or in any way make the product marketable to  
 10 children.

11 11. A medical cannabis patient center shall employ  
 12 a pharmacist licensed pursuant to chapter 155A.  
 13 12. A medical cannabis patient center shall keep  
 14 a reliable and ongoing supply of medical cannabis to  
 15 treat every debilitating medical condition listed in  
 16 this chapter.

17 Sec. \_\_. NEW SECTION. 124E.10 Department duties  
 18 — rules.  
 19 1. *a.* The department shall maintain a confidential  
 20 file of the names of each patient to or for whom the  
 21 department issues a medical cannabis registration  
 22 card, the name of each primary caregiver to whom the  
 23 department issues a medical cannabis registration card  
 24 under section 124E.4, and the names of each health care  
 25 practitioner who provides a written certification for  
 26 medical cannabis pursuant to this chapter.  
 27 *b.* Individual names contained in the file shall be  
 28 confidential and shall not be subject to disclosure,  
 29 except as provided in subparagraph (1).

30 (1) Information in the confidential file maintained  
 31 pursuant to paragraph “*a*” may be released on an  
 32 individual basis to the following persons under the  
 33 following circumstances:  
 34 (a) To authorized employees or agents of the  
 35 department and the department of transportation as

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1 necessary to perform the duties of the department and  
 2 the department of transportation pursuant to this  
 3 chapter.  
 4 (b) To authorized employees of state or local  
 5 law enforcement agencies, but only for the purpose of  
 6 verifying that a person is lawfully in possession of a  
 7 medical cannabis registration card issued pursuant to  
 8 this chapter.  
 9 (c) To authorized employees of a medical cannabis  
 10 patient center, but only for the purpose of verifying

11 that a person is lawfully in possession of a medical  
12 cannabis registration card issued pursuant to this  
13 chapter.

14 (2) Release of information pursuant to subparagraph  
15 (1) shall be consistent with the federal Health  
16 Insurance Portability and Accountability Act of 1996,  
17 Pub. L. No. 104-191.

18 2. The department shall adopt rules pursuant to  
19 chapter 17A to administer this chapter which shall  
20 include but not be limited to rules to do all of the  
21 following:

22 a. Govern the manner in which the department shall  
23 consider applications for new and renewal medical  
24 cannabis registration cards.

25 b. Identify criteria and set forth procedures for  
26 including additional chronic or debilitating diseases  
27 or medical conditions or their medical treatments  
28 on the list of debilitating medical conditions that  
29 qualify for the use of medical cannabis. Procedures  
30 shall include a petition process and shall allow for  
31 public comment and public hearings before the medical  
32 advisory board.

33 c. Set forth additional chronic or debilitating  
34 diseases or medical conditions or associated medical  
35 treatments for inclusion on the list of debilitating

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1 medical conditions that qualify for the use of medical  
2 cannabis as recommended by the medical advisory board.

3 d. Establish the form and quantity of medical  
4 cannabis allowed to be dispensed to a patient or  
5 primary caregiver pursuant to this chapter. The  
6 form and quantity of medical cannabis shall be  
7 appropriate to serve the medical needs of patients with  
8 debilitating conditions.

9 e. Establish requirements for the licensure of  
10 medical cannabis manufacturers and medical cannabis  
11 patient centers and set forth procedures for medical  
12 cannabis manufacturers and medical cannabis patient  
13 centers to obtain licenses.

14 f. Develop a dispensing system for medical cannabis  
15 within this state that provides for all of the  
16 following:

17 (1) Medical cannabis patient centers within  
18 this state housed on secured grounds and operated by  
19 licensed medical cannabis patient centers.

20 (2) The dispensing of medical cannabis to patients  
21 and their primary caregivers to occur at locations  
22 designated by the department.

23 g. Specify and implement procedures that address  
24 public safety including security procedures and product

25 quality including measures to ensure contaminant-free  
 26 cultivation of medical cannabis, safety, and labeling.  
 27 *h.* Establish and implement a real-time, statewide  
 28 medical cannabis registry management sale tracking  
 29 system that is available to medical cannabis patient  
 30 centers on a twenty-four-hour-day, seven-day-a-week  
 31 basis for the purpose of verifying that a person  
 32 is lawfully in possession of a medical cannabis  
 33 registration card issued pursuant to this chapter  
 34 and for tracking the date of the sale and quantity of  
 35 medical cannabis purchased by a patient or a primary

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1 caregiver.  
 2 *i.* Establish and implement a medical cannabis  
 3 inventory and delivery tracking system to track  
 4 medical cannabis from production by a medical cannabis  
 5 manufacturer through dispensing at a medical cannabis  
 6 patient center.  
 7 **Sec. \_\_\_\_.** NEW SECTION. **124E.11 Reciprocity.**  
 8 A valid medical cannabis registration card, or its  
 9 equivalent, issued under the laws of another state  
 10 that allows an out-of-state patient to possess or  
 11 use medical cannabis in the jurisdiction of issuance  
 12 shall have the same force and effect as a valid  
 13 medical cannabis registration card issued pursuant to  
 14 this chapter, except that an out-of-state patient in  
 15 this state shall not obtain medical cannabis from a  
 16 medical cannabis patient center in this state and an  
 17 out-of-state patient shall not smoke medical cannabis.  
 18 **Sec. \_\_\_\_.** NEW SECTION. **124E.12 Use of medical**  
 19 **cannabis — smoking prohibited.**  
 20 A patient shall not consume medical cannabis  
 21 possessed or used as authorized by this chapter by  
 22 smoking medical cannabis.  
 23 **Sec. \_\_\_\_.** NEW SECTION. **124E.13 Use of medical**  
 24 **cannabis — affirmative defenses.**  
 25 1. A health care practitioner, including any  
 26 authorized agent or employee thereof, shall not be  
 27 subject to prosecution for the unlawful certification,  
 28 possession, or administration of marijuana under the  
 29 laws of this state for activities arising directly  
 30 out of or directly related to the certification or  
 31 use of medical cannabis in the treatment of a patient  
 32 diagnosed with a debilitating medical condition as  
 33 authorized by this chapter.  
 34 2. A medical cannabis manufacturer, including any  
 35 authorized agent or employee thereof, shall not be

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1 subject to prosecution for manufacturing, possessing,  
2 cultivating, harvesting, packaging, processing,  
3 transporting, or supplying medical cannabis pursuant  
4 to this chapter.

5 3. A medical cannabis patient center, including  
6 any authorized agent or employee thereof, shall not be  
7 subject to prosecution for transporting, supplying, or  
8 dispensing medical cannabis pursuant to this chapter.

9 a. In a prosecution for the unlawful possession  
10 of marijuana under the laws of this state, including  
11 but not limited to chapters 124 and 453B, it is an  
12 affirmative and complete defense to the prosecution  
13 that the patient has been diagnosed with a debilitating  
14 medical condition, used or possessed medical  
15 cannabis pursuant to a certification by a health care  
16 practitioner as authorized under this chapter, and,  
17 for a patient eighteen years of age or older, is in  
18 possession of a valid medical cannabis registration  
19 card.

20 b. In a prosecution for the unlawful possession  
21 of marijuana under the laws of this state, including  
22 but not limited to chapters 124 and 453B, it is an  
23 affirmative and complete defense to the prosecution  
24 that the person possessed medical cannabis because the  
25 person is a primary caregiver of a patient who has been  
26 diagnosed with a debilitating medical condition and is  
27 in possession of a valid medical cannabis registration  
28 card, and where the primary caregiver's possession of  
29 the medical cannabis is on behalf of the patient and  
30 for the patient's use only as authorized under this  
31 chapter.

32 c. If a patient or primary caregiver is charged  
33 with the commission of a crime and is not in possession  
34 of the person's medical cannabis registration card,  
35 any charge or charges filed against the person shall

PAGE 21

1 be dismissed by the court if the person produces to  
2 the court prior to or at the person's trial a medical  
3 cannabis registration card issued to that person and  
4 valid at the time the person was charged.

5 4. An agency of this state or a political  
6 subdivision thereof, including any law enforcement  
7 agency, shall not remove or initiate proceedings to  
8 remove a patient under the age of eighteen from the  
9 home of a parent based solely upon the parent's or  
10 patient's possession or use of medical cannabis as  
11 authorized under this chapter.

12 Sec. \_\_\_. REPEAL. Chapter 124D, Code 2016, is

13 repealed.

14 Sec. \_\_\_. EMERGENCY RULES. The department may  
 15 adopt emergency rules under section 17A.4, subsection  
 16 3, and section 17A.5, subsection 2, paragraph “b”,  
 17 to implement the provisions of this division of this  
 18 Act and the rules shall be effective immediately upon  
 19 filing unless a later date is specified in the rules.  
 20 Any rules adopted in accordance with this section shall  
 21 also be published as a notice of intended action as  
 22 provided in section 17A.4.

23 Sec. \_\_\_. TRANSITION PROVISIONS. A medical  
 24 cannabis registration card issued under chapter 124D  
 25 prior to July 1, 2016, remains effective and continues  
 26 in effect as issued for the twelve-month period  
 27 following its issuance. This division of this Act does  
 28 not preclude the permit holder from seeking to renew  
 29 the permit under this division of this Act prior to the  
 30 expiration of the twelve-month period.

31 Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This division  
 32 of this Act, being deemed of immediate importance,  
 33 takes effect upon enactment.>

34 3. Title page, by striking lines 1 and 2 and  
 35 inserting <An Act relating to state regulation of the

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1 health and well-being of Iowa residents, including  
 2 children, making penalties applicable, and including  
 3 effective date provisions.>

4 4. By renumbering, redesignating, and correcting  
 5 internal references as necessary.>

FORBES of Polk  
 KRESSIG of Black Hawk

H-8297

1 Amend the amendment, H-8293, to Senate File 492, as  
 2 passed by the Senate, as follows:

3 1. By striking page 1, line 1, through page 21,  
 4 line 31, and inserting:

5 <Amend Senate File 492, as passed by the Senate, as  
 6 follows:

7 1. Page 1, before line 1 by inserting:

8 <DIVISION I

9 DISASTER CASE MANAGEMENT GRANT FUND AND PROGRAM>

10 2. Page 3, after line 22 by inserting:

11 <DIVISION \_\_

12 MEDICAL CANNABIS

13 Sec. \_\_\_. Section 124.204, subsection 4, paragraphs  
 14 m and u, Code 2016, are amended by striking the  
 15 paragraphs.

16 Sec. \_\_\_\_ Section 124.204, subsection 7, Code 2016,  
17 is amended by striking the subsection.

18 Sec. \_\_\_\_ Section 124.206, subsection 7, Code 2016,  
19 is amended to read as follows:

20 7. *Hallucinogenic substances.* Unless specifically  
21 excepted or unless listed in another schedule, any  
22 material, compound, mixture, or preparation which  
23 contains any quantity of the following substances,  
24 or, for purposes of paragraphs “a” and “b”, which  
25 contains any of its salts, isomers, or salts of isomers  
26 whenever the existence of such salts, isomers, or salts  
27 of isomers is possible within the specific chemical  
28 designation (for purposes of this paragraph only, the  
29 term “isomer” includes the optical, positional, and  
30 geometric isomers):

31 a. Marijuana ~~when used for medicinal purposes~~  
32 ~~pursuant to rules of the board.~~

33 b. Tetrahydrocannabinols, meaning  
34 tetrahydrocannabinols naturally contained in a  
35 plant of the genus cannabis (cannabis plant) as well

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1 as synthetic equivalents of the substances contained  
2 in the cannabis plant, or in the resinous extractives  
3 of such plant, and synthetic substances, derivatives,  
4 and their isomers with similar chemical structure and  
5 pharmacological activity to those substances contained  
6 in the plant, such as the following:

7 (1) 1 cis or trans tetrahydrocannabinol, and their  
8 optical isomers.

9 (2) 6 cis or trans tetrahydrocannabinol, and their  
10 optical isomers.

11 (3) 3,4 cis or trans tetrahydrocannabinol, and  
12 their optical isomers. (Since nomenclature of these  
13 substances is not internationally standardized,  
14 compounds of these structures, regardless of numerical  
15 designation of atomic positions covered.)

16 ~~b. c.~~ Nabilone [another name for  
17 nabilone: (+) -

18 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
19 dimethyl-9H-dibenzo[b,d]pyran-9-one].

20 Sec. \_\_\_\_ Section 124.401, subsection 5, unnumbered  
21 paragraph 3, Code 2016, is amended to read as follows:

22 A person may knowingly or intentionally recommend,  
23 possess, use, dispense, deliver, transport, or  
24 administer ~~cannabidiol~~ medical cannabis if the  
25 recommendation, possession, use, dispensing, delivery,  
26 transporting, or administering is in accordance with  
27 the provisions of chapter ~~124D~~ 124E. For purposes of  
28 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
29 the same as defined in section ~~124D.2~~ 124E.2.



- 30 Sec. \_\_\_\_ NEW SECTION. 124E.1 Short title.  
 31 This chapter shall be known and may be cited as the  
 32 "*Compassionate Use of Medical Cannabis Act*".  
 33 Sec. \_\_\_\_ NEW SECTION. 124E.2 Definitions.  
 34 As used in this chapter:  
 35 1. "*Debilitating medical condition*" means any of the

PAGE 3

- 1 following:  
 2 a. Cancer, if the underlying condition or treatment  
 3 produces one or more of the following:  
 4 (1) Intractable pain.  
 5 (2) Nausea or severe vomiting.  
 6 (3) Cachexia or severe wasting.  
 7 b. Multiple sclerosis.  
 8 c. Epilepsy or seizure disorders.  
 9 d. AIDS or HIV as defined in section 141A.1.  
 10 e. Crohn's disease or ulcerative colitis.  
 11 f. Amyotrophic lateral sclerosis.  
 12 g. Intractable pain.  
 13 h. Glaucoma.  
 14 i. Any terminal illness, with a probable life  
 15 expectancy of under one year, if the illness or its  
 16 treatment produces one or more of the following:  
 17 (1) Intractable pain.  
 18 (2) Nausea or severe vomiting.  
 19 (3) Cachexia or severe wasting.  
 20 j. Any other chronic or debilitating disease or  
 21 medical condition or its medical treatment approved by  
 22 the department pursuant to rule.  
 23 2. "*Department*" means the department of public  
 24 health.  
 25 3. "*Disqualifying felony offense*" means a violation  
 26 under federal or state law of a felony offense, which  
 27 has as an element the possession, use, or distribution  
 28 of a controlled substance, as defined in 21 U.S.C.  
 29 §802(6).  
 30 4. "*Enclosed, locked facility*" means a closet, room,  
 31 greenhouse, or other enclosed area equipped with locks,  
 32 or other security devices that permit access only by a  
 33 cardholder.  
 34 5. "*Health care practitioner*" means an individual  
 35 licensed under chapter 148 to practice medicine and

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- 1 surgery or osteopathic medicine and surgery or an  
 2 individual licensed to prescribe medicine in any other  
 3 state and provides specialty care for an Iowa resident  
 4 for one or more of the debilitating medical conditions  
 5 provided in this chapter.

6 6. *“Intractable pain”* means a pain in which the  
7 cause of the pain cannot be removed or otherwise  
8 treated with the consent of the patient and which, in  
9 the generally accepted course of medical practice, no  
10 relief or cure of the cause of the pain is possible,  
11 or none has been found after reasonable efforts.  
12 Reasonable efforts for relieving or curing the cause of  
13 the pain may be determined on the basis of but are not  
14 limited to any of the following:

15 a. When treating a nonterminally ill patient for  
16 intractable pain, evaluation by the attending physician  
17 and one or more physicians specializing in pain  
18 medicine or the treatment of the area, system, or organ  
19 of the body perceived as the source of the pain.

20 b. When treating a terminally ill patient,  
21 evaluation by the attending physician who does so in  
22 accordance with the level of care, skill, and treatment  
23 that would be recognized by a reasonably prudent  
24 physician under similar conditions and circumstances.

25 7. *“Medical cannabis”* means any species of the genus  
26 cannabis plant, or any mixture or preparation of them,  
27 including whole plant extracts and resins.

28 8. *“Medical cannabis manufacturer”* means an entity  
29 licensed by the department to manufacture and to  
30 possess, cultivate, transport, or supply medical  
31 cannabis pursuant to the provisions of this chapter.

32 9. *“Medical cannabis patient center”* means an entity  
33 licensed under section 124E.8 that acquires medical  
34 cannabis from a medical cannabis manufacturer in this  
35 state for the purpose of dispensing medical cannabis in

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1 this state pursuant to this chapter.

2 10. *“Primary caregiver”* means a person, at least  
3 eighteen years of age, who has been designated by a  
4 patient’s health care practitioner or a person having  
5 custody of a patient, as a necessary caretaker taking  
6 responsibility for managing the well-being of the  
7 patient with respect to the use of medical cannabis  
8 pursuant to the provisions of this chapter.

9 11. *“Written certification”* means a document signed  
10 by a health care practitioner, with whom the patient  
11 has established a patient-provider relationship, which  
12 states that the patient has a debilitating medical  
13 condition and identifies that condition and provides  
14 any other relevant information.

15 Sec. \_\_\_\_ **NEW SECTION. 124E.3 Health care**  
16 **practitioner certification — duties.**

17 1. Prior to a patient’s submission of an  
18 application for a medical cannabis registration card  
19 pursuant to section 124E.4, a health care practitioner

20 shall do all of the following:

- 21     *a.* Determine, in the health care practitioner's  
 22 medical judgment, whether the patient whom the health  
 23 care practitioner has examined and treated suffers from  
 24 a debilitating medical condition that qualifies for  
 25 the use of medical cannabis under this chapter, and  
 26 if so determined, provide the patient with a written  
 27 certification of that diagnosis.
- 28     *b.* Provide explanatory information as provided by  
 29 the department to the patient about the therapeutic use  
 30 of medical cannabis.
- 31     2. Determine, on an annual basis, if the patient  
 32 continues to suffer from a debilitating medical  
 33 condition and, if so, issue the patient a new  
 34 certification of that diagnosis.
- 35     3. Otherwise comply with all requirements

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- 1 established by the department pursuant to rule.  
 2     4. A health care practitioner may provide, but has  
 3 no duty to provide, a written certification pursuant  
 4 to this section.
- 5     Sec. \_\_\_. **NEW SECTION. 124E.4 Medical cannabis**  
 6 **registration card.**
- 7     1. *Issuance to patient.* The department may approve  
 8 the issuance of a medical cannabis registration card by  
 9 the department of transportation to a patient who:
- 10     *a.* Is at least eighteen years of age.  
 11     *b.* Is a permanent resident of this state.  
 12     *c.* Submits a written certification to the  
 13 department signed by the patient's health care  
 14 practitioner that the patient is suffering from a  
 15 debilitating medical condition.  
 16     *d.* Submits an application to the department, on a  
 17 form created by the department, in consultation with  
 18 the department of transportation, that contains all of  
 19 the following:
- 20         (1) The patient's full name, Iowa residence  
 21 address, date of birth, and telephone number.  
 22         (2) A copy of the patient's valid photo  
 23 identification.  
 24         (3) Full name, address, and telephone number of the  
 25 patient's health care practitioner.  
 26         (4) Full name, residence address, date of birth,  
 27 and telephone number of each primary caregiver of the  
 28 patient, if any.  
 29         (5) Any other information required by rule.
- 30     2. *Patient card contents.* A medical cannabis  
 31 registration card issued to a patient by the department  
 32 of transportation pursuant to subsection 1 shall  
 33 contain, at a minimum, all of the following:

34 a. The patient's full name, Iowa residence address,  
35 and date of birth.

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1 b. The patient's photograph.  
2 c. The date of issuance and expiration date of the  
3 registration card.  
4 d. Any other information required by rule.  
5 3. *Issuance to primary caregiver.* For a patient in  
6 a primary caregiver's care, the department may approve  
7 the issuance of a medical cannabis registration card  
8 by the department of transportation to the primary  
9 caregiver who:  
10 a. Is at least eighteen years of age.  
11 b. Submits a written certification to the  
12 department signed by the patient's health care  
13 practitioner that the patient in the primary  
14 caregiver's care is suffering from a debilitating  
15 medical condition.  
16 c. Submits an application to the department, on a  
17 form created by the department, in consultation with  
18 the department of transportation, that contains all of  
19 the following:  
20 (1) The primary caregiver's full name, residence  
21 address, date of birth, and telephone number.  
22 (2) The patient's full name.  
23 (3) A copy of the primary caregiver's valid photo  
24 identification.  
25 (4) Full name, address, and telephone number of the  
26 patient's health care practitioner.  
27 (5) Any other information required by rule.  
28 4. *Primary caregiver card contents.* A medical  
29 cannabis registration card issued by the department  
30 of transportation to a primary caregiver pursuant to  
31 subsection 3 shall contain, at a minimum, all of the  
32 following:  
33 a. The primary caregiver's full name, residence  
34 address, and date of birth.  
35 b. The primary caregiver's photograph.

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1 c. The date of issuance and expiration date of the  
2 registration card.  
3 d. The registration card number of each patient  
4 in the primary caregiver's care. If the patient  
5 in the primary caregiver's care is under the age of  
6 eighteen, the full name of the patient's parent or  
7 legal guardian.  
8 e. Any other information required by rule.  
9 5. *Expiration date of card.* A medical cannabis

10 registration card issued pursuant to this section shall  
 11 expire one year after the date of issuance and may be  
 12 renewed.

13 6. *Card issuance — department of*  
 14 *transportation.* The department may enter into  
 15 a chapter 28E agreement with the department of  
 16 transportation to facilitate the issuance of medical  
 17 cannabis registration cards pursuant to subsections 1  
 18 and 3.

19 Sec. \_\_\_\_ NEW SECTION. **124E.5 Medical advisory**  
 20 **board — duties.**

21 1. No later than August 15, 2016, the director  
 22 of public health shall establish a medical advisory  
 23 board consisting of nine practitioners representing the  
 24 fields of neurology, pain management, gastroenterology,  
 25 oncology, psychiatry, pediatrics, infectious disease,  
 26 family medicine, and pharmacy. The practitioners  
 27 shall be nationally board-certified in their area of  
 28 specialty and knowledgeable about the use of medical  
 29 cannabis.

30 2. A quorum of the advisory board shall consist of  
 31 five members.

32 3. The duties of the advisory board shall include  
 33 but not be limited to the following:

34 a. Reviewing and recommending to the department for  
 35 approval additional chronic or debilitating diseases or

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1 medical conditions or their treatments as debilitating  
 2 medical conditions that qualify for the use of medical  
 3 cannabis under this chapter.

4 b. Accepting and reviewing petitions to add chronic  
 5 or debilitating diseases or medical conditions or their  
 6 medical treatments to the list of debilitating medical  
 7 conditions that qualify for the use of medical cannabis  
 8 under this chapter.

9 c. Advising the department regarding the location  
 10 and number of necessary medical cannabis patient  
 11 centers throughout the state on a continuous basis, the  
 12 form and quantity of allowable medical cannabis to be  
 13 dispensed to a patient or primary caregiver, and the  
 14 general oversight of medical cannabis manufacturers and  
 15 medical cannabis patient centers in this state.

16 d. Convening at least twice per year to conduct  
 17 public hearings and to evaluate petitions, which  
 18 shall be maintained as confidential personal health  
 19 information, to add chronic or debilitating diseases or  
 20 medical conditions or their medical treatments to the  
 21 list of debilitating medical conditions that qualify  
 22 for the use of medical cannabis under this chapter.

23 Sec. \_\_\_\_ NEW SECTION. **124E.6 Medical cannabis**

24 **manufacturer licensure.**

25 1. *a.* The department shall license up to two  
26 medical cannabis manufacturers to manufacture  
27 medical cannabis within this state consistent with  
28 the provisions of this chapter by December 1, 2016.  
29 The department shall license new medical cannabis  
30 manufacturers or relicense the existing medical  
31 cannabis manufacturers by December 1 of each year.  
32 *b.* Information submitted during the application  
33 process shall be confidential until the medical  
34 cannabis manufacturer is licensed by the department  
35 unless otherwise protected from disclosure under state

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1 or federal law.  
2 2. As a condition for licensure, a medical cannabis  
3 manufacturer must agree to begin supplying medical  
4 cannabis to medical cannabis patient centers in this  
5 state by July 1, 2017.  
6 3. The department shall consider the following  
7 factors in determining whether to license a medical  
8 cannabis manufacturer:  
9 *a.* The technical expertise of the medical cannabis  
10 manufacturer in medical cannabis.  
11 *b.* The qualifications of the medical cannabis  
12 manufacturer's employees.  
13 *c.* The long-term financial stability of the medical  
14 cannabis manufacturer.  
15 *d.* The ability to provide appropriate security  
16 measures on the premises of the medical cannabis  
17 manufacturer.  
18 *e.* Whether the medical cannabis manufacturer  
19 has demonstrated an ability to meet certain medical  
20 cannabis production needs for medical use regarding  
21 the range of recommended dosages for each debilitating  
22 medical condition, the range of chemical compositions  
23 of any plant of the genus cannabis that will likely  
24 be medically beneficial for each of the debilitating  
25 medical conditions, and the form of the medical  
26 cannabis in the manner determined by the department  
27 pursuant to rule.  
28 *f.* The medical cannabis manufacturer's projection  
29 of and ongoing assessment of fees on patients with  
30 debilitating medical conditions.  
31 4. The department shall require each medical  
32 cannabis manufacturer to contract with the state  
33 hygienic laboratory at the university of Iowa in Iowa  
34 City to test the medical cannabis produced by the  
35 manufacturer. The department shall require that the

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1 laboratory report testing results to the manufacturer  
2 in a manner determined by the department pursuant to  
3 rule.

4 Sec. \_\_. NEW SECTION. **124E.7 Medical cannabis**  
5 **manufacturers.**

6 1. A medical cannabis manufacturer shall contract  
7 with the state hygienic laboratory at the university  
8 of Iowa in Iowa City for purposes of testing the  
9 medical cannabis manufactured by the medical cannabis  
10 manufacturer as to content, contamination, and  
11 consistency. The cost of all laboratory testing shall  
12 be paid by the medical cannabis manufacturer.

13 2. The operating documents of a medical cannabis  
14 manufacturer shall include all of the following:

15 a. Procedures for the oversight of the medical  
16 cannabis manufacturer and procedures to ensure accurate  
17 record keeping.

18 b. Procedures for the implementation of appropriate  
19 security measures to deter and prevent the theft of  
20 medical cannabis and unauthorized entrance into areas  
21 containing medical cannabis.

22 3. A medical cannabis manufacturer shall implement  
23 security requirements, including requirements for  
24 protection of each location by a fully operational  
25 security alarm system, facility access controls,  
26 perimeter intrusion detection systems, and a personnel  
27 identification system.

28 4. A medical cannabis manufacturer shall not share  
29 office space with, refer patients to, or have any  
30 financial relationship with a health care practitioner.

31 5. A medical cannabis manufacturer shall not permit  
32 any person to consume medical cannabis on the property  
33 of the medical cannabis manufacturer.

34 6. A medical cannabis manufacturer is subject to  
35 reasonable inspection by the department.

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1 7. A medical cannabis manufacturer shall not  
2 employ a person under eighteen years of age or who has  
3 been convicted of a disqualifying felony offense. An  
4 employee of a medical cannabis manufacturer shall be  
5 subject to a background investigation conducted by the  
6 division of criminal investigation of the department  
7 of public safety and a national criminal history  
8 background check.

9 8. A medical cannabis manufacturer shall not  
10 operate in any location, whether for manufacturing,  
11 cultivating, harvesting, packaging, or processing,  
12 within one thousand feet of a public or private school

13 existing before the date of the medical cannabis  
14 manufacturer's licensure by the department.  
15 9. A medical cannabis manufacturer shall comply  
16 with reasonable restrictions set by the department  
17 relating to signage, marketing, display, and  
18 advertising of medical cannabis.  
19 10. *a.* A medical cannabis manufacturer shall  
20 provide a reliable and ongoing supply of medical  
21 cannabis to medical cannabis patient centers pursuant  
22 to this chapter.  
23 *b.* All manufacturing, cultivating, harvesting,  
24 packaging, and processing of medical cannabis shall  
25 take place in an enclosed, locked facility at a  
26 physical address provided to the department during the  
27 licensure process.  
28 *c.* A medical cannabis manufacturer shall not  
29 manufacture edible medical cannabis products utilizing  
30 food coloring.  
31 *d.* A medical cannabis manufacturer shall  
32 manufacture a reliable and ongoing supply of medical  
33 cannabis to treat every debilitating medical condition  
34 listed in this chapter.  
35 Sec. \_\_\_\_ NEW SECTION. **124E.8 Medical cannabis**

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1 **patient center licensure.**  
2 1. *a.* The department shall license by April 1,  
3 2017, up to four medical cannabis patient centers to  
4 dispense medical cannabis within this state consistent  
5 with the provisions of this chapter. The department  
6 shall license new medical cannabis patient centers or  
7 relicense the existing medical cannabis manufacturers  
8 by December 1 of each year.  
9 *b.* Information submitted during the application  
10 process shall be confidential until the medical  
11 cannabis patient center is licensed by the department  
12 unless otherwise protected from disclosure under state  
13 or federal law.  
14 2. As a condition for licensure, a medical cannabis  
15 patient center must agree to begin supplying medical  
16 cannabis to patients by July 1, 2017.  
17 3. The department shall consider the following  
18 factors in determining whether to license a medical  
19 cannabis patient center:  
20 *a.* The technical expertise of the medical cannabis  
21 patient center regarding medical cannabis.  
22 *b.* The qualifications of the medical cannabis  
23 patient center's employees.  
24 *c.* The long-term financial stability of the medical  
25 cannabis patient center.  
26 *d.* The ability to provide appropriate security



27 measures on the premises of the medical cannabis  
 28 patient center.  
 29 *e.* The medical cannabis patient center's projection  
 30 and ongoing assessment of fees for the purchase of  
 31 medical cannabis on patients with debilitating medical  
 32 conditions.  
 33 Sec. \_\_\_\_. **NEW SECTION. 124E.9 Medical cannabis**  
 34 **patient centers.**  
 35 1. *a.* The medical cannabis patient centers shall

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1 be located based on geographical need throughout the  
 2 state to improve patient access.  
 3 *b.* A medical cannabis patient center may dispense  
 4 medical cannabis pursuant to the provisions of this  
 5 chapter but shall not dispense any medical cannabis  
 6 in a form or quantity other than the form or quantity  
 7 allowed by the department pursuant to rule.  
 8 2. The operating documents of a medical cannabis  
 9 patient center shall include all of the following:  
 10 *a.* Procedures for the oversight of the medical  
 11 cannabis patient center and procedures to ensure  
 12 accurate record keeping.  
 13 *b.* Procedures for the implementation of appropriate  
 14 security measures to deter and prevent the theft of  
 15 medical cannabis and unauthorized entrance into areas  
 16 containing medical cannabis.  
 17 3. A medical cannabis patient center shall  
 18 implement security requirements, including requirements  
 19 for protection by a fully operational security alarm  
 20 system, facility access controls, perimeter intrusion  
 21 detection systems, and a personnel identification  
 22 system.  
 23 4. A medical cannabis patient center shall not  
 24 share office space with, refer patients to, or have any  
 25 financial relationship with a health care practitioner.  
 26 5. A medical cannabis patient center shall not  
 27 permit any person to consume medical cannabis on the  
 28 property of the medical cannabis patient center.  
 29 6. A medical cannabis patient center is subject to  
 30 reasonable inspection by the department.  
 31 7. A medical cannabis patient center shall not  
 32 employ a person under eighteen years of age or who has  
 33 been convicted of a disqualifying felony offense. An  
 34 employee of a medical cannabis patient center shall be  
 35 subject to a background investigation conducted by the

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1 division of criminal investigation of the department  
 2 of public safety and a national criminal history

3 background check.

4 8. A medical cannabis patient center shall not  
5 operate in any location within one thousand feet of a  
6 public or private school existing before the date of  
7 the medical cannabis patient center's licensure by the  
8 department.

9 9. A medical cannabis patient center shall  
10 comply with reasonable restrictions set by the  
11 department relating to signage, marketing, display, and  
12 advertising of medical cannabis.

13 10. Prior to dispensing of any medical cannabis,  
14 a medical cannabis patient center shall do all of the  
15 following:

16 a. Verify that the medical cannabis patient center  
17 has received a valid medical cannabis registration card  
18 from a patient or a patient's primary caregiver, if  
19 applicable.

20 b. Assign a tracking number to any medical cannabis  
21 dispensed from the medical cannabis patient center.

22 c. (1) Properly package medical cannabis in  
23 compliance with federal law regarding child resistant  
24 packaging and exemptions for packaging for elderly  
25 patients, and label medical cannabis with a list of  
26 all active ingredients and individually identifying  
27 information, including all of the following:

28 (a) The name and date of birth of the patient and  
29 the patient's primary caregiver, if appropriate.

30 (b) The medical cannabis registration card numbers  
31 of the patient and the patient's primary caregiver, if  
32 applicable.

33 (c) The chemical composition of the medical  
34 cannabis.

35 (2) Proper packaging of medical cannabis shall

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1 include but not be limited to all of the following:

2 (a) Warning labels regarding the use of medical  
3 cannabis by a woman during pregnancy and while  
4 breastfeeding.

5 (b) Clearly labeled packaging indicating that  
6 an edible medical cannabis product contains medical  
7 cannabis and which packaging shall not imitate candy  
8 products or in any way make the product marketable to  
9 children.

10 11. A medical cannabis patient center shall employ  
11 a pharmacist licensed pursuant to chapter 155A.

12 12. A medical cannabis patient center shall keep  
13 a reliable and ongoing supply of medical cannabis to  
14 treat every debilitating medical condition listed in  
15 this chapter.

16 Sec. \_\_. NEW SECTION. **124E.10 Department duties**

17 — **rules.**

18 1. *a.* The department shall maintain a confidential  
19 file of the names of each patient to or for whom the  
20 department issues a medical cannabis registration  
21 card, the name of each primary caregiver to whom the  
22 department issues a medical cannabis registration card  
23 under section 124E.4, and the names of each health care  
24 practitioner who provides a written certification for  
25 medical cannabis pursuant to this chapter.

26 *b.* Individual names contained in the file shall be  
27 confidential and shall not be subject to disclosure,  
28 except as provided in subparagraph (1).

29 (1) Information in the confidential file maintained  
30 pursuant to paragraph “*a*” may be released on an  
31 individual basis to the following persons under the  
32 following circumstances:

33 (a) To authorized employees or agents of the  
34 department and the department of transportation as  
35 necessary to perform the duties of the department and

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1 the department of transportation pursuant to this  
2 chapter.

3 (b) To authorized employees of state or local  
4 law enforcement agencies, but only for the purpose of  
5 verifying that a person is lawfully in possession of a  
6 medical cannabis registration card issued pursuant to  
7 this chapter.

8 (c) To authorized employees of a medical cannabis  
9 patient center, but only for the purpose of verifying  
10 that a person is lawfully in possession of a medical  
11 cannabis registration card issued pursuant to this  
12 chapter.

13 (2) Release of information pursuant to subparagraph  
14 (1) shall be consistent with the federal Health  
15 Insurance Portability and Accountability Act of 1996,  
16 Pub. L. No. 104-191.

17 2. The department shall adopt rules pursuant to  
18 chapter 17A to administer this chapter which shall  
19 include but not be limited to rules to do all of the  
20 following:

21 *a.* Govern the manner in which the department shall  
22 consider applications for new and renewal medical  
23 cannabis registration cards.

24 *b.* Identify criteria and set forth procedures for  
25 including additional chronic or debilitating diseases  
26 or medical conditions or their medical treatments  
27 on the list of debilitating medical conditions that  
28 qualify for the use of medical cannabis. Procedures  
29 shall include a petition process and shall allow for  
30 public comment and public hearings before the medical

31 advisory board.  
32 c. Set forth additional chronic or debilitating  
33 diseases or medical conditions or associated medical  
34 treatments for inclusion on the list of debilitating  
35 medical conditions that qualify for the use of medical

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1 cannabis as recommended by the medical advisory board.  
2 d. Establish the form and quantity of medical  
3 cannabis allowed to be dispensed to a patient or  
4 primary caregiver pursuant to this chapter. The  
5 form and quantity of medical cannabis shall be  
6 appropriate to serve the medical needs of patients with  
7 debilitating conditions.  
8 e. Establish requirements for the licensure of  
9 medical cannabis manufacturers and medical cannabis  
10 patient centers and set forth procedures for medical  
11 cannabis manufacturers and medical cannabis patient  
12 centers to obtain licenses.  
13 f. Develop a dispensing system for medical cannabis  
14 within this state that provides for all of the  
15 following:  
16 (1) Medical cannabis patient centers within  
17 this state housed on secured grounds and operated by  
18 licensed medical cannabis patient centers.  
19 (2) The dispensing of medical cannabis to patients  
20 and their primary caregivers to occur at locations  
21 designated by the department.  
22 g. Specify and implement procedures that address  
23 public safety including security procedures and product  
24 quality including measures to ensure contaminant-free  
25 cultivation of medical cannabis, safety, and labeling.  
26 h. Establish and implement a real-time, statewide  
27 medical cannabis registry management sale tracking  
28 system that is available to medical cannabis patient  
29 centers on a twenty-four-hour-day, seven-day-a-week  
30 basis for the purpose of verifying that a person  
31 is lawfully in possession of a medical cannabis  
32 registration card issued pursuant to this chapter  
33 and for tracking the date of the sale and quantity of  
34 medical cannabis purchased by a patient or a primary  
35 caregiver.

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1 i. Establish and implement a medical cannabis  
2 inventory and delivery tracking system to track  
3 medical cannabis from production by a medical cannabis  
4 manufacturer through dispensing at a medical cannabis  
5 patient center.  
6 Sec. \_\_. NEW SECTION. 124E.11 Reciprocity.

7 A valid medical cannabis registration card, or its  
8 equivalent, issued under the laws of another state  
9 that allows an out-of-state patient to possess or  
10 use medical cannabis in the jurisdiction of issuance  
11 shall have the same force and effect as a valid  
12 medical cannabis registration card issued pursuant to  
13 this chapter, except that an out-of-state patient in  
14 this state shall not obtain medical cannabis from a  
15 medical cannabis patient center in this state and an  
16 out-of-state patient shall not smoke medical cannabis.

17 Sec. \_\_. NEW SECTION. 124E.12 Use of medical  
18 **cannabis — smoking prohibited.**

19 A patient shall not consume medical cannabis  
20 possessed or used as authorized by this chapter by  
21 smoking medical cannabis.

22 Sec. \_\_. NEW SECTION. 124E.13 Use of medical  
23 **cannabis — affirmative defenses.**

24 1. A health care practitioner, including any  
25 authorized agent or employee thereof, shall not be  
26 subject to prosecution for the unlawful certification,  
27 possession, or administration of marijuana under the  
28 laws of this state for activities arising directly  
29 out of or directly related to the certification or  
30 use of medical cannabis in the treatment of a patient  
31 diagnosed with a debilitating medical condition as  
32 authorized by this chapter.

33 2. A medical cannabis manufacturer, including any  
34 authorized agent or employee thereof, shall not be  
35 subject to prosecution for manufacturing, possessing,

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1 cultivating, harvesting, packaging, processing,  
2 transporting, or supplying medical cannabis pursuant  
3 to this chapter.

4 3. A medical cannabis patient center, including  
5 any authorized agent or employee thereof, shall not be  
6 subject to prosecution for transporting, supplying, or  
7 dispensing medical cannabis pursuant to this chapter.

8 a. In a prosecution for the unlawful possession  
9 of marijuana under the laws of this state, including  
10 but not limited to chapters 124 and 453B, it is an  
11 affirmative and complete defense to the prosecution  
12 that the patient has been diagnosed with a debilitating  
13 medical condition, used or possessed medical  
14 cannabis pursuant to a certification by a health care  
15 practitioner as authorized under this chapter, and,  
16 for a patient eighteen years of age or older, is in  
17 possession of a valid medical cannabis registration  
18 card.

19 b. In a prosecution for the unlawful possession  
20 of marijuana under the laws of this state, including

21 but not limited to chapters 124 and 453B, it is an  
22 affirmative and complete defense to the prosecution  
23 that the person possessed medical cannabis because the  
24 person is a primary caregiver of a patient who has been  
25 diagnosed with a debilitating medical condition and is  
26 in possession of a valid medical cannabis registration  
27 card, and where the primary caregiver's possession of  
28 the medical cannabis is on behalf of the patient and  
29 for the patient's use only as authorized under this  
30 chapter.

31 c. If a patient or primary caregiver is charged  
32 with the commission of a crime and is not in possession  
33 of the person's medical cannabis registration card,  
34 any charge or charges filed against the person shall  
35 be dismissed by the court if the person produces to

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1 the court prior to or at the person's trial a medical  
2 cannabis registration card issued to that person and  
3 valid at the time the person was charged.

4 4. An agency of this state or a political  
5 subdivision thereof, including any law enforcement  
6 agency, shall not remove or initiate proceedings to  
7 remove a patient under the age of eighteen from the  
8 home of a parent based solely upon the parent's or  
9 patient's possession or use of medical cannabis as  
10 authorized under this chapter.

11 Sec. \_\_\_. REPEAL. Chapter 124D, Code 2016, is  
12 repealed.

13 Sec. \_\_\_. EMERGENCY RULES. The department may  
14 adopt emergency rules under section 17A.4, subsection  
15 3, and section 17A.5, subsection 2, paragraph "b",  
16 to implement the provisions of this division of this  
17 Act and the rules shall be effective immediately upon  
18 filing unless a later date is specified in the rules.  
19 Any rules adopted in accordance with this section shall  
20 also be published as a notice of intended action as  
21 provided in section 17A.4.

22 Sec. \_\_\_. TRANSITION PROVISIONS. A medical  
23 cannabis registration card issued under chapter 124D  
24 prior to July 1, 2016, remains effective and continues  
25 in effect as issued for the twelve-month period  
26 following its issuance. This division of this Act does  
27 not preclude the permit holder from seeking to renew  
28 the permit under this division of this Act prior to the  
29 expiration of the twelve-month period.

30 Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This division  
31 of this Act, being deemed of immediate importance,  
32 takes effect upon enactment.>

33 3. Title page, by striking lines 1 and 2 and  
34 inserting <An Act relating to statewide programs

35 for the health and safety of Iowa residents, making

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1 penalties applicable, and including effective date  
 2 provisions.>  
 3 4. By renumbering, redesignating, and correcting  
 4 internal references as necessary.>

FORBES of Polk  
 KRESSIG of Black Hawk

H-8298

1 Amend the amendment, H-8286, to the Senate  
 2 amendment, H-8278, to House File 2459, as amended,  
 3 passed, and reprinted by the House, as follows:  
 4 1. Page 6, after line 2 by inserting:  
 5 <Sec. \_\_\_. WATER QUALITY INTERIM STUDY  
 6 COMMITTEE. The legislative council is requested to  
 7 appoint an interim study committee to examine issues  
 8 and funding related to water quality in the state. The  
 9 committee shall submit a report to the general assembly  
 10 by January 1, 2017.>  
 11 2. By renumbering as necessary.

H. MILLER of Webster

H-8299

1 Amend Senate File 2316, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, line 19, by striking <Cases> and  
 4 inserting <Except as provided in paragraph "c", cases>  
 5 2. Page 1, after line 21 by inserting:  
 6 <c. If, after one year from the date of assignment  
 7 of delinquent court debt to the county attorney, full  
 8 payment has not been received, or if an installment  
 9 payment is not received within thirty days after the  
 10 date the payment is due, the judicial branch shall  
 11 assign the delinquent court debt to the private  
 12 collection designee.>  
 13 3. Page 4, by striking lines 8 through 11 and  
 14 inserting <private collection designee. For cases  
 15 assigned to the county attorney, if, after one year  
 16 from the date of assignment of delinquent court debt  
 17 to the county attorney, full payment has not been  
 18 received, or if an installment payment is not received  
 19 within thirty days after the date the payment is due,  
 20 the judicial branch shall assign the delinquent court  
 21 debt to the private collection designee. A county  
 22 attorney who chooses>

BALTIMORE of Boone

H-8300

1 Amend Senate File 484, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. Section 124.204, subsection 4,  
6 paragraphs m and u, Code 2016, are amended by striking  
7 the paragraphs.  
8 Sec. 2. Section 124.204, subsection 7, Code 2016,  
9 is amended by striking the subsection.  
10 Sec. 3. Section 124.206, subsection 7, Code 2016,  
11 is amended to read as follows:  
12 7. *Hallucinogenic substances*. Unless specifically  
13 excepted or unless listed in another schedule, any  
14 material, compound, mixture, or preparation which  
15 contains any quantity of the following substances,  
16 or, for purposes of paragraphs "a" and "b", which  
17 contains any of its salts, isomers, or salts of isomers  
18 whenever the existence of such salts, isomers, or salts  
19 of isomers is possible within the specific chemical  
20 designation (for purposes of this paragraph only, the  
21 term "isomer" includes the optical, positional, and  
22 geometric isomers):  
23 a. Marijuana ~~when used for medicinal purposes~~  
24 ~~pursuant to rules of the board.~~  
25 b. Tetrahydrocannabinols, meaning  
26 tetrahydrocannabinols naturally contained in a  
27 plant of the genus cannabis (cannabis plant) as well  
28 as synthetic equivalents of the substances contained  
29 in the cannabis plant, or in the resinous extractives  
30 of such plant, and synthetic substances, derivatives,  
31 and their isomers with similar chemical structure and  
32 pharmacological activity to those substances contained  
33 in the plant, such as the following:  
34 (1) 1 cis or trans tetrahydrocannabinol, and their  
35 optical isomers.

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1 (2) 6 cis or trans tetrahydrocannabinol, and their  
2 optical isomers.  
3 (3) 3,4 cis or trans tetrahydrocannabinol, and  
4 their optical isomers. (Since nomenclature of these  
5 substances is not internationally standardized,  
6 compounds of these structures, regardless of numerical  
7 designation of atomic positions covered.)  
8 ~~b. c.~~ Nabilone [another name for  
9 nabilone: (+) -  
10 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
11 dimethyl-9H-dibenzo[b,d]pyran-9-one].  
12 Sec. 4. Section 124.401, subsection 5, unnumbered



13 paragraph 3, Code 2016, is amended to read as follows:  
 14 A person may knowingly or intentionally recommend,  
 15 possess, use, dispense, deliver, transport, or  
 16 administer ~~cannabidiol~~ medical cannabis if the  
 17 recommendation, possession, use, dispensing, delivery,  
 18 transporting, or administering is in accordance with  
 19 the provisions of chapter ~~124D~~ 124E. For purposes of  
 20 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
 21 the same as defined in section ~~124D-2~~ 124E.2.  
 22 Sec. 5. **NEW SECTION. 124E.1 Short title.**  
 23 This chapter shall be known and may be cited as the  
 24 *“Compassionate Use of Medical Cannabis Act”*.  
 25 Sec. 6. **NEW SECTION. 124E.2 Definitions.**  
 26 As used in this chapter:  
 27 1. *“Debilitating medical condition”* means any of the  
 28 following:  
 29 a. Cancer, if the underlying condition or treatment  
 30 produces one or more of the following:  
 31 (1) Intractable pain.  
 32 (2) Nausea or severe vomiting.  
 33 (3) Cachexia or severe wasting.  
 34 b. Multiple sclerosis.  
 35 c. Epilepsy or seizure disorders.

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1 d. AIDS or HIV as defined in section 141A.1.  
 2 e. Crohn’s disease or ulcerative colitis.  
 3 f. Amyotrophic lateral sclerosis.  
 4 g. Intractable pain.  
 5 h. Glaucoma.  
 6 i. Any terminal illness, with a probable life  
 7 expectancy of under one year, if the illness or its  
 8 treatment produces one or more of the following:  
 9 (1) Intractable pain.  
 10 (2) Nausea or severe vomiting.  
 11 (3) Cachexia or severe wasting.  
 12 j. Any other chronic or debilitating disease or  
 13 medical condition or its medical treatment approved by  
 14 the department pursuant to rule.  
 15 2. *“Department”* means the department of public  
 16 health.  
 17 3. *“Disqualifying felony offense”* means a violation  
 18 under federal or state law of a felony offense, which  
 19 has as an element the possession, use, or distribution  
 20 of a controlled substance, as defined in 21 U.S.C.  
 21 §802(6).  
 22 4. *“Enclosed, locked facility”* means a closet, room,  
 23 greenhouse, or other enclosed area equipped with locks  
 24 or other security devices that permit access only by a  
 25 cardholder.  
 26 5. *“Health care practitioner”* means an individual

27 licensed under chapter 148 to practice medicine and  
28 surgery or osteopathic medicine and surgery or an  
29 individual licensed to prescribe medicine in any other  
30 state and provides specialty care for an Iowa resident  
31 for one or more of the debilitating medical conditions  
32 provided in this chapter.

33 6. *"Intractable pain"* means a pain in which the  
34 cause of the pain cannot be removed or otherwise  
35 treated with the consent of the patient and which, in

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1 the generally accepted course of medical practice, no  
2 relief or cure of the cause of the pain is possible,  
3 or none has been found after reasonable efforts.  
4 Reasonable efforts for relieving or curing the cause of  
5 the pain may be determined on the basis of but are not  
6 limited to any of the following:

7 a. When treating a nonterminally ill patient for  
8 intractable pain, evaluation by the attending physician  
9 and one or more physicians specializing in pain  
10 medicine or the treatment of the area, system, or organ  
11 of the body perceived as the source of the pain.

12 b. When treating a terminally ill patient,  
13 evaluation by the attending physician who does so in  
14 accordance with the level of care, skill, and treatment  
15 that would be recognized by a reasonably prudent  
16 physician under similar conditions and circumstances.

17 7. *"Medical cannabis"* means any species of the genus  
18 cannabis plant, or any mixture or preparation of them,  
19 including whole plant extracts and resins.

20 8. *"Medical cannabis manufacturer"* means an entity  
21 licensed by the department to manufacture and to  
22 possess, cultivate, transport, or supply medical  
23 cannabis pursuant to the provisions of this chapter.

24 9. *"Medical cannabis patient center"* means an entity  
25 licensed under section 124E.8 that acquires medical  
26 cannabis from a medical cannabis manufacturer in this  
27 state for the purpose of dispensing medical cannabis in  
28 this state pursuant to this chapter.

29 10. *"Primary caregiver"* means a person, at least  
30 eighteen years of age, who has been designated by a  
31 patient's health care practitioner or a person having  
32 custody of a patient, as a necessary caretaker taking  
33 responsibility for managing the well-being of the  
34 patient with respect to the use of medical cannabis  
35 pursuant to the provisions of this chapter.

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1 11. *"Written certification"* means a document signed  
2 by a health care practitioner, with whom the patient

3 has established a patient-provider relationship, which  
 4 states that the patient has a debilitating medical  
 5 condition and identifies that condition and provides  
 6 any other relevant information.

7 Sec. 7. **NEW SECTION. 124E.3 Health care**  
 8 **practitioner certification — duties.**

9 1. Prior to a patient's submission of an  
 10 application for a medical cannabis registration card  
 11 pursuant to section 124E.4, a health care practitioner  
 12 shall do all of the following:

13 a. Determine, in the health care practitioner's  
 14 medical judgment, whether the patient whom the health  
 15 care practitioner has examined and treated suffers from  
 16 a debilitating medical condition that qualifies for  
 17 the use of medical cannabis under this chapter, and  
 18 if so determined, provide the patient with a written  
 19 certification of that diagnosis.

20 b. Provide explanatory information as provided by  
 21 the department to the patient about the therapeutic use  
 22 of medical cannabis.

23 2. Determine, on an annual basis, if the patient  
 24 continues to suffer from a debilitating medical  
 25 condition and, if so, issue the patient a new  
 26 certification of that diagnosis.

27 3. Otherwise comply with all requirements  
 28 established by the department pursuant to rule.

29 4. A health care practitioner may provide, but has  
 30 no duty to provide, a written certification pursuant  
 31 to this section.

32 Sec. 8. **NEW SECTION. 124E.4 Medical cannabis**  
 33 **registration card.**

34 1. *Issuance to patient.* The department may approve  
 35 the issuance of a medical cannabis registration card by

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1 the department of transportation to a patient who:

- 2 a. Is at least eighteen years of age.
- 3 b. Is a permanent resident of this state.
- 4 c. Submits a written certification to the
- 5 department signed by the patient's health care
- 6 practitioner that the patient is suffering from a
- 7 debilitating medical condition.
- 8 d. Submits an application to the department, on a
- 9 form created by the department, in consultation with
- 10 the department of transportation, that contains all of
- 11 the following:

- 12 (1) The patient's full name, Iowa residence
- 13 address, date of birth, and telephone number.
- 14 (2) A copy of the patient's valid photo
- 15 identification.
- 16 (3) Full name, address, and telephone number of the

17 patient's health care practitioner.  
18 (4) Full name, residence address, date of birth,  
19 and telephone number of each primary caregiver of the  
20 patient, if any.  
21 (5) Any other information required by rule.  
22 e. Submits a medical cannabis registration card  
23 fee of one hundred dollars to the department. If the  
24 patient attests to receiving social security disability  
25 benefits, supplemental security insurance payments, or  
26 being enrolled in medical assistance, the fee shall be  
27 twenty-five dollars.  
28 2. *Patient card contents.* A medical cannabis  
29 registration card issued to a patient by the department  
30 of transportation pursuant to subsection 1 shall  
31 contain, at a minimum, all of the following:  
32 a. The patient's full name, Iowa residence address,  
33 and date of birth.  
34 b. The patient's photograph.  
35 c. The date of issuance and expiration date of the

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1 registration card.  
2 d. Any other information required by rule.  
3 3. *Issuance to primary caregiver.* For a patient in  
4 a primary caregiver's care, the department may approve  
5 the issuance of a medical cannabis registration card  
6 by the department of transportation to the primary  
7 caregiver who:  
8 a. Is at least eighteen years of age.  
9 b. Submits a written certification to the  
10 department signed by the patient's health care  
11 practitioner that the patient in the primary  
12 caregiver's care is suffering from a debilitating  
13 medical condition.  
14 c. Submits an application to the department, on a  
15 form created by the department, in consultation with  
16 the department of transportation, that contains all of  
17 the following:  
18 (1) The primary caregiver's full name, residence  
19 address, date of birth, and telephone number.  
20 (2) The patient's full name.  
21 (3) A copy of the primary caregiver's valid photo  
22 identification.  
23 (4) Full name, address, and telephone number of the  
24 patient's health care practitioner.  
25 (5) Any other information required by rule.  
26 d. Submits a medical cannabis registration card fee  
27 of twenty-five dollars to the department.  
28 4. *Primary caregiver card contents.* A medical  
29 cannabis registration card issued by the department  
30 of transportation to a primary caregiver pursuant to

- 31 subsection 3 shall contain, at a minimum, all of the  
 32 following:
- 33 *a.* The primary caregiver's full name, residence
  - 34 address, and date of birth.
  - 35 *b.* The primary caregiver's photograph.

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- 1 *c.* The date of issuance and expiration date of the
- 2 registration card.
- 3 *d.* The registration card number of each patient
- 4 in the primary caregiver's care. If the patient
- 5 in the primary caregiver's care is under the age of
- 6 eighteen, the full name of the patient's parent or
- 7 legal guardian.
- 8 *e.* Any other information required by rule.
- 9 5. *Expiration date of card.* A medical cannabis
- 10 registration card issued pursuant to this section shall
- 11 expire one year after the date of issuance and may be
- 12 renewed.
- 13 6. *Card issuance — department of*
- 14 *transportation.* The department may enter into
- 15 a chapter 28E agreement with the department of
- 16 transportation to facilitate the issuance of medical
- 17 cannabis registration cards pursuant to subsections 1
- 18 and 3.
- 19 **Sec. 9. NEW SECTION. 124E.5 Medical advisory board**
- 20 **— duties.**
- 21 1. No later than August 15, 2016, the director
- 22 of public health shall establish a medical advisory
- 23 board consisting of nine practitioners representing the
- 24 fields of neurology, pain management, gastroenterology,
- 25 oncology, psychiatry, pediatrics, infectious disease,
- 26 family medicine, and pharmacy. The practitioners
- 27 shall be nationally board-certified in their area of
- 28 specialty and knowledgeable about the use of medical
- 29 cannabis.
- 30 2. A quorum of the advisory board shall consist of
- 31 five members.
- 32 3. The duties of the advisory board shall include
- 33 but not be limited to the following:
- 34 *a.* Reviewing and recommending to the department for
- 35 approval additional chronic or debilitating diseases or

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- 1 medical conditions or their treatments as debilitating
- 2 medical conditions that qualify for the use of medical
- 3 cannabis under this chapter.
- 4 *b.* Accepting and reviewing petitions to add chronic
- 5 or debilitating diseases or medical conditions or their
- 6 medical treatments to the list of debilitating medical

7 conditions that qualify for the use of medical cannabis  
8 under this chapter.

9 c. Advising the department regarding the location  
10 and number of necessary medical cannabis patient  
11 centers throughout the state on a continuous basis, the  
12 form and quantity of allowable medical cannabis to be  
13 dispensed to a patient or primary caregiver, and the  
14 general oversight of medical cannabis manufacturers and  
15 medical cannabis patient centers in this state.

16 d. Convening at least twice per year to conduct  
17 public hearings and to evaluate petitions, which  
18 shall be maintained as confidential personal health  
19 information, to add chronic or debilitating diseases or  
20 medical conditions or their medical treatments to the  
21 list of debilitating medical conditions that qualify  
22 for the use of medical cannabis under this chapter.

23 Sec. 10. NEW SECTION. 124E.6 Medical cannabis  
24 **manufacturer licensure.**

25 1. a. The department shall license up to two  
26 medical cannabis manufacturers to manufacture  
27 medical cannabis within this state consistent with  
28 the provisions of this chapter by December 1, 2016.  
29 The department shall license new medical cannabis  
30 manufacturers or relicense the existing medical  
31 cannabis manufacturers by December 1 of each year.

32 b. Information submitted during the application  
33 process shall be confidential until the medical  
34 cannabis manufacturer is licensed by the department  
35 unless otherwise protected from disclosure under state

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1 or federal law.

2 2. As a condition for licensure, a medical cannabis  
3 manufacturer must agree to begin supplying medical  
4 cannabis to medical cannabis patient centers in this  
5 state by July 1, 2017.

6 3. The department shall consider the following  
7 factors in determining whether to license a medical  
8 cannabis manufacturer:

9 a. The technical expertise of the medical cannabis  
10 manufacturer in medical cannabis.

11 b. The qualifications of the medical cannabis  
12 manufacturer's employees.

13 c. The long-term financial stability of the medical  
14 cannabis manufacturer.

15 d. The ability to provide appropriate security  
16 measures on the premises of the medical cannabis  
17 manufacturer.

18 e. Whether the medical cannabis manufacturer  
19 has demonstrated an ability to meet certain medical  
20 cannabis production needs for medical use regarding

21 the range of recommended dosages for each debilitating  
 22 medical condition, the range of chemical compositions  
 23 of any plant of the genus cannabis that will likely  
 24 be medically beneficial for each of the debilitating  
 25 medical conditions, and the form of the medical  
 26 cannabis in the manner determined by the department  
 27 pursuant to rule.

28 *f.* The medical cannabis manufacturer's projection  
 29 of and ongoing assessment of fees on patients with  
 30 debilitating medical conditions.

31 4. The department shall require each medical  
 32 cannabis manufacturer to contract with the state  
 33 hygienic laboratory at the university of Iowa in Iowa  
 34 City to test the medical cannabis produced by the  
 35 manufacturer. The department shall require that the

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1 laboratory report testing results to the manufacturer  
 2 in a manner determined by the department pursuant to  
 3 rule.

4 5. Each entity submitting an application for  
 5 licensure as a medical cannabis manufacturer shall pay  
 6 a nonrefundable application fee of seven thousand five  
 7 hundred dollars to the department.

8 **Sec. 11. NEW SECTION. 124E.7 Medical cannabis**  
 9 **manufacturers.**

10 1. A medical cannabis manufacturer shall contract  
 11 with the state hygienic laboratory at the university  
 12 of Iowa in Iowa City for purposes of testing the  
 13 medical cannabis manufactured by the medical cannabis  
 14 manufacturer as to content, contamination, and  
 15 consistency. The cost of all laboratory testing shall  
 16 be paid by the medical cannabis manufacturer.

17 2. The operating documents of a medical cannabis  
 18 manufacturer shall include all of the following:  
 19 *a.* Procedures for the oversight of the medical  
 20 cannabis manufacturer and procedures to ensure accurate  
 21 record keeping.

22 *b.* Procedures for the implementation of appropriate  
 23 security measures to deter and prevent the theft of  
 24 medical cannabis and unauthorized entrance into areas  
 25 containing medical cannabis.

26 3. A medical cannabis manufacturer shall implement  
 27 security requirements, including requirements for  
 28 protection of each location by a fully operational  
 29 security alarm system, facility access controls,  
 30 perimeter intrusion detection systems, and a personnel  
 31 identification system.

32 4. A medical cannabis manufacturer shall not share  
 33 office space with, refer patients to, or have any  
 34 financial relationship with a health care practitioner.

35 5. A medical cannabis manufacturer shall not permit

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1 any person to consume medical cannabis on the property  
2 of the medical cannabis manufacturer.

3 6. A medical cannabis manufacturer is subject to  
4 reasonable inspection by the department.

5 7. A medical cannabis manufacturer shall not  
6 employ a person under eighteen years of age or who has  
7 been convicted of a disqualifying felony offense. An  
8 employee of a medical cannabis manufacturer shall be  
9 subject to a background investigation conducted by the  
10 division of criminal investigation of the department  
11 of public safety and a national criminal history  
12 background check.

13 8. A medical cannabis manufacturer shall not  
14 operate in any location, whether for manufacturing,  
15 cultivating, harvesting, packaging, or processing,  
16 within one thousand feet of a public or private school  
17 existing before the date of the medical cannabis  
18 manufacturer's licensure by the department.

19 9. A medical cannabis manufacturer shall comply  
20 with reasonable restrictions set by the department  
21 relating to signage, marketing, display, and  
22 advertising of medical cannabis.

23 10. *a.* A medical cannabis manufacturer shall  
24 provide a reliable and ongoing supply of medical  
25 cannabis to medical cannabis patient centers pursuant  
26 to this chapter.

27 *b.* All manufacturing, cultivating, harvesting,  
28 packaging, and processing of medical cannabis shall  
29 take place in an enclosed, locked facility at a  
30 physical address provided to the department during the  
31 licensure process.

32 *c.* A medical cannabis manufacturer shall not  
33 manufacture edible medical cannabis products utilizing  
34 food coloring.

35 *d.* A medical cannabis manufacturer shall

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1 manufacture a reliable and ongoing supply of medical  
2 cannabis to treat every debilitating medical condition  
3 listed in this chapter.

4 Sec. 12. NEW SECTION. **124E.8 Medical cannabis**  
5 **patient center licensure.**

6 1. *a.* The department shall license by April 1,  
7 2017, up to four medical cannabis patient centers to  
8 dispense medical cannabis within this state consistent  
9 with the provisions of this chapter. The department  
10 shall license new medical cannabis patient centers or



11 relicense the existing medical cannabis manufacturers  
 12 by December 1 of each year.

13 *b.* Information submitted during the application  
 14 process shall be confidential until the medical  
 15 cannabis patient center is licensed by the department  
 16 unless otherwise protected from disclosure under state  
 17 or federal law.

18 2. As a condition for licensure, a medical cannabis  
 19 patient center must agree to begin supplying medical  
 20 cannabis to patients by July 1, 2017.

21 3. The department shall consider the following  
 22 factors in determining whether to license a medical  
 23 cannabis patient center:

24 *a.* The technical expertise of the medical cannabis  
 25 patient center regarding medical cannabis.

26 *b.* The qualifications of the medical cannabis  
 27 patient center's employees.

28 *c.* The long-term financial stability of the medical  
 29 cannabis patient center.

30 *d.* The ability to provide appropriate security  
 31 measures on the premises of the medical cannabis  
 32 patient center.

33 *e.* The medical cannabis patient center's projection  
 34 and ongoing assessment of fees for the purchase of  
 35 medical cannabis on patients with debilitating medical

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1 conditions.

2 4. Each entity submitting an application for  
 3 licensure as a medical cannabis patient center shall  
 4 pay a nonrefundable application fee of five thousand  
 5 dollars to the department.

6 **Sec. 13. NEW SECTION. 124E.9 Medical cannabis**  
 7 **patient centers.**

8 1. *a.* The medical cannabis patient centers shall  
 9 be located based on geographical need throughout the  
 10 state to improve patient access.

11 *b.* A medical cannabis patient center may dispense  
 12 medical cannabis pursuant to the provisions of this  
 13 chapter but shall not dispense any medical cannabis  
 14 in a form or quantity other than the form or quantity  
 15 allowed by the department pursuant to rule.

16 2. The operating documents of a medical cannabis  
 17 patient center shall include all of the following:

18 *a.* Procedures for the oversight of the medical  
 19 cannabis patient center and procedures to ensure  
 20 accurate record keeping.

21 *b.* Procedures for the implementation of appropriate  
 22 security measures to deter and prevent the theft of  
 23 medical cannabis and unauthorized entrance into areas  
 24 containing medical cannabis.

- 25 3. A medical cannabis patient center shall  
26 implement security requirements, including requirements  
27 for protection by a fully operational security alarm  
28 system, facility access controls, perimeter intrusion  
29 detection systems, and a personnel identification  
30 system.
- 31 4. A medical cannabis patient center shall not  
32 share office space with, refer patients to, or have any  
33 financial relationship with a health care practitioner.
- 34 5. A medical cannabis patient center shall not  
35 permit any person to consume medical cannabis on the

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- 1 property of the medical cannabis patient center.
- 2 6. A medical cannabis patient center is subject to  
3 reasonable inspection by the department.
- 4 7. A medical cannabis patient center shall not  
5 employ a person under eighteen years of age or who has  
6 been convicted of a disqualifying felony offense. An  
7 employee of a medical cannabis patient center shall be  
8 subject to a background investigation conducted by the  
9 division of criminal investigation of the department  
10 of public safety and a national criminal history  
11 background check.
- 12 8. A medical cannabis patient center shall not  
13 operate in any location within one thousand feet of a  
14 public or private school existing before the date of  
15 the medical cannabis patient center's licensure by the  
16 department.
- 17 9. A medical cannabis patient center shall  
18 comply with reasonable restrictions set by the  
19 department relating to signage, marketing, display, and  
20 advertising of medical cannabis.
- 21 10. Prior to dispensing of any medical cannabis,  
22 a medical cannabis patient center shall do all of the  
23 following:
- 24 a. Verify that the medical cannabis patient center  
25 has received a valid medical cannabis registration card  
26 from a patient or a patient's primary caregiver, if  
27 applicable.
- 28 b. Assign a tracking number to any medical cannabis  
29 dispensed from the medical cannabis patient center.
- 30 c. (1) Properly package medical cannabis in  
31 compliance with federal law regarding child resistant  
32 packaging and exemptions for packaging for elderly  
33 patients, and label medical cannabis with a list of  
34 all active ingredients and individually identifying  
35 information, including all of the following:

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- 1 (a) The name and date of birth of the patient and  
 2 the patient's primary caregiver, if appropriate.  
 3 (b) The medical cannabis registration card numbers  
 4 of the patient and the patient's primary caregiver, if  
 5 applicable.  
 6 (c) The chemical composition of the medical  
 7 cannabis.  
 8 (2) Proper packaging of medical cannabis shall  
 9 include but not be limited to all of the following:  
 10 (a) Warning labels regarding the use of medical  
 11 cannabis by a woman during pregnancy and while  
 12 breastfeeding.  
 13 (b) Clearly labeled packaging indicating that  
 14 an edible medical cannabis product contains medical  
 15 cannabis and which packaging shall not imitate candy  
 16 products or in any way make the product marketable to  
 17 children.  
 18 11. A medical cannabis patient center shall employ  
 19 a pharmacist licensed pursuant to chapter 155A.  
 20 12. A medical cannabis patient center shall keep  
 21 a reliable and ongoing supply of medical cannabis to  
 22 treat every debilitating medical condition listed in  
 23 this chapter.  
 24 Sec. 14. NEW SECTION. **124E.10 Department duties**  
 25 **— rules.**  
 26 1. *a.* The department shall maintain a confidential  
 27 file of the names of each patient to or for whom the  
 28 department issues a medical cannabis registration  
 29 card, the name of each primary caregiver to whom the  
 30 department issues a medical cannabis registration card  
 31 under section 124E.4, and the names of each health care  
 32 practitioner who provides a written certification for  
 33 medical cannabis pursuant to this chapter.  
 34 *b.* Individual names contained in the file shall be  
 35 confidential and shall not be subject to disclosure,

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- 1 except as provided in subparagraph (1).  
 2 (1) Information in the confidential file maintained  
 3 pursuant to paragraph "a" may be released on an  
 4 individual basis to the following persons under the  
 5 following circumstances:  
 6 (a) To authorized employees or agents of the  
 7 department and the department of transportation as  
 8 necessary to perform the duties of the department and  
 9 the department of transportation pursuant to this  
 10 chapter.  
 11 (b) To authorized employees of state or local  
 12 law enforcement agencies, but only for the purpose of

13 verifying that a person is lawfully in possession of a  
14 medical cannabis registration card issued pursuant to  
15 this chapter.

16 (c) To authorized employees of a medical cannabis  
17 patient center, but only for the purpose of verifying  
18 that a person is lawfully in possession of a medical  
19 cannabis registration card issued pursuant to this  
20 chapter.

21 (2) Release of information pursuant to subparagraph  
22 (1) shall be consistent with the federal Health  
23 Insurance Portability and Accountability Act of 1996,  
24 Pub. L. No. 104-191.

25 2. The department shall adopt rules pursuant to  
26 chapter 17A to administer this chapter which shall  
27 include but not be limited to rules to do all of the  
28 following:

29 a. Govern the manner in which the department shall  
30 consider applications for new and renewal medical  
31 cannabis registration cards.

32 b. Identify criteria and set forth procedures for  
33 including additional chronic or debilitating diseases  
34 or medical conditions or their medical treatments  
35 on the list of debilitating medical conditions that

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1 qualify for the use of medical cannabis. Procedures  
2 shall include a petition process and shall allow for  
3 public comment and public hearings before the medical  
4 advisory board.

5 c. Set forth additional chronic or debilitating  
6 diseases or medical conditions or associated medical  
7 treatments for inclusion on the list of debilitating  
8 medical conditions that qualify for the use of medical  
9 cannabis as recommended by the medical advisory board.

10 d. Establish the form and quantity of medical  
11 cannabis allowed to be dispensed to a patient or  
12 primary caregiver pursuant to this chapter. The  
13 form and quantity of medical cannabis shall be  
14 appropriate to serve the medical needs of patients with  
15 debilitating conditions.

16 e. Establish requirements for the licensure of  
17 medical cannabis manufacturers and medical cannabis  
18 patient centers and set forth procedures for medical  
19 cannabis manufacturers and medical cannabis patient  
20 centers to obtain licenses.

21 f. Develop a dispensing system for medical cannabis  
22 within this state that provides for all of the  
23 following:

24 (1) Medical cannabis patient centers within  
25 this state housed on secured grounds and operated by  
26 licensed medical cannabis patient centers.

27 (2) The dispensing of medical cannabis to patients  
 28 and their primary caregivers to occur at locations  
 29 designated by the department.  
 30 *g.* Specify and implement procedures that address  
 31 public safety including security procedures and product  
 32 quality including measures to ensure contaminant-free  
 33 cultivation of medical cannabis, safety, and labeling.  
 34 *h.* Establish and implement a real-time, statewide  
 35 medical cannabis registry management sale tracking

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1 system that is available to medical cannabis patient  
 2 centers on a twenty-four-hour-day, seven-day-a-week  
 3 basis for the purpose of verifying that a person  
 4 is lawfully in possession of a medical cannabis  
 5 registration card issued pursuant to this chapter  
 6 and for tracking the date of the sale and quantity of  
 7 medical cannabis purchased by a patient or a primary  
 8 caregiver.  
 9 *i.* Establish and implement a medical cannabis  
 10 inventory and delivery tracking system to track  
 11 medical cannabis from production by a medical cannabis  
 12 manufacturer through dispensing at a medical cannabis  
 13 patient center.  
 14 **Sec. 15. NEW SECTION. 124E.11 Reciprocity.**  
 15 A valid medical cannabis registration card, or its  
 16 equivalent, issued under the laws of another state  
 17 that allows an out-of-state patient to possess or  
 18 use medical cannabis in the jurisdiction of issuance  
 19 shall have the same force and effect as a valid  
 20 medical cannabis registration card issued pursuant to  
 21 this chapter, except that an out-of-state patient in  
 22 this state shall not obtain medical cannabis from a  
 23 medical cannabis patient center in this state and an  
 24 out-of-state patient shall not smoke medical cannabis.  
 25 **Sec. 16. NEW SECTION. 124E.12 Use of medical**  
 26 **cannabis — smoking prohibited.**  
 27 A patient shall not consume medical cannabis  
 28 possessed or used as authorized by this chapter by  
 29 smoking medical cannabis.  
 30 **Sec. 17. NEW SECTION. 124E.13 Use of medical**  
 31 **cannabis — affirmative defenses.**  
 32 1. A health care practitioner, including any  
 33 authorized agent or employee thereof, shall not be  
 34 subject to prosecution for the unlawful certification,  
 35 possession, or administration of marijuana under the

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1 laws of this state for activities arising directly  
 2 out of or directly related to the certification or

3 use of medical cannabis in the treatment of a patient  
4 diagnosed with a debilitating medical condition as  
5 authorized by this chapter.

6 2. A medical cannabis manufacturer, including any  
7 authorized agent or employee thereof, shall not be  
8 subject to prosecution for manufacturing, possessing,  
9 cultivating, harvesting, packaging, processing,  
10 transporting, or supplying medical cannabis pursuant  
11 to this chapter.

12 3. A medical cannabis patient center, including  
13 any authorized agent or employee thereof, shall not be  
14 subject to prosecution for transporting, supplying, or  
15 dispensing medical cannabis pursuant to this chapter.

16 a. In a prosecution for the unlawful possession  
17 of marijuana under the laws of this state, including  
18 but not limited to chapters 124 and 453B, it is an  
19 affirmative and complete defense to the prosecution  
20 that the patient has been diagnosed with a debilitating  
21 medical condition, used or possessed medical  
22 cannabis pursuant to a certification by a health care  
23 practitioner as authorized under this chapter, and,  
24 for a patient eighteen years of age or older, is in  
25 possession of a valid medical cannabis registration  
26 card.

27 b. In a prosecution for the unlawful possession  
28 of marijuana under the laws of this state, including  
29 but not limited to chapters 124 and 453B, it is an  
30 affirmative and complete defense to the prosecution  
31 that the person possessed medical cannabis because the  
32 person is a primary caregiver of a patient who has been  
33 diagnosed with a debilitating medical condition and is  
34 in possession of a valid medical cannabis registration  
35 card, and where the primary caregiver's possession of

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1 the medical cannabis is on behalf of the patient and  
2 for the patient's use only as authorized under this  
3 chapter.

4 c. If a patient or primary caregiver is charged  
5 with the commission of a crime and is not in possession  
6 of the person's medical cannabis registration card,  
7 any charge or charges filed against the person shall  
8 be dismissed by the court if the person produces to  
9 the court prior to or at the person's trial a medical  
10 cannabis registration card issued to that person and  
11 valid at the time the person was charged.

12 4. An agency of this state or a political  
13 subdivision thereof, including any law enforcement  
14 agency, shall not remove or initiate proceedings to  
15 remove a patient under the age of eighteen from the  
16 home of a parent based solely upon the parent's or

17 patient's possession or use of medical cannabis as  
18 authorized under this chapter.

19 Sec. 18. NEW SECTION. 124E.14 Fees.

20 Medical cannabis registration card fees and medical  
21 cannabis manufacturer and medical cannabis patient  
22 center application and annual fees collected by the  
23 department pursuant to this chapter shall be retained  
24 by the department, shall be considered repayment  
25 receipts as defined in section 8.2, and shall be  
26 used for the purpose of regulating medical cannabis  
27 manufacturers and medical cannabis patient centers and  
28 for other expenses necessary for the administration of  
29 this chapter. Notwithstanding section 8.33, moneys  
30 that remain unencumbered or unobligated at the end of  
31 the fiscal year shall not revert to the general fund  
32 of the state.

33 Sec. 19. NEW SECTION. 124E.15 Penalties.

34 1. A person who knowingly or intentionally  
35 possesses or uses medical cannabis in violation of

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1 the requirements of this chapter is subject to the  
2 penalties provided under chapters 124 and 453B.

3 2. A medical cannabis manufacturer or a medical  
4 cannabis patient center shall be assessed a civil  
5 penalty of up to one thousand dollars per violation for  
6 any violation of this chapter in addition to any other  
7 applicable penalties.

8 Sec. 20. REPEAL. Chapter 124D, Code 2016, is  
9 repealed.

10 Sec. 21. EMERGENCY RULES. The department may  
11 adopt emergency rules under section 17A.4, subsection  
12 3, and section 17A.5, subsection 2, paragraph "b", to  
13 implement the provisions of this Act and the rules  
14 shall be effective immediately upon filing unless  
15 a later date is specified in the rules. Any rules  
16 adopted in accordance with this section shall also be  
17 published as a notice of intended action as provided  
18 in section 17A.4.

19 Sec. 22. TRANSITION PROVISIONS. A medical cannabis  
20 registration card issued under chapter 124D prior to  
21 July 1, 2016, remains effective and continues in effect  
22 as issued for the twelve-month period following its  
23 issuance. This Act does not preclude the permit holder  
24 from seeking to renew the permit under this Act prior  
25 to the expiration of the twelve-month period.>

H-8301

1 Amend the Senate amendment, H-8196, to House File  
2 2064, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. By striking page 1, line 5, through page 2, line  
5 28, and inserting:

6 <Sec. \_\_\_\_ Section 124.413, subsection 1, Code  
7 2016, is amended to read as follows:

8 1. A Except as provided in subsection 3 and  
9 sections 901.11 and 901.12, a person sentenced pursuant  
10 to section 124.401, subsection 1, paragraph "a", "b",  
11 "c", "e", or "f", shall not be eligible for parole or  
12 work release until the person has served a minimum  
13 period of confinement of one-third of the maximum  
14 indeterminate sentence prescribed by law.

15 Sec. \_\_\_\_ Section 124.413, Code 2016, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 3. A person serving a sentence  
18 pursuant to section 124.401, subsection 1, paragraph  
19 "b" or "c", shall be denied parole or work release,  
20 based upon all the pertinent information as determined  
21 by the court under section 901.11, subsection 1, until  
22 the person has served between one-half of the minimum  
23 term of confinement prescribed in subsection 1 and the  
24 maximum indeterminate sentence prescribed by law.

25 Sec. \_\_\_\_ Section 711.3, Code 2016, is amended to  
26 read as follows:

27 **711.3 Robbery in the second degree.**

28 All robbery which is not robbery in the first degree  
29 is robbery in the second degree, except as provided in  
30 section 711.3A. Robbery in the second degree is a class  
31 "C" felony.

32 Sec. \_\_\_\_ NEW SECTION. 711.3A Robbery in the third  
33 degree.

34 1. A person commits robbery in the third degree  
35 when, while perpetrating a robbery, the person commits

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1 an assault as described in section 708.2, subsection 6,  
2 upon another person.

3 2. Robbery in the third degree is an aggravated  
4 misdemeanor.

5 Sec. \_\_\_\_ Section 802.2B, Code 2016, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 5A. Child endangerment in  
8 violation of section 726.6, subsection 4, 5, or 6.

9 Sec. \_\_\_\_ NEW SECTION. 901.11 Parole eligibility  
10 determination by court — certain drug, child  
11 endangerment, and robbery offenses.

12 1. At the time of sentencing, the court shall



13 determine when a person convicted under section  
 14 124.401, subsection 1, paragraph “b” or “c”, shall  
 15 first become eligible for parole or work release  
 16 within the parameters described in section 124.413,  
 17 subsection 3, based upon all the pertinent information  
 18 including the person’s criminal record, a validated  
 19 risk assessment, and the negative impact the offense  
 20 has had on the victim or other persons.  
 21 2. At the time of sentencing, the court shall  
 22 determine when a person convicted of child endangerment  
 23 as described in section 902.12, subsection 2, shall  
 24 first become eligible for parole or work release within  
 25 the parameters specified in section 902.12, subsection  
 26 2, based upon all pertinent information including the  
 27 person’s criminal record, a validated risk assessment,  
 28 and whether the offense involved multiple intentional  
 29 acts or a series of intentional acts, or whether the  
 30 offense involved torture or cruelty.  
 31 3. At the time of sentencing, the court shall  
 32 determine when a person convicted of robbery in  
 33 the second degree as described in section 902.12,  
 34 subsection 3, shall first become eligible for parole  
 35 or work release within the parameters specified in

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1 section 902.12, subsection 3, based upon all pertinent  
 2 information including the person’s criminal record, a  
 3 validated risk assessment, and the negative impact the  
 4 offense has had on the victim or other persons.  
 5 Sec. \_\_. **NEW SECTION. 901.12 Mandatory minimum**  
 6 **sentence — parole eligibility — certain earlier drug**  
 7 **offenses.**  
 8 1. Effective July 1, 2016, and notwithstanding  
 9 section 124.413, a person whose sentence commenced  
 10 prior to July 1, 2016, for a conviction under section  
 11 124.401, subsection 1, paragraph “b” or “c”, who has  
 12 not previously been convicted of a forcible felony,  
 13 and who does not have a prior conviction under section  
 14 124.401, subsection 1, paragraph “a”, “b”, or “c”,  
 15 shall first be eligible for parole or work release  
 16 after the person has served between one-half of the  
 17 minimum term of confinement prescribed in section  
 18 124.413 and the maximum indeterminate sentence  
 19 prescribed by law.  
 20 2. When the board of parole considers a person  
 21 for parole or work release pursuant to this section,  
 22 the board shall consider all pertinent information  
 23 including the person’s criminal record, a validated  
 24 risk assessment, and the negative impact the offense  
 25 has had on the victim or other persons.  
 26 Sec. \_\_. Section 902.12, Code 2016, is amended to

27 read as follows:

28 **902.12 Minimum sentence for certain felonies —**  
29 **eligibility for parole or work release.**

30 1. A person serving a sentence for conviction of  
31 the following felonies, including a person serving a  
32 sentence for conviction of the following felonies prior  
33 to July 1, 2003, shall be denied parole or work release  
34 unless the person has served at least seven-tenths of  
35 the maximum term of the person's sentence:

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1 ~~1.~~ a. Murder in the second degree in violation of  
2 section 707.3.

3 ~~2.~~ b. Attempted murder in violation of section  
4 707.11.

5 ~~3.~~ c. Sexual abuse in the second degree in  
6 violation of section 709.3.

7 ~~4.~~ d. Kidnapping in the second degree in violation  
8 of section 710.3.

9 ~~5.~~ e. Robbery in the first or second degree  
10 in violation of section 711.2 or 711.3, except as  
11 determined in subsection 3.

12 ~~6.~~ f. Vehicular homicide in violation of section  
13 707.6A, subsection 1 or 2, if the person was also  
14 convicted under section 321.261, subsection 4, based on  
15 the same facts or event that resulted in the conviction  
16 under section 707.6A, subsection 1 or 2.

17 2. A person serving a sentence for a conviction  
18 of child endangerment as defined in section 726.6,  
19 subsection 1, paragraph "b", that is described and  
20 punishable under section 726.6, subsection 4, shall  
21 be denied parole or work release until the person has  
22 served between three-tenths and seven-tenths of the  
23 maximum term of the person's sentence as determined  
24 under section 901.11, subsection 2.

25 3. A person serving a sentence for a conviction for  
26 robbery in the second degree in violation of section  
27 711.3 for a conviction that occurs on or after July 1,  
28 2016, shall be denied parole or work release until the  
29 person has served between one-half and seven-tenths of  
30 the maximum term of the person's sentence as determined  
31 under section 901.11, subsection 3.>

32 2. Title page, lines 1 and 2, by striking <offense  
33 of child endangerment resulting in death of a child or  
34 minor,> and inserting <offenses of child endangerment  
35 and robbery and criminal drug offenses,>

H-8302

1 Amend the amendment, H-8300, to Senate File 484,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 1, line 1, through page 22,  
5 line 25, and inserting:

6 <Amend Senate File 484, as amended, passed, and  
7 reprinted by the Senate, as follows:

8 \_\_\_\_\_. By striking everything after the enacting  
9 clause and inserting:

10 <Section 1. Section 124.204, subsection 4,  
11 paragraphs m and u, Code 2016, are amended by striking  
12 the paragraphs.

13 Sec. 2. Section 124.204, subsection 7, Code 2016,  
14 is amended by striking the subsection.

15 Sec. 3. Section 124.206, subsection 7, Code 2016,  
16 is amended to read as follows:

17 7. *Hallucinogenic substances*. Unless specifically  
18 excepted or unless listed in another schedule, any  
19 material, compound, mixture, or preparation which  
20 contains any quantity of the following substances,  
21 or, for purposes of paragraphs "a" and "b", which  
22 contains any of its salts, isomers, or salts of isomers  
23 whenever the existence of such salts, isomers, or salts  
24 of isomers is possible within the specific chemical  
25 designation (for purposes of this paragraph only, the  
26 term "isomer" includes the optical, positional, and  
27 geometric isomers):

28 a. ~~Marijuana when used for medicinal purposes~~  
29 ~~pursuant to rules of the board.~~

30 b. Tetrahydrocannabinols, meaning  
31 tetrahydrocannabinols naturally contained in a  
32 plant of the genus cannabis (cannabis plant) as well  
33 as synthetic equivalents of the substances contained  
34 in the cannabis plant, or in the resinous extractives  
35 of such plant, and synthetic substances, derivatives,

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1 and their isomers with similar chemical structure and  
2 pharmacological activity to those substances contained  
3 in the plant, such as the following:

4 (1) 1 cis or trans tetrahydrocannabinol, and their  
5 optical isomers.

6 (2) 6 cis or trans tetrahydrocannabinol, and their  
7 optical isomers.

8 (3) 3,4 cis or trans tetrahydrocannabinol, and  
9 their optical isomers. (Since nomenclature of these  
10 substances is not internationally standardized,  
11 compounds of these structures, regardless of numerical  
12 designation of atomic positions covered.)

13 ~~b. c.~~ Nabilone [another name for  
 14 nabilone: (+) -  
 15 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-  
 16 dimethyl-9H-dibenzo[b,d]pyran-9-one].  
 17 Sec. 4. Section 124.401, subsection 5, unnumbered  
 18 paragraph 3, Code 2016, is amended to read as follows:  
 19 A person may knowingly or intentionally recommend,  
 20 possess, use, dispense, deliver, transport, or  
 21 administer ~~cannabidiol~~ medical cannabis if the  
 22 recommendation, possession, use, dispensing, delivery,  
 23 transporting, or administering is in accordance with  
 24 the provisions of chapter ~~124D~~ 124E. For purposes of  
 25 this paragraph, ~~“cannabidiol”~~ “medical cannabis” means  
 26 the same as defined in section ~~124D-2~~ 124E.2.  
 27 Sec. 5. **NEW SECTION. 124E.1 Short title.**  
 28 This chapter shall be known and may be cited as the  
 29 *“Compassionate Use of Medical Cannabis Act”*.  
 30 Sec. 6. **NEW SECTION. 124E.2 Definitions.**  
 31 As used in this chapter:  
 32 1. *“Debilitating medical condition”* means any of the  
 33 following:  
 34 a. Cancer, if the underlying condition or treatment  
 35 produces one or more of the following:

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1 (1) Intractable pain.  
 2 (2) Nausea or severe vomiting.  
 3 (3) Cachexia or severe wasting.  
 4 b. Multiple sclerosis.  
 5 c. Epilepsy or seizure disorders.  
 6 d. AIDS or HIV as defined in section 141A.1.  
 7 e. Crohn’s disease or ulcerative colitis.  
 8 f. Amyotrophic lateral sclerosis.  
 9 g. Intractable pain.  
 10 h. Glaucoma.  
 11 i. Any terminal illness, with a probable life  
 12 expectancy of under one year, if the illness or its  
 13 treatment produces one or more of the following:  
 14 (1) Intractable pain.  
 15 (2) Nausea or severe vomiting.  
 16 (3) Cachexia or severe wasting.  
 17 j. Any other chronic or debilitating disease or  
 18 medical condition or its medical treatment approved by  
 19 the department pursuant to rule.  
 20 2. *“Department”* means the department of public  
 21 health.  
 22 3. *“Disqualifying felony offense”* means a violation  
 23 under federal or state law of a felony offense, which  
 24 has as an element the possession, use, or distribution  
 25 of a controlled substance, as defined in 21 U.S.C.  
 26 §802(6).

27 4. *“Enclosed, locked facility”* means a closet, room,  
28 greenhouse, or other enclosed area equipped with locks  
29 or other security devices that permit access only by a  
30 cardholder.

31 5. *“Health care practitioner”* means an individual  
32 licensed under chapter 148 to practice medicine and  
33 surgery or osteopathic medicine and surgery or an  
34 individual licensed to prescribe medicine in any other  
35 state and provides specialty care for an Iowa resident

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1 for one or more of the debilitating medical conditions  
2 provided in this chapter.

3 6. *“Intractable pain”* means a pain in which the  
4 cause of the pain cannot be removed or otherwise  
5 treated with the consent of the patient and which, in  
6 the generally accepted course of medical practice, no  
7 relief or cure of the cause of the pain is possible,  
8 or none has been found after reasonable efforts.  
9 Reasonable efforts for relieving or curing the cause of  
10 the pain may be determined on the basis of but are not  
11 limited to any of the following:

12 a. When treating a nonterminally ill patient for  
13 intractable pain, evaluation by the attending physician  
14 and one or more physicians specializing in pain  
15 medicine or the treatment of the area, system, or organ  
16 of the body perceived as the source of the pain.

17 b. When treating a terminally ill patient,  
18 evaluation by the attending physician who does so in  
19 accordance with the level of care, skill, and treatment  
20 that would be recognized by a reasonably prudent  
21 physician under similar conditions and circumstances.

22 7. *“Medical cannabis”* means any species of the genus  
23 cannabis plant, or any mixture or preparation of them,  
24 including whole plant extracts and resins.

25 8. *“Medical cannabis manufacturer”* means an entity  
26 licensed by the department to manufacture and to  
27 possess, cultivate, transport, or supply medical  
28 cannabis pursuant to the provisions of this chapter.

29 9. *“Medical cannabis patient center”* means an entity  
30 licensed under section 124E.8 that acquires medical  
31 cannabis from a medical cannabis manufacturer in this  
32 state for the purpose of dispensing medical cannabis in  
33 this state pursuant to this chapter.

34 10. *“Primary caregiver”* means a person, at least  
35 eighteen years of age, who has been designated by a

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1 patient’s health care practitioner or a person having  
2 custody of a patient, as a necessary caretaker taking

3 responsibility for managing the well-being of the  
4 patient with respect to the use of medical cannabis  
5 pursuant to the provisions of this chapter.

6 11. “*Written certification*” means a document signed  
7 by a health care practitioner, with whom the patient  
8 has established a patient-provider relationship, which  
9 states that the patient has a debilitating medical  
10 condition and identifies that condition and provides  
11 any other relevant information.

12 Sec. 7. **NEW SECTION. 124E.3 Health care**  
13 **practitioner certification — duties.**

14 1. Prior to a patient’s submission of an  
15 application for a medical cannabis registration card  
16 pursuant to section 124E.4, a health care practitioner  
17 shall do all of the following:

18 a. Determine, in the health care practitioner’s  
19 medical judgment, whether the patient whom the health  
20 care practitioner has examined and treated suffers from  
21 a debilitating medical condition that qualifies for  
22 the use of medical cannabis under this chapter, and  
23 if so determined, provide the patient with a written  
24 certification of that diagnosis.

25 b. Provide explanatory information as provided by  
26 the department to the patient about the therapeutic use  
27 of medical cannabis.

28 2. Determine, on an annual basis, if the patient  
29 continues to suffer from a debilitating medical  
30 condition and, if so, issue the patient a new  
31 certification of that diagnosis.

32 3. Otherwise comply with all requirements  
33 established by the department pursuant to rule.

34 4. A health care practitioner may provide, but has  
35 no duty to provide, a written certification pursuant

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1 to this section.

2 Sec. 8. **NEW SECTION. 124E.4 Medical cannabis**  
3 **registration card.**

4 1. *Issuance to patient.* The department may approve  
5 the issuance of a medical cannabis registration card by  
6 the department of transportation to a patient who:

7 a. Is at least eighteen years of age.

8 b. Is a permanent resident of this state.

9 c. Submits a written certification to the  
10 department signed by the patient’s health care  
11 practitioner that the patient is suffering from a  
12 debilitating medical condition.

13 d. Submits an application to the department, on a  
14 form created by the department, in consultation with  
15 the department of transportation, that contains all of  
16 the following:

- 17 (1) The patient's full name, Iowa residence  
18 address, date of birth, and telephone number.  
19 (2) A copy of the patient's valid photo  
20 identification.  
21 (3) Full name, address, and telephone number of the  
22 patient's health care practitioner.  
23 (4) Full name, residence address, date of birth,  
24 and telephone number of each primary caregiver of the  
25 patient, if any.  
26 (5) Any other information required by rule.  
27 e. Submits a medical cannabis registration card  
28 fee of one hundred dollars to the department. If the  
29 patient attests to receiving social security disability  
30 benefits, supplemental security insurance payments, or  
31 being enrolled in medical assistance, the fee shall be  
32 twenty-five dollars.  
33 2. *Patient card contents.* A medical cannabis  
34 registration card issued to a patient by the department  
35 of transportation pursuant to subsection 1 shall

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- 1 contain, at a minimum, all of the following:  
2 a. The patient's full name, Iowa residence address,  
3 and date of birth.  
4 b. The patient's photograph.  
5 c. The date of issuance and expiration date of the  
6 registration card.  
7 d. Any other information required by rule.  
8 3. *Issuance to primary caregiver.* For a patient in  
9 a primary caregiver's care, the department may approve  
10 the issuance of a medical cannabis registration card  
11 by the department of transportation to the primary  
12 caregiver who:  
13 a. Is at least eighteen years of age.  
14 b. Submits a written certification to the  
15 department signed by the patient's health care  
16 practitioner that the patient in the primary  
17 caregiver's care is suffering from a debilitating  
18 medical condition.  
19 c. Submits an application to the department, on a  
20 form created by the department, in consultation with  
21 the department of transportation, that contains all of  
22 the following:  
23 (1) The primary caregiver's full name, residence  
24 address, date of birth, and telephone number.  
25 (2) The patient's full name.  
26 (3) A copy of the primary caregiver's valid photo  
27 identification.  
28 (4) Full name, address, and telephone number of the  
29 patient's health care practitioner.  
30 (5) Any other information required by rule.

31 *d.* Submits a medical cannabis registration card fee  
32 of twenty-five dollars to the department.  
33 4. *Primary caregiver card contents.* A medical  
34 cannabis registration card issued by the department  
35 of transportation to a primary caregiver pursuant to

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1 subsection 3 shall contain, at a minimum, all of the  
2 following:  
3 *a.* The primary caregiver's full name, residence  
4 address, and date of birth.  
5 *b.* The primary caregiver's photograph.  
6 *c.* The date of issuance and expiration date of the  
7 registration card.  
8 *d.* The registration card number of each patient  
9 in the primary caregiver's care. If the patient  
10 in the primary caregiver's care is under the age of  
11 eighteen, the full name of the patient's parent or  
12 legal guardian.  
13 *e.* Any other information required by rule.  
14 5. *Expiration date of card.* A medical cannabis  
15 registration card issued pursuant to this section shall  
16 expire one year after the date of issuance and may be  
17 renewed.  
18 6. *Card issuance — department of*  
19 *transportation.* The department may enter into  
20 a chapter 28E agreement with the department of  
21 transportation to facilitate the issuance of medical  
22 cannabis registration cards pursuant to subsections 1  
23 and 3.  
24 **Sec. 9. NEW SECTION. 124E.5 Medical advisory board**  
25 **— duties.**  
26 1. No later than August 15, 2016, the director  
27 of public health shall establish a medical advisory  
28 board consisting of nine practitioners representing the  
29 fields of neurology, pain management, gastroenterology,  
30 oncology, psychiatry, pediatrics, infectious disease,  
31 family medicine, and pharmacy. The practitioners  
32 shall be nationally board-certified in their area of  
33 specialty and knowledgeable about the use of medical  
34 cannabis.  
35 2. A quorum of the advisory board shall consist of

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1 five members.  
2 3. The duties of the advisory board shall include  
3 but not be limited to the following:  
4 *a.* Reviewing and recommending to the department for  
5 approval additional chronic or debilitating diseases or  
6 medical conditions or their treatments as debilitating



7 medical conditions that qualify for the use of medical  
8 cannabis under this chapter.

9 *b.* Accepting and reviewing petitions to add chronic  
10 or debilitating diseases or medical conditions or their  
11 medical treatments to the list of debilitating medical  
12 conditions that qualify for the use of medical cannabis  
13 under this chapter.

14 *c.* Advising the department regarding the location  
15 and number of necessary medical cannabis patient  
16 centers throughout the state on a continuous basis, the  
17 form and quantity of allowable medical cannabis to be  
18 dispensed to a patient or primary caregiver, and the  
19 general oversight of medical cannabis manufacturers and  
20 medical cannabis patient centers in this state.

21 *d.* Convening at least twice per year to conduct  
22 public hearings and to evaluate petitions, which  
23 shall be maintained as confidential personal health  
24 information, to add chronic or debilitating diseases or  
25 medical conditions or their medical treatments to the  
26 list of debilitating medical conditions that qualify  
27 for the use of medical cannabis under this chapter.

28 **Sec. 10. NEW SECTION. 124E.6 Medical cannabis**  
29 **manufacturer licensure.**

30 1. *a.* The department shall license up to two  
31 medical cannabis manufacturers to manufacture  
32 medical cannabis within this state consistent with  
33 the provisions of this chapter by December 1, 2016.  
34 The department shall license new medical cannabis  
35 manufacturers or relicense the existing medical

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1 cannabis manufacturers by December 1 of each year.

2 *b.* Information submitted during the application  
3 process shall be confidential until the medical  
4 cannabis manufacturer is licensed by the department  
5 unless otherwise protected from disclosure under state  
6 or federal law.

7 2. As a condition for licensure, a medical cannabis  
8 manufacturer must agree to begin supplying medical  
9 cannabis to medical cannabis patient centers in this  
10 state by July 1, 2017.

11 3. The department shall consider the following  
12 factors in determining whether to license a medical  
13 cannabis manufacturer:

14 *a.* The technical expertise of the medical cannabis  
15 manufacturer in medical cannabis.

16 *b.* The qualifications of the medical cannabis  
17 manufacturer's employees.

18 *c.* The long-term financial stability of the medical  
19 cannabis manufacturer.

20 *d.* The ability to provide appropriate security

21 measures on the premises of the medical cannabis  
22 manufacturer.  
23 e. Whether the medical cannabis manufacturer  
24 has demonstrated an ability to meet certain medical  
25 cannabis production needs for medical use regarding  
26 the range of recommended dosages for each debilitating  
27 medical condition, the range of chemical compositions  
28 of any plant of the genus cannabis that will likely  
29 be medically beneficial for each of the debilitating  
30 medical conditions, and the form of the medical  
31 cannabis in the manner determined by the department  
32 pursuant to rule.  
33 f. The medical cannabis manufacturer's projection  
34 of and ongoing assessment of fees on patients with  
35 debilitating medical conditions.

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1 4. The department shall require each medical  
2 cannabis manufacturer to contract with the state  
3 hygienic laboratory at the university of Iowa in Iowa  
4 City to test the medical cannabis produced by the  
5 manufacturer. The department shall require that the  
6 laboratory report testing results to the manufacturer  
7 in a manner determined by the department pursuant to  
8 rule.

9 5. Each entity submitting an application for  
10 licensure as a medical cannabis manufacturer shall pay  
11 a nonrefundable application fee of seven thousand five  
12 hundred dollars to the department.

13 Sec. 11. NEW SECTION. **124E.7 Medical cannabis**  
14 **manufacturers.**

15 1. A medical cannabis manufacturer shall contract  
16 with the state hygienic laboratory at the university  
17 of Iowa in Iowa City for purposes of testing the  
18 medical cannabis manufactured by the medical cannabis  
19 manufacturer as to content, contamination, and  
20 consistency. The cost of all laboratory testing shall  
21 be paid by the medical cannabis manufacturer.

22 2. The operating documents of a medical cannabis  
23 manufacturer shall include all of the following:

24 a. Procedures for the oversight of the medical  
25 cannabis manufacturer and procedures to ensure accurate  
26 record keeping.

27 b. Procedures for the implementation of appropriate  
28 security measures to deter and prevent the theft of  
29 medical cannabis and unauthorized entrance into areas  
30 containing medical cannabis.

31 3. A medical cannabis manufacturer shall implement  
32 security requirements, including requirements for  
33 protection of each location by a fully operational  
34 security alarm system, facility access controls,

35 perimeter intrusion detection systems, and a personnel

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1 identification system.

2 4. A medical cannabis manufacturer shall not share  
3 office space with, refer patients to, or have any  
4 financial relationship with a health care practitioner.

5 5. A medical cannabis manufacturer shall not permit  
6 any person to consume medical cannabis on the property  
7 of the medical cannabis manufacturer.

8 6. A medical cannabis manufacturer is subject to  
9 reasonable inspection by the department.

10 7. A medical cannabis manufacturer shall not  
11 employ a person under eighteen years of age or who has  
12 been convicted of a disqualifying felony offense. An  
13 employee of a medical cannabis manufacturer shall be  
14 subject to a background investigation conducted by the  
15 division of criminal investigation of the department  
16 of public safety and a national criminal history  
17 background check.

18 8. A medical cannabis manufacturer shall not  
19 operate in any location, whether for manufacturing,  
20 cultivating, harvesting, packaging, or processing,  
21 within one thousand feet of a public or private school  
22 existing before the date of the medical cannabis  
23 manufacturer's licensure by the department.

24 9. A medical cannabis manufacturer shall comply  
25 with reasonable restrictions set by the department  
26 relating to signage, marketing, display, and  
27 advertising of medical cannabis.

28 10. *a.* A medical cannabis manufacturer shall  
29 provide a reliable and ongoing supply of medical  
30 cannabis to medical cannabis patient centers pursuant  
31 to this chapter.

32 *b.* All manufacturing, cultivating, harvesting,  
33 packaging, and processing of medical cannabis shall  
34 take place in an enclosed, locked facility at a  
35 physical address provided to the department during the

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1 licensure process.

2 *c.* A medical cannabis manufacturer shall not  
3 manufacture edible medical cannabis products utilizing  
4 food coloring.

5 *d.* A medical cannabis manufacturer shall  
6 manufacture a reliable and ongoing supply of medical  
7 cannabis to treat every debilitating medical condition  
8 listed in this chapter.

9 Sec. 12. NEW SECTION. **124E.8 Medical cannabis**  
10 **patient center licensure.**

- 11 1. *a.* The department shall license by April 1,  
12 2017, up to four medical cannabis patient centers to  
13 dispense medical cannabis within this state consistent  
14 with the provisions of this chapter. The department  
15 shall license new medical cannabis patient centers or  
16 relicense the existing medical cannabis manufacturers  
17 by December 1 of each year.
- 18 *b.* Information submitted during the application  
19 process shall be confidential until the medical  
20 cannabis patient center is licensed by the department  
21 unless otherwise protected from disclosure under state  
22 or federal law.
- 23 2. As a condition for licensure, a medical cannabis  
24 patient center must agree to begin supplying medical  
25 cannabis to patients by July 1, 2017.
- 26 3. The department shall consider the following  
27 factors in determining whether to license a medical  
28 cannabis patient center:
- 29 *a.* The technical expertise of the medical cannabis  
30 patient center regarding medical cannabis.
- 31 *b.* The qualifications of the medical cannabis  
32 patient center's employees.
- 33 *c.* The long-term financial stability of the medical  
34 cannabis patient center.
- 35 *d.* The ability to provide appropriate security

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- 1 measures on the premises of the medical cannabis  
2 patient center.
- 3 *e.* The medical cannabis patient center's projection  
4 and ongoing assessment of fees for the purchase of  
5 medical cannabis on patients with debilitating medical  
6 conditions.
- 7 4. Each entity submitting an application for  
8 licensure as a medical cannabis patient center shall  
9 pay a nonrefundable application fee of five thousand  
10 dollars to the department.
- 11 **Sec. 13. NEW SECTION. 124E.9 Medical cannabis**  
12 **patient centers.**
- 13 1. *a.* The medical cannabis patient centers shall  
14 be located based on geographical need throughout the  
15 state to improve patient access.
- 16 *b.* A medical cannabis patient center may dispense  
17 medical cannabis pursuant to the provisions of this  
18 chapter but shall not dispense any medical cannabis  
19 in a form or quantity other than the form or quantity  
20 allowed by the department pursuant to rule.
- 21 2. The operating documents of a medical cannabis  
22 patient center shall include all of the following:
- 23 *a.* Procedures for the oversight of the medical  
24 cannabis patient center and procedures to ensure

25 accurate record keeping.  
26     *b.* Procedures for the implementation of appropriate  
27 security measures to deter and prevent the theft of  
28 medical cannabis and unauthorized entrance into areas  
29 containing medical cannabis.  
30     3. A medical cannabis patient center shall  
31 implement security requirements, including requirements  
32 for protection by a fully operational security alarm  
33 system, facility access controls, perimeter intrusion  
34 detection systems, and a personnel identification  
35 system.

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1     4. A medical cannabis patient center shall not  
2 share office space with, refer patients to, or have any  
3 financial relationship with a health care practitioner.  
4     5. A medical cannabis patient center shall not  
5 permit any person to consume medical cannabis on the  
6 property of the medical cannabis patient center.  
7     6. A medical cannabis patient center is subject to  
8 reasonable inspection by the department.  
9     7. A medical cannabis patient center shall not  
10 employ a person under eighteen years of age or who has  
11 been convicted of a disqualifying felony offense. An  
12 employee of a medical cannabis patient center shall be  
13 subject to a background investigation conducted by the  
14 division of criminal investigation of the department  
15 of public safety and a national criminal history  
16 background check.  
17     8. A medical cannabis patient center shall not  
18 operate in any location within one thousand feet of a  
19 public or private school existing before the date of  
20 the medical cannabis patient center's licensure by the  
21 department.  
22     9. A medical cannabis patient center shall  
23 comply with reasonable restrictions set by the  
24 department relating to signage, marketing, display, and  
25 advertising of medical cannabis.  
26     10. Prior to dispensing of any medical cannabis,  
27 a medical cannabis patient center shall do all of the  
28 following:  
29     *a.* Verify that the medical cannabis patient center  
30 has received a valid medical cannabis registration card  
31 from a patient or a patient's primary caregiver, if  
32 applicable.  
33     *b.* Assign a tracking number to any medical cannabis  
34 dispensed from the medical cannabis patient center.  
35     *c.* (1) Properly package medical cannabis in

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1 compliance with federal law regarding child resistant  
2 packaging and exemptions for packaging for elderly  
3 patients, and label medical cannabis with a list of  
4 all active ingredients and individually identifying  
5 information, including all of the following:

6 (a) The name and date of birth of the patient and  
7 the patient's primary caregiver, if appropriate.  
8 (b) The medical cannabis registration card numbers  
9 of the patient and the patient's primary caregiver, if  
10 applicable.

11 (c) The chemical composition of the medical  
12 cannabis.

13 (2) Proper packaging of medical cannabis shall  
14 include but not be limited to all of the following:

15 (a) Warning labels regarding the use of medical  
16 cannabis by a woman during pregnancy and while  
17 breastfeeding.

18 (b) Clearly labeled packaging indicating that  
19 an edible medical cannabis product contains medical  
20 cannabis and which packaging shall not imitate candy  
21 products or in any way make the product marketable to  
22 children.

23 11. A medical cannabis patient center shall employ  
24 a pharmacist licensed pursuant to chapter 155A.

25 12. A medical cannabis patient center shall keep  
26 a reliable and ongoing supply of medical cannabis to  
27 treat every debilitating medical condition listed in  
28 this chapter.

29 **Sec. 14. NEW SECTION. 124E.10 Department duties**  
30 **— rules.**

31 1. *a.* The department shall maintain a confidential  
32 file of the names of each patient to or for whom the  
33 department issues a medical cannabis registration  
34 card, the name of each primary caregiver to whom the  
35 department issues a medical cannabis registration card

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1 under section 124E.4, and the names of each health care  
2 practitioner who provides a written certification for  
3 medical cannabis pursuant to this chapter.

4 *b.* Individual names contained in the file shall be  
5 confidential and shall not be subject to disclosure,  
6 except as provided in subparagraph (1).

7 (1) Information in the confidential file maintained  
8 pursuant to paragraph "a" may be released on an  
9 individual basis to the following persons under the  
10 following circumstances:

11 (a) To authorized employees or agents of the  
12 department and the department of transportation as

13 necessary to perform the duties of the department and  
14 the department of transportation pursuant to this  
15 chapter.

16 (b) To authorized employees of state or local  
17 law enforcement agencies, but only for the purpose of  
18 verifying that a person is lawfully in possession of a  
19 medical cannabis registration card issued pursuant to  
20 this chapter.

21 (c) To authorized employees of a medical cannabis  
22 patient center, but only for the purpose of verifying  
23 that a person is lawfully in possession of a medical  
24 cannabis registration card issued pursuant to this  
25 chapter.

26 (2) Release of information pursuant to subparagraph  
27 (1) shall be consistent with the federal Health  
28 Insurance Portability and Accountability Act of 1996,  
29 Pub. L. No. 104-191.

30 2. The department shall adopt rules pursuant to  
31 chapter 17A to administer this chapter which shall  
32 include but not be limited to rules to do all of the  
33 following:

34 a. Govern the manner in which the department shall  
35 consider applications for new and renewal medical

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1 cannabis registration cards.

2 b. Identify criteria and set forth procedures for  
3 including additional chronic or debilitating diseases  
4 or medical conditions or their medical treatments  
5 on the list of debilitating medical conditions that  
6 qualify for the use of medical cannabis. Procedures  
7 shall include a petition process and shall allow for  
8 public comment and public hearings before the medical  
9 advisory board.

10 c. Set forth additional chronic or debilitating  
11 diseases or medical conditions or associated medical  
12 treatments for inclusion on the list of debilitating  
13 medical conditions that qualify for the use of medical  
14 cannabis as recommended by the medical advisory board.

15 d. Establish the form and quantity of medical  
16 cannabis allowed to be dispensed to a patient or  
17 primary caregiver pursuant to this chapter. The  
18 form and quantity of medical cannabis shall be  
19 appropriate to serve the medical needs of patients with  
20 debilitating conditions.

21 e. Establish requirements for the licensure of  
22 medical cannabis manufacturers and medical cannabis  
23 patient centers and set forth procedures for medical  
24 cannabis manufacturers and medical cannabis patient  
25 centers to obtain licenses.

26 f. Develop a dispensing system for medical cannabis

27 within this state that provides for all of the  
 28 following:  
 29 (1) Medical cannabis patient centers within  
 30 this state housed on secured grounds and operated by  
 31 licensed medical cannabis patient centers.  
 32 (2) The dispensing of medical cannabis to patients  
 33 and their primary caregivers to occur at locations  
 34 designated by the department.  
 35 g. Specify and implement procedures that address

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1 public safety including security procedures and product  
 2 quality including measures to ensure contaminant-free  
 3 cultivation of medical cannabis, safety, and labeling.  
 4 h. Establish and implement a real-time, statewide  
 5 medical cannabis registry management sale tracking  
 6 system that is available to medical cannabis patient  
 7 centers on a twenty-four-hour-day, seven-day-a-week  
 8 basis for the purpose of verifying that a person  
 9 is lawfully in possession of a medical cannabis  
 10 registration card issued pursuant to this chapter  
 11 and for tracking the date of the sale and quantity of  
 12 medical cannabis purchased by a patient or a primary  
 13 caregiver.  
 14 i. Establish and implement a medical cannabis  
 15 inventory and delivery tracking system to track  
 16 medical cannabis from production by a medical cannabis  
 17 manufacturer through dispensing at a medical cannabis  
 18 patient center.  
 19 **Sec. 15. NEW SECTION. 124E.11 Reciprocity.**  
 20 A valid medical cannabis registration card, or its  
 21 equivalent, issued under the laws of another state  
 22 that allows an out-of-state patient to possess or  
 23 use medical cannabis in the jurisdiction of issuance  
 24 shall have the same force and effect as a valid  
 25 medical cannabis registration card issued pursuant to  
 26 this chapter, except that an out-of-state patient in  
 27 this state shall not obtain medical cannabis from a  
 28 medical cannabis patient center in this state and an  
 29 out-of-state patient shall not smoke medical cannabis.  
 30 **Sec. 16. NEW SECTION. 124E.12 Use of medical**  
 31 **cannabis — smoking prohibited.**  
 32 A patient shall not consume medical cannabis  
 33 possessed or used as authorized by this chapter by  
 34 smoking medical cannabis.  
 35 **Sec. 17. NEW SECTION. 124E.13 Use of medical**

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1 **cannabis — affirmative defenses.**  
 2 1. A health care practitioner, including any



3 authorized agent or employee thereof, shall not be  
4 subject to prosecution for the unlawful certification,  
5 possession, or administration of marijuana under the  
6 laws of this state for activities arising directly  
7 out of or directly related to the certification or  
8 use of medical cannabis in the treatment of a patient  
9 diagnosed with a debilitating medical condition as  
10 authorized by this chapter.

11 2. A medical cannabis manufacturer, including any  
12 authorized agent or employee thereof, shall not be  
13 subject to prosecution for manufacturing, possessing,  
14 cultivating, harvesting, packaging, processing,  
15 transporting, or supplying medical cannabis pursuant  
16 to this chapter.

17 3. A medical cannabis patient center, including  
18 any authorized agent or employee thereof, shall not be  
19 subject to prosecution for transporting, supplying, or  
20 dispensing medical cannabis pursuant to this chapter.

21 a. In a prosecution for the unlawful possession  
22 of marijuana under the laws of this state, including  
23 but not limited to chapters 124 and 453B, it is an  
24 affirmative and complete defense to the prosecution  
25 that the patient has been diagnosed with a debilitating  
26 medical condition, used or possessed medical  
27 cannabis pursuant to a certification by a health care  
28 practitioner as authorized under this chapter, and,  
29 for a patient eighteen years of age or older, is in  
30 possession of a valid medical cannabis registration  
31 card.

32 b. In a prosecution for the unlawful possession  
33 of marijuana under the laws of this state, including  
34 but not limited to chapters 124 and 453B, it is an  
35 affirmative and complete defense to the prosecution

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1 that the person possessed medical cannabis because the  
2 person is a primary caregiver of a patient who has been  
3 diagnosed with a debilitating medical condition and is  
4 in possession of a valid medical cannabis registration  
5 card, and where the primary caregiver's possession of  
6 the medical cannabis is on behalf of the patient and  
7 for the patient's use only as authorized under this  
8 chapter.

9 c. If a patient or primary caregiver is charged  
10 with the commission of a crime and is not in possession  
11 of the person's medical cannabis registration card,  
12 any charge or charges filed against the person shall  
13 be dismissed by the court if the person produces to  
14 the court prior to or at the person's trial a medical  
15 cannabis registration card issued to that person and  
16 valid at the time the person was charged.

17 4. An agency of this state or a political  
18 subdivision thereof, including any law enforcement  
19 agency, shall not remove or initiate proceedings to  
20 remove a patient under the age of eighteen from the  
21 home of a parent based solely upon the parent's or  
22 patient's possession or use of medical cannabis as  
23 authorized under this chapter.

24 Sec. 18. NEW SECTION. 124E.14 Fees.

25 Medical cannabis registration card fees and medical  
26 cannabis manufacturer and medical cannabis patient  
27 center application and annual fees collected by the  
28 department pursuant to this chapter shall be retained  
29 by the department, shall be considered repayment  
30 receipts as defined in section 8.2, and shall be  
31 used for the purpose of regulating medical cannabis  
32 manufacturers and medical cannabis patient centers and  
33 for other expenses necessary for the administration of  
34 this chapter. Notwithstanding section 8.33, moneys  
35 that remain unencumbered or unobligated at the end of

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1 the fiscal year shall not revert to the general fund  
2 of the state.

3 Sec. 19. NEW SECTION. 124E.15 Penalties.

4 1. A person who knowingly or intentionally  
5 possesses or uses medical cannabis in violation of  
6 the requirements of this chapter is subject to the  
7 penalties provided under chapters 124 and 453B.

8 2. A medical cannabis manufacturer or a medical  
9 cannabis patient center shall be assessed a civil  
10 penalty of up to one thousand dollars per violation for  
11 any violation of this chapter in addition to any other  
12 applicable penalties.

13 Sec. 20. REPEAL. Chapter 124D, Code 2016, is  
14 repealed.

15 Sec. 21. EMERGENCY RULES. The department may  
16 adopt emergency rules under section 17A.4, subsection  
17 3, and section 17A.5, subsection 2, paragraph "b", to  
18 implement the provisions of this Act and the rules  
19 shall be effective immediately upon filing unless  
20 a later date is specified in the rules. Any rules  
21 adopted in accordance with this section shall also be  
22 published as a notice of intended action as provided  
23 in section 17A.4.

24 Sec. 22. TRANSITION PROVISIONS. A medical cannabis  
25 registration card issued under chapter 124D prior to  
26 July 1, 2016, remains effective and continues in effect  
27 as issued for the twelve-month period following its  
28 issuance. This Act does not preclude the permit holder  
29 from seeking to renew the permit under this Act prior  
30 to the expiration of the twelve-month period.

31 Sec. 23. EFFECTIVE UPON ENACTMENT. This Act, being  
 32 deemed of immediate importance, takes effect upon  
 33 enactment.>

34 2. Title page, line 2, after <fees> by inserting <,  
 35 and including effective date provisions>>

FORBES of Polk  
 KRESSIG of Black Hawk

H-8303

1 Amend House File 2468 as follows:

2 1. By striking everything after the enacting clause  
 3 and inserting:

4 <Section 1. **NEW SECTION. 421.48 Background checks.**

5 An applicant for employment with the department of  
 6 revenue shall be subject to a national criminal history  
 7 check through the federal bureau of investigation. A  
 8 contractor, vendor, employee, or any other individual  
 9 performing work for the department of revenue, shall be  
 10 subject to a national criminal history check through  
 11 the federal bureau of investigation at least once  
 12 every ten years. The department of revenue shall  
 13 request the national criminal history check and shall  
 14 provide the individual's fingerprints to the department  
 15 of public safety for submission through the state  
 16 criminal history repository to the federal bureau of  
 17 investigation. The individual shall authorize release  
 18 of the results of the national criminal history check  
 19 to the department of revenue. The department of  
 20 revenue shall pay the actual cost of the fingerprinting  
 21 and national criminal history check, if any. The  
 22 results of a criminal history check conducted pursuant  
 23 to this section shall not be considered a public record  
 24 under chapter 22.

25 Sec. 2. Section 422.11L, subsection 3, paragraph d,  
 26 Code 2016, is amended to read as follows:

27 *d. (1)* A taxpayer must submit an application to  
 28 the department for each separate and distinct solar  
 29 installation. The application must be approved by  
 30 the department in order to claim the tax credit. The  
 31 department shall accept and approve applications on  
 32 a first-come, first-served basis until the maximum  
 33 amount of tax credits that may be claimed pursuant  
 34 to subsection 4 is reached. However, an application  
 35 must be filed by May 1 following the year of the

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1 installation of the solar energy system in order to be  
 2 eligible for approval for the tax year during which the  
 3 solar energy system was installed. Applications filed

4 later than May 1 following the year of the installation  
 5 will be eligible for approval for the tax year during  
 6 which the application is received.  
 7 (2) If for a tax year the aggregate amount of tax  
 8 credits applied for exceeds the amount specified in  
 9 subsection 4, the department shall establish a wait  
 10 list for tax credits. Valid applications filed by the  
 11 taxpayer but not approved by the department shall be  
 12 placed on a wait list in the order the applications  
 13 were received and those applicants shall be given  
 14 priority for having their applications approved in  
 15 succeeding years. Placement on a wait list pursuant  
 16 to this subparagraph shall not constitute a promise  
 17 binding the state. The availability of a tax credit  
 18 and approval of a tax credit application pursuant to  
 19 this section in a future year is contingent upon the  
 20 availability of tax credits in that particular year.  
 21 Sec. 3. Section 423.3, subsection 80, Code 2016, is  
 22 amended to read as follows:  
 23 80. a. For purposes of this subsection,  
 24 “*designated exempt entity*” means ~~an~~ any of the  
 25 following:  
 26 (1) An entity which is designated in section 423.4,  
 27 subsection 1 or 6.  
 28 (2) An entity which is an instrumentality of a  
 29 county or municipal government, including an agent of  
 30 such entity, if the entity was created for the purpose  
 31 of owning, including pursuant to a lease-purchase  
 32 agreement, real property located within a reinvestment  
 33 district established under chapter 15J.  
 34 b. If Subject to the limitations in paragraph  
 35 “c”, if a contractor, subcontractor, or builder is

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1 to use building materials, supplies, and equipment  
 2 in the performance of a construction contract with a  
 3 designated exempt entity, the person shall purchase  
 4 such items of tangible personal property without  
 5 liability for the tax if such property will be used  
 6 in the performance of the construction contract and a  
 7 purchasing agent authorization letter and an exemption  
 8 certificate, issued by the designated exempt entity,  
 9 are presented to the retailer.  
 10 c. (1) The With regard to a construction contract  
 11 with a designated exempt entity described in paragraph  
 12 “a”, subparagraph (1), the sales price of building  
 13 materials, supplies, or equipment is exempt from tax  
 14 by this subsection only to the extent the building  
 15 materials, supplies, or equipment are completely  
 16 consumed in the performance of the construction  
 17 contract with the designated exempt entity.

18 (2) With regard to a construction contract with  
 19 a designated exempt entity described in paragraph  
 20 “a”, subparagraph (2), the sales price of building  
 21 materials, supplies, or equipment is exempt from tax  
 22 by this subsection only to the extent the building  
 23 materials, supplies, or equipment are completely  
 24 consumed in the performance of a construction contract  
 25 to construct a project, as defined in section 15J.2,  
 26 subsection 10, which project has been approved by the  
 27 economic development authority board in accordance with  
 28 chapter 15J.  
 29 ~~e. d.~~ Where Subject to the limitations in  
 30 paragraph “c”, where the owner, contractor,  
 31 subcontractor, or builder is also a retailer holding a  
 32 retail sales tax permit and transacting retail sales  
 33 of building materials, supplies, and equipment, the  
 34 tax shall not be due when materials are withdrawn from  
 35 inventory for use in construction performed for a

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1 designated exempt entity if an exemption certificate is  
 2 received from such entity.  
 3 ~~d. e.~~ Tax Subject to the limitations in paragraph  
 4 “c”, tax shall not apply to tangible personal property  
 5 purchased and consumed by a manufacturer as building  
 6 materials, supplies, or equipment in the performance  
 7 of a construction contract for a designated exempt  
 8 entity, if a purchasing agent authorization letter and  
 9 an exemption certificate are received from such entity  
 10 and presented to a retailer.  
 11 Sec. 4. Section 429.2, subsection 2, paragraph c,  
 12 Code 2016, is amended to read as follows:  
 13 c. The director of revenue shall consider all  
 14 evidence and witnesses offered by the taxpayer and  
 15 the department, including but not limited to evidence  
 16 relating to the proper valuation of the property  
 17 involved.  
 18 Sec. 5. Section 437A.15, subsection 7, paragraph b,  
 19 Code 2016, is amended to read as follows:  
 20 b. The task force shall study the effects of the  
 21 replacement taxes under this chapter and chapter 437B  
 22 on local taxing authorities, local taxing districts,  
 23 consumers, and taxpayers through January 1, ~~2016~~ 2019.  
 24 If the task force recommends modifications to the  
 25 replacement tax that will further the purposes of tax  
 26 neutrality for local taxing authorities, local taxing  
 27 districts, taxpayers, and consumers, consistent with  
 28 the stated purposes of this chapter, the department of  
 29 management shall transmit those recommendations to the  
 30 general assembly.  
 31 Sec. 6. Section 437B.11, subsection 7, Code 2016,

32 is amended to read as follows:

33 7. The utility replacement tax task force created  
34 in section 437A.15 shall study the effects of the  
35 replacement tax on local taxing authorities, local

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1 taxing districts, consumers, and taxpayers through  
2 January 1, ~~2016~~ 2019. If the task force recommends  
3 modifications to the replacement tax that will further  
4 the purposes of tax neutrality for local taxing  
5 authorities, local taxing districts, taxpayers, and  
6 consumers, consistent with the stated purposes of this  
7 chapter, the department of management shall transmit  
8 those recommendations to the general assembly.

9 Sec. 7. Section 476C.3, subsection 4, paragraph  
10 b, subparagraph (3), Code 2016, is amended to read as  
11 follows:

12 (3) (a) Of the maximum amount of energy production  
13 capacity equivalent of all other facilities found  
14 eligible under this chapter, ten megawatts of nameplate  
15 generating capacity or energy production equivalent  
16 shall be reserved for solar energy conversion  
17 facilities with that meet all of the following  
18 requirements:

19 (i) The facility has a generating capacity of one  
20 and one-half megawatts or less.

21 (ii) The facility is owned, in whole or in part,  
22 directly or indirectly, or is contracted for, by  
23 utilities described in section 476C.1, subsection 6,  
24 paragraph "b", subparagraphs (4) and (5).

25 (iii) The facility is located in this state.

26 (iv) The facility meets the requirements of section  
27 476C.1, subsection 6, paragraphs "d" through "f".

28 (b) A solar energy conversion facility that meets  
29 the requirements of and is found eligible under  
30 subparagraph division (a) shall be considered an  
31 "eligible renewable energy facility" for purposes of  
32 this chapter, notwithstanding any contrary provisions  
33 of section 476C.1, subsection 6.

34 Sec. 8. Section 476C.3, subsection 7, Code 2016, is  
35 amended to read as follows:

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1 7. a. An owner meeting the requirements of section  
2 476C.1, subsection 6, paragraph "b", shall not be  
3 an owner of more than two eligible renewable energy  
4 facilities. A person that has an equity interest equal  
5 to or greater than fifty-one percent in an eligible  
6 renewable energy facility shall not have an equity  
7 interest greater than ten percent in any other eligible

8 renewable energy facility. This paragraph "a" shall  
9 not apply to facilities described in section 476C.3,  
10 subsection 4, paragraph "b", subparagraph (3).  
11 b. An entity described in section 476C.1,  
12 subsection 6, paragraph "b", subparagraphs (4) or (5),  
13 shall not have an ownership interest in more than four  
14 facilities described in section 476C.3, subsection 4,  
15 paragraph "b", subparagraph (3).

16 Sec. 9. EFFECTIVE UPON ENACTMENT. The following  
17 provision or provisions of this Act, being deemed of  
18 immediate importance, take effect upon enactment:

19 1. The section of this Act amending section 421.48.

20 2. The section of this Act amending section  
21 422.11L, subsection 3.

22 3. The section of this Act amending section 423.3,  
23 subsection 80.

24 4. The section of this Act amending section 429.2.

25 5. The section of this Act amending section  
26 437A.15.

27 6. The section of this Act amending section  
28 437B.11.

29 7. The sections of this Act amending section  
30 476C.3.

31 Sec. 10. RETROACTIVE APPLICABILITY. The section  
32 of this Act amending section 422.11L, subsection 3,  
33 applies retroactively to January 1, 2014, for tax years  
34 beginning and installations occurring on or after that  
35 date. However, tax credit applications filed after May

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1 1, 2015, for solar energy systems installed during the  
2 2014 calendar year shall be eligible for approval for  
3 the first time for the tax year that begins during the  
4 2016 calendar year.

5 Sec. 11. RETROACTIVE APPLICABILITY. The following  
6 provision or provisions of this Act apply retroactively  
7 to January 1, 2015, for construction contracts entered  
8 into on or after that date.

9 1. The section of this Act amending section 423.3,  
10 subsection 80.

11 Sec. 12. RETROACTIVE APPLICABILITY. The following  
12 provision or provisions of this Act apply retroactively  
13 to January 1, 2016:

14 1. The section of this Act amending section  
15 437A.15.

16 2. The section of this Act amending section  
17 437B.11.

18 Sec. 13. RETROACTIVE APPLICABILITY. The following  
19 provision or provisions of this Act apply retroactively  
20 to January 1, 2015, for tax years beginning on or after  
21 that date:

22 1. The sections of this Act amending section  
 23 476C.3.  
 24 Sec. 14. RETROACTIVE APPLICABILITY. The following  
 25 provision or provisions of this Act apply retroactively  
 26 to May 22, 2015:  
 27 1. The section of this Act amending section 429.2.  
 28 Sec. 15. RETROACTIVE APPLICABILITY. The following  
 29 provision or provisions of this Act apply retroactively  
 30 to applications for the renewable energy tax credit  
 31 made on or after June 26, 2015:  
 32 1. The sections of this Act amending section  
 33 476C.3.  
 34 Sec. 16. APPLICABILITY. The section of this Act  
 35 amending section 423.3, subsection 80, applies to

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1 purchases made on or after the effective date of the  
 2 section of this Act amending section 423.3, subsection  
 3 80.>  
 4 2. By renumbering, redesignating, and correcting  
 5 internal references as necessary.

WINDSCHITL of Harrison

H-8304

1 Amend the amendment, H-8301, to the Senate  
 2 amendment, H-8196, to House File 2064, as amended,  
 3 passed, and reprinted by the House, as follows:  
 4 1. Page 3, by striking lines 16 through 19 and  
 5 inserting <after the person has served one-half of  
 6 the minimum term of confinement prescribed in section  
 7 124.413.>

RIZER of Linn

H-8305

1 Amend the amendment, H-8303, to House File 2468, as  
 2 follows:  
 3 1. By striking page 1, line 1, through page 8, line  
 4 5, and inserting:  
 5 <Amend House File 2468 as follows:  
 6 1. By striking everything after the enacting clause  
 7 and inserting:  
 8 <Section 1. NEW SECTION. 421.48 Background checks.  
 9 An applicant for employment with the department of  
 10 revenue shall be subject to a national criminal history  
 11 check through the federal bureau of investigation. A  
 12 contractor, vendor, employee, or any other individual  
 13 performing work for the department of revenue, shall be  
 14 subject to a national criminal history check through



15 the federal bureau of investigation at least once  
16 every ten years. The department of revenue shall  
17 request the national criminal history check and shall  
18 provide the individual's fingerprints to the department  
19 of public safety for submission through the state  
20 criminal history repository to the federal bureau of  
21 investigation. The individual shall authorize release  
22 of the results of the national criminal history check  
23 to the department of revenue. The department of  
24 revenue shall pay the actual cost of the fingerprinting  
25 and national criminal history check, if any. The  
26 results of a criminal history check conducted pursuant  
27 to this section shall not be considered a public record  
28 under chapter 22.

29 Sec. 2. Section 422.11L, subsection 3, paragraph d,  
30 Code 2016, is amended to read as follows:

31 *d. (1)* A taxpayer must submit an application to  
32 the department for each separate and distinct solar  
33 installation. The application must be approved by  
34 the department in order to claim the tax credit. The  
35 application must be filed by May 1 following the year

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1 of the installation of the solar energy system.  
2 (2) The department shall accept and approve  
3 applications on a first-come, first-served basis until  
4 the maximum amount of tax credits that may be claimed  
5 pursuant to subsection 4 is reached. If for a tax year  
6 the aggregate amount of tax credits applied for exceeds  
7 the amount specified in subsection 4, the department  
8 shall establish a wait list for tax credits. Valid  
9 applications filed by the taxpayer by May 1 following  
10 the year of the installation but not approved by the  
11 department shall be placed on a wait list in the order  
12 the applications were received and those applicants  
13 shall be given priority for having their applications  
14 approved in succeeding years. Placement on a wait list  
15 pursuant to this subparagraph shall not constitute  
16 a promise binding the state. The availability of a  
17 tax credit and approval of a tax credit application  
18 pursuant to this section in a future year is contingent  
19 upon the availability of tax credits in that particular  
20 year.

21 Sec. 3. Section 422.11L, Code 2016, is amended by  
22 adding the following new subsection:

23 NEW SUBSECTION. 6. For purposes of this section,  
24 "Internal Revenue Code" means the Internal Revenue Code  
25 of 1954, prior to the date of its redesignation as the  
26 Internal Revenue Code of 1986 by the Tax Reform Act of  
27 1986, or means the Internal Revenue Code of 1986 as  
28 amended to and including January 1, 2016.

29 Sec. 4. Section 423.3, subsection 80, Code 2016, is  
 30 amended to read as follows:  
 31 80. *a.* For purposes of this subsection,  
 32 “*designated exempt entity*” means ~~an~~ any of the  
 33 following:  
 34 (1) An entity which is designated in section 423.4,  
 35 subsection 1 or 6.

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1 (2) An entity which is an instrumentality of a  
 2 county or municipal government, including an agent of  
 3 such entity, if the entity was created for the purpose  
 4 of owning, including pursuant to a lease-purchase  
 5 agreement, real property located within a reinvestment  
 6 district established under chapter 15J.  
 7 *b.* If Subject to the limitations in paragraph  
 8 “c”, if a contractor, subcontractor, or builder is  
 9 to use building materials, supplies, and equipment  
 10 in the performance of a construction contract with a  
 11 designated exempt entity, the person shall purchase  
 12 such items of tangible personal property without  
 13 liability for the tax if such property will be used  
 14 in the performance of the construction contract and a  
 15 purchasing agent authorization letter and an exemption  
 16 certificate, issued by the designated exempt entity,  
 17 are presented to the retailer.  
 18 *c.* (1) The With regard to a construction contract  
 19 with a designated exempt entity described in paragraph  
 20 “a”, subparagraph (1), the sales price of building  
 21 materials, supplies, or equipment is exempt from tax  
 22 by this subsection only to the extent the building  
 23 materials, supplies, or equipment are completely  
 24 consumed in the performance of the construction  
 25 contract with the designated exempt entity.  
 26 (2) With regard to a construction contract with  
 27 a designated exempt entity described in paragraph  
 28 “a”, subparagraph (2), the sales price of building  
 29 materials, supplies, or equipment is exempt from tax  
 30 by this subsection only to the extent the building  
 31 materials, supplies, or equipment are completely  
 32 consumed in the performance of a construction contract  
 33 to construct a project, as defined in section 15J.2,  
 34 subsection 10, which project has been approved by the  
 35 economic development authority board in accordance with

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1 chapter 15J.  
 2 *e.* *d.* Where Subject to the limitations in  
 3 paragraph “c”, where the owner, contractor,  
 4 subcontractor, or builder is also a retailer holding a

5 retail sales tax permit and transacting retail sales  
 6 of building materials, supplies, and equipment, the  
 7 tax shall not be due when materials are withdrawn from  
 8 inventory for use in construction performed for a  
 9 designated exempt entity if an exemption certificate is  
 10 received from such entity.

11 ~~d. e. Tax~~ Subject to the limitations in paragraph  
 12 "c", tax shall not apply to tangible personal property  
 13 purchased and consumed by a manufacturer as building  
 14 materials, supplies, or equipment in the performance  
 15 of a construction contract for a designated exempt  
 16 entity, if a purchasing agent authorization letter and  
 17 an exemption certificate are received from such entity  
 18 and presented to a retailer.

19 Sec. 5. Section 429.2, subsection 2, paragraph c,  
 20 Code 2016, is amended to read as follows:

21 c. The director of revenue shall consider all  
 22 evidence and witnesses offered by the taxpayer and  
 23 the department, including but not limited to evidence  
 24 relating to the proper valuation of the property  
 25 involved.

26 Sec. 6. Section 437A.15, subsection 7, paragraph b,  
 27 Code 2016, is amended to read as follows:

28 b. The task force shall study the effects of the  
 29 replacement taxes under this chapter and chapter 437B  
 30 on local taxing authorities, local taxing districts,  
 31 consumers, and taxpayers through January 1, ~~2016~~ 2019.  
 32 If the task force recommends modifications to the  
 33 replacement tax that will further the purposes of tax  
 34 neutrality for local taxing authorities, local taxing  
 35 districts, taxpayers, and consumers, consistent with

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1 the stated purposes of this chapter, the department of  
 2 management shall transmit those recommendations to the  
 3 general assembly.

4 Sec. 7. Section 437B.11, subsection 7, Code 2016,  
 5 is amended to read as follows:

6 7. The utility replacement tax task force created  
 7 in section 437A.15 shall study the effects of the  
 8 replacement tax on local taxing authorities, local  
 9 taxing districts, consumers, and taxpayers through  
 10 January 1, ~~2016~~ 2019. If the task force recommends  
 11 modifications to the replacement tax that will further  
 12 the purposes of tax neutrality for local taxing  
 13 authorities, local taxing districts, taxpayers, and  
 14 consumers, consistent with the stated purposes of this  
 15 chapter, the department of management shall transmit  
 16 those recommendations to the general assembly.

17 Sec. 8. Section 476C.3, subsection 4, paragraph  
 18 b, subparagraph (3), Code 2016, is amended to read as

19 follows:

20 (3) (a) Of the maximum amount of energy production  
21 capacity equivalent of all other facilities found  
22 eligible under this chapter, ten megawatts of nameplate  
23 generating capacity or energy production equivalent  
24 shall be reserved for solar energy conversion  
25 facilities with that meet all of the following  
26 requirements:  
27 (i) The facility has a generating capacity of one  
28 and one-half megawatts or less.  
29 (ii) The facility is owned, in whole or in part,  
30 directly or indirectly, or is contracted for, by  
31 utilities described in section 476C.1, subsection 6,  
32 paragraph "b", subparagraphs (4) and (5).  
33 (iii) The facility is located in this state.  
34 (iv) The facility meets the requirements of section  
35 476C.1, subsection 6, paragraphs "d" through "f".

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1 (b) A solar energy conversion facility that meets  
2 the requirements of and is found eligible under  
3 subparagraph division (a) shall be considered an  
4 "eligible renewable energy facility" for purposes of  
5 this chapter, notwithstanding any contrary provisions  
6 of section 476C.1, subsection 6.

7 Sec. 9. Section 476C.3, subsection 7, Code 2016, is  
8 amended to read as follows:

9 7. a. An owner meeting the requirements of section  
10 476C.1, subsection 6, paragraph "b", shall not be  
11 an owner of more than two eligible renewable energy  
12 facilities. A person that has an equity interest equal  
13 to or greater than fifty-one percent in an eligible  
14 renewable energy facility shall not have an equity  
15 interest greater than ten percent in any other eligible  
16 renewable energy facility. This paragraph "a" shall  
17 not apply to facilities described in section 476C.3,  
18 subsection 4, paragraph "b", subparagraph (3).

19 b. An entity described in section 476C.1,  
20 subsection 6, paragraph "b", subparagraphs (4) or (5),  
21 shall not have an ownership interest in more than four  
22 facilities described in section 476C.3, subsection 4,  
23 paragraph "b", subparagraph (3).

24 Sec. 10. SOLAR ENERGY SYSTEM TAX CREDIT  
25 APPLICATIONS. Notwithstanding the provision in  
26 section 422.11L, subsection 3, paragraph "d", which  
27 requires applications for the solar energy system tax  
28 credit to be filed by May 1 following the year of the  
29 installation, all of the following shall apply:

30 1. Applications for the solar energy system tax  
31 credit filed after May 1, 2015, for solar energy  
32 systems installed during the 2014 calendar year,

33 shall be eligible for approval under section 422.11L.  
 34 Such applications shall be accepted and approved on  
 35 a first-come, first-served basis and shall first be

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1 eligible for approval for the tax year during which the  
 2 application is received, but not before the tax year  
 3 beginning January 1, 2016.

4 2. Applications for the solar energy system tax  
 5 credit filed after May 1, 2016, for solar energy  
 6 systems installed during the 2015 calendar year,  
 7 shall be eligible for approval under section 422.11L.  
 8 Such applications shall be accepted and approved on  
 9 a first-come, first-served basis and shall first be  
 10 eligible for approval for the tax year during which the  
 11 application is received, but not before the tax year  
 12 beginning January 1, 2017.

13 Sec. 11. EFFECTIVE UPON ENACTMENT. The section of  
 14 this Act providing for the approval of solar energy  
 15 tax credit applications filed after May 1 following  
 16 the year of the installation for solar energy systems  
 17 installed during the 2014 and 2015 calendar years,  
 18 being deemed of immediate importance, takes effect upon  
 19 enactment.

20 Sec. 12. EFFECTIVE UPON ENACTMENT. The following  
 21 provision or provisions of this Act, being deemed of  
 22 immediate importance, take effect upon enactment:

23 1. The section of this Act enacting section 421.48.

24 2. The section of this Act amending section 423.3,  
 25 subsection 80.

26 3. The section of this Act amending section 429.2.

27 4. The section of this Act amending section  
 28 437A.15.

29 5. The section of this Act amending section  
 30 437B.11.

31 6. The sections of this Act amending section  
 32 476C.3.

33 Sec. 13. RETROACTIVE APPLICABILITY. The following  
 34 provision or provisions of this Act apply retroactively  
 35 to January 1, 2015, for construction contracts entered

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1 into on or after that date:

2 1. The section of this Act amending section 423.3,  
 3 subsection 80.

4 Sec. 14. RETROACTIVE APPLICABILITY. The following  
 5 provision or provisions of this Act apply retroactively  
 6 to January 1, 2016:

7 1. The section of this Act amending section  
 8 437A.15.

- 9 2. The section of this Act amending section  
10 437B.11.
- 11 Sec. 15. RETROACTIVE APPLICABILITY. The following  
12 provision or provisions of this Act apply retroactively  
13 to January 1, 2015, for tax years beginning on or after  
14 that date:
- 15 1. The section of this Act enacting section  
16 422.11L, subsection 6.
- 17 Sec. 16. RETROACTIVE APPLICABILITY. The following  
18 provision or provisions of this Act apply retroactively  
19 to January 1, 2015, for tax years beginning on or after  
20 that date:
- 21 1. The sections of this Act amending section  
22 476C.3.
- 23 Sec. 17. RETROACTIVE APPLICABILITY. The following  
24 provision or provisions of this Act apply retroactively  
25 to applications for the renewable energy tax credit  
26 made on or after June 26, 2015:
- 27 1. The sections of this Act amending section  
28 476C.3.
- 29 Sec. 18. RETROACTIVE APPLICABILITY. The following  
30 provision or provisions of this Act apply retroactively  
31 to May 22, 2015:
- 32 1. The section of this Act amending section 429.2.
- 33 Sec. 19. APPLICABILITY. The section of this Act  
34 amending section 423.3, subsection 80, applies to  
35 purchases made on or after the effective date of the

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- 1 section of this Act amending section 423.3, subsection  
2 80.>
- 3 2. By renumbering, redesignating, and correcting  
4 internal references as necessary.>

WINDSCHITL of Harrison

H-8306

- 1 Amend House File 2421, as amended, passed, and  
2 reprinted by the House, as follows:
- 3 1. Page 1, before line 1 by inserting:  
4 <DIVISION I  
5 COACHING AUTHORIZATION REQUIREMENT>
- 6 2. Page 1, by striking lines 4 and 5 and inserting  
7 <the areas of cardiopulmonary resuscitation and  
8 automated external defibrillator use.>
- 9 3. Page 1, line 9, after <requirements> by  
10 inserting <of this division>
- 11 4. Page 1, after line 9 by inserting:  
12 <DIVISION II  
13 EXTRACURRICULAR INTERSCHOLASTIC ATHLETIC CONTESTS —

## 14 HEALTH CARE PROFESSIONALS

15 Sec. \_\_. Section 280.13C, Code 2016, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 3A. a. The home team in an  
18 extracurricular interscholastic contest in which high  
19 school athletic teams participate in a collision sport  
20 shall ensure that a contest health care professional  
21 is present and available to assess athletic injuries  
22 at such contest.

23 *b.* If an athlete who is a member of a visiting  
24 team in an extracurricular interscholastic contest at  
25 which a contest health care professional is present  
26 and available to assess athletic injuries as provided  
27 in this section shows signs, symptoms, or behaviors  
28 consistent with a concussion or brain injury, the  
29 contest health care professional shall notify the  
30 visiting team's athletic director within forty-eight  
31 hours after the contest occurs.

32 *c.* The department of education, the Iowa high  
33 school athletic association, and the Iowa girls  
34 high school athletic union shall establish a process  
35 whereby an extracurricular interscholastic athletic

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1 contest can still take place when a contest health  
2 care professional who was scheduled to be present and  
3 available as provided in this section is not able to be  
4 present and available due to unforeseen circumstances.

5 Sec. \_\_. Section 280.13C, subsection 4, Code 2016,  
6 is amended by adding the following new paragraphs:

7 NEW PARAGRAPH. 0a. "*Collision sport*" means  
8 football, soccer, or wrestling.

9 NEW PARAGRAPH. 00a. "*Contest health care*  
10 *professional*" means a licensed health care provider as  
11 defined in this subsection or an emergency medical care  
12 provider as defined in section 147A.1.

13 Sec. \_\_. IMPLEMENTATION OF DIVISION II OF THIS  
14 ACT. Section 25B.2, subsection 3, shall not apply to  
15 this division of this Act.>

16 5. Title page, lines 2 and 3, by striking <certain  
17 emergency medical procedures training requirements> and  
18 inserting <requirements relating to the presence of  
19 health care professionals at certain extracurricular  
20 interscholastic athletic contests>

21 6. By renumbering as necessary.

SENATE AMENDMENT

H-8307

1 Amend House File 2468, as amended, passed, and

2 reprinted by the House, as follows:

3 1. Page 1, after line 19 by inserting:

4 <Sec. \_\_\_\_ NEW SECTION. 422.10A Geothermal tax  
5 **credit.**

6 1. For purposes of this section, unless the context  
7 otherwise requires:

8 a. *“Qualified geothermal heat pump property”* means  
9 any equipment that uses the ground or groundwater as  
10 a thermal energy source to heat the dwelling unit of  
11 the taxpayer or as a thermal energy sink to cool such  
12 dwelling unit, which equipment meets the requirements  
13 of the federal energy star program in effect at the  
14 time that the expenditure for such equipment is made.

15 b. *“Qualified geothermal heat pump property*  
16 *expenditures”* means an expenditure for qualified  
17 geothermal heat pump property installed on or in  
18 connection with a dwelling unit located in Iowa and  
19 used as a residence by the taxpayer.

20 2. Except as provided in subsection 6, the taxes  
21 imposed under this division, less the credits allowed  
22 under section 422.12, shall be reduced by a geothermal  
23 tax credit equal to ten percent of the qualified  
24 geothermal heat pump property expenditures made by the  
25 taxpayer during the tax year.

26 3. Qualified geothermal heat pump property  
27 expenditures shall be deemed to have been made on the  
28 date the installation is complete or, in the case  
29 of new construction or reconstruction, the date the  
30 original use of the structure by the taxpayer begins.

31 4. In the case of a taxpayer whose dwelling unit  
32 is part of a multiple housing cooperative organized  
33 under chapter 499A or a horizontal property regime  
34 under chapter 499B, the taxpayer shall be treated as  
35 having made the taxpayer’s proportionate share of any

PAGE 2

1 qualified geothermal heat pump property expenditures  
2 made by the cooperative or the regime.

3 5. Any credit in excess of the tax liability is  
4 not refundable but the excess for the tax year may be  
5 credited to the tax liability for the following ten  
6 years or until depleted, whichever is earlier.

7 6. The credit provided in this section shall not  
8 be available during any tax year in which the federal  
9 residential energy efficient property tax credit for  
10 geothermal heat pumps provided in section 25D(a)(5) of  
11 the Internal Revenue Code is available. Any amount  
12 of expenditures used to calculate the credit provided  
13 in section 25D(a)(5) of the Internal Revenue Code  
14 shall not be considered qualified geothermal heat pump  
15 property expenditures for purposes of this section.>



16 2. Page 4, after line 26 by inserting:  
 17 <Sec. \_\_\_. Section 476C.1, subsection 6, paragraph  
 18 d, Code 2016, is amended to read as follows:  
 19 *d.* Was initially placed into service on or after  
 20 July 1, 2005, and before January 1, ~~2017~~ 2018.>  
 21 3. Page 5, after line 28 by inserting:  
 22 <Sec. \_\_\_. Section 476C.5, Code 2016, is amended to  
 23 read as follows:  
 24 **476C.5 Certificate issuance period.**  
 25 A producer or purchaser of renewable energy shall  
 26 receive renewable energy tax credit certificates for  
 27 a ten-year period for each eligible renewable energy  
 28 facility under this chapter. The ten-year period for  
 29 issuance of the tax credit certificates begins with the  
 30 date the purchaser of renewable energy first purchases  
 31 electricity, hydrogen fuel, methane gas or other biogas  
 32 used to generate electricity, or heat for commercial  
 33 purposes from the eligible renewable energy facility  
 34 for which a tax credit is issued under this chapter,  
 35 or the date the producer of the renewable energy first

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1 uses the energy produced by the eligible renewable  
 2 energy facility for on-site consumption. Renewable  
 3 energy tax credit certificates shall not be issued for  
 4 renewable energy purchased or produced for on-site  
 5 consumption after December 31, ~~2026~~ 2027.>  
 6 4. Page 6, after line 30 by inserting:  
 7 <\_\_\_. The section of this Act amending section  
 8 476C.1.>  
 9 5. Page 6, after line 31 by inserting:  
 10 <\_\_\_. The section of this Act amending section  
 11 476C.5.>  
 12 6. Page 6, after line 31 by inserting:  
 13 <Sec. \_\_\_. EFFECTIVE DATE. The section of this Act  
 14 enacting section 422.10A takes effect January 1, 2017.>  
 15 7. Page 7, after line 12 by inserting:  
 16 <Sec. \_\_\_. RETROACTIVE APPLICABILITY. The  
 17 following provision or provisions of this Act apply  
 18 retroactively to January 1, 2016, for tax years  
 19 beginning on or after that date:  
 20 1. The section of this Act amending section 476C.1.  
 21 2. The section of this Act amending section  
 22 476C.5.>  
 23 8. Page 7, after line 25 by inserting:  
 24 <Sec. \_\_\_. APPLICABILITY. The section of this  
 25 Act enacting section 422.10A applies to qualified  
 26 geothermal heat pump property expenditures incurred on  
 27 or after January 1, 2017.>  
 28 9. Title page, line 9, after <entities,> by  
 29 inserting <a geothermal tax credit,>

30 10. By renumbering as necessary.

## SENATE AMENDMENT

H-8308

1 Amend the Senate amendment, H-8276, to House File  
 2 2458, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 2, line 10, by striking <9,472,060> and  
 5 inserting <9,745,272>  
 6 2. Page 2, after line 10 by inserting:  
 7 <\_. Page 18, line 18, by striking <72.00> and  
 8 inserting <73.00>  
 9 3. Page 2, by striking lines 11 through 23.  
 10 4. By striking page 2, line 25, through page 3,  
 11 line 12, and inserting:  
 12 <1. Notwithstanding section 99F.10, subsection 4,  
 13 and any other law to the contrary, two special agents,  
 14 currently designated gaming enforcement officers, shall  
 15 remain employed as special agents on or after July 1,  
 16 2016, at a facility licensed under chapter 99F. After  
 17 a special agent retires or otherwise leaves a special  
 18 agent position specified in this subsection, the  
 19 special agent full-time equivalent position specified  
 20 in this subsection shall be eliminated and shall not  
 21 be filled.  
 22 2. Notwithstanding section 99F.10, subsection 4,  
 23 and for purposes of determining the amount of license  
 24 fees and regulatory fees charged pursuant to section  
 25 99F.10, subsection 4, the state racing and gaming  
 26 commission shall include the cost of the salary of the  
 27 special agents specified under subsection 1 plus any  
 28 direct and indirect support costs of such agents.  
 29 Sec. \_\_. OTHER ACT EFFECTIVE UPON ENACTMENT OF  
 30 THIS ACT. 2016 Iowa Acts, Senate File 2326, section 1,  
 31 if enacted, being deemed of immediate importance, takes  
 32 effect upon enactment of this Act.  
 33 Sec. \_\_. EFFECTIVE UPON ENACTMENT. The section of  
 34 this Act, which makes 2016 Iowa Acts, Senate File 2326,  
 35 section 1, effective upon enactment of this Act, takes

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1 effect upon enactment.>  
 2 \_\_. Title page, line 1, after <system> by  
 3 inserting <, and including effective date provisions>>  
 4 5. By renumbering as necessary.

WORTHAN of Buena Vista

H-8309

1 Amend the Senate amendment, H-8276, to House File  
 2 2458, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 2, line 10, by striking <9,472,060> and  
 5 inserting <9,745,272>  
 6 2. Page 2, after line 10 by inserting:  
 7 <\_\_. Page 18, line 18, by striking <72.00> and  
 8 inserting <73.00>  
 9 3. Page 2, by striking lines 11 through 23.  
 10 4. By striking page 2, line 25, through page 3,  
 11 line 12, and inserting:  
 12 <1. Notwithstanding section 99F.10, subsection 4,  
 13 and any other law to the contrary, two special agents,  
 14 previously designated gaming enforcement officers,  
 15 shall remain employed as special agents on or after  
 16 July 1, 2016, at a facility licensed under chapter 99F.  
 17 After a special agent retires or otherwise leaves a  
 18 special agent position specified in this subsection,  
 19 the special agent full-time equivalent position  
 20 specified in this subsection shall be eliminated and  
 21 shall not be filled.  
 22 2. Notwithstanding section 99F.10, subsection 4,  
 23 and for purposes of determining the amount of license  
 24 fees and regulatory fees charged pursuant to section  
 25 99F.10, subsection 4, the state racing and gaming  
 26 commission shall include the cost of the salary of the  
 27 special agents specified under subsection 1 plus any  
 28 direct and indirect support costs of such agents.  
 29 Sec. \_\_. OTHER ACT EFFECTIVE UPON ENACTMENT OF  
 30 THIS ACT. 2016 Iowa Acts, Senate File 2326, section 1,  
 31 if enacted, being deemed of immediate importance, takes  
 32 effect upon enactment of this Act.  
 33 Sec. \_\_. EFFECTIVE UPON ENACTMENT. The section of  
 34 this Act, which makes 2016 Iowa Acts, Senate File 2326,  
 35 section 1, effective upon enactment of this Act, takes

PAGE 2

1 effect upon enactment.>  
 2 \_\_. Title page, line 1, after <system> by  
 3 inserting <, and including effective date provisions>>  
 4 5. By renumbering as necessary.

WORTHAN of Buena Vista

H-8310

1 Amend the Senate amendment, H-8307, to House File  
 2 2468, as amended, passed, and reprinted by the House,  
 3 as follows:

- 4 1. Page 2, after line 15 by inserting:  
 5 <\_\_. Page 2, after line 16 by inserting:  
 6 <Sec. \_\_. Section 422.12A, subsection 2, Code  
 7 2016, is amended to read as follows:  
 8 2. The taxes imposed under this division, less  
 9 the credits allowed under section 422.12, shall be  
 10 reduced by an adoption tax credit equal to the amount  
 11 of qualified adoption expenses paid or incurred by the  
 12 taxpayer during the tax year in connection with the  
 13 adoption of a child by the taxpayer, not to exceed  
 14 ~~two thousand five hundred~~ five thousand dollars per  
 15 adoption.>>
- 16 2. Page 3, by striking lines 13 and 14 and  
 17 inserting:  
 18 <Sec. \_\_. EFFECTIVE DATE. The following provision  
 19 or provisions of this Act take effect January 1, 2017:  
 20 1. The section of this Act enacting section  
 21 422.10A.  
 22 2. The section of this Act amending section  
 23 422.12A.>
- 24 3. Page 3, after line 27 by inserting:  
 25 <Sec. \_\_. APPLICABILITY. The following provision  
 26 or provisions of this Act apply to tax years beginning  
 27 on or after January 1, 2017:  
 28 1. The section of this Act amending section  
 29 422.12A.>
- 30 4. Page 3, line 29, after <credit,> by inserting  
 31 <the adoption tax credit,>
- 32 5. By renumbering, redesignating, and correcting  
 33 internal references as necessary.

WINDSCHITL of Harrison

H-8311

- 1 Amend the House amendment, S-5107, to Senate File  
 2 2109, as passed by the Senate, as follows:  
 3 1. Page 1, after line 6 by inserting:  
 4 <\_\_. Page 3, after line 15 by inserting:  
 5 <DIVISION \_\_  
 6 ELECTRIC TRANSMISSION LINES  
 7 Sec. \_\_. Section 478.6A, subsection 2, paragraphs  
 8 a and c, Code 2016, if enacted by 2016 Iowa Acts, House  
 9 File 2459, section 37, are amended by striking the  
 10 paragraphs.>>
- 11 2. By renumbering, redesignating, and correcting  
 12 internal references as necessary.

SENATE AMENDMENT

## CONFERENCE COMMITTEE REPORTS

### REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 2459

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2459, a bill for an Act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-5177.
2. That the Senate recedes from its amendment, H-8278.
3. That House File 2459, as amended, passed, and reprinted by the House, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

<DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

Section 1. 2015 Iowa Acts, chapter 138, section 3, is amended by adding the following new subsection: NEW SUBSECTION. 4. For the peace officers' retirement, accident, and disability system retirement fund under section 97A.11A:

..... \$ 2,500,000

Sec. 2. 2015 Iowa Acts, chapter 138, is amended by adding the following new section: NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.

1. The appropriations made pursuant to section 2.12 for the expenses of the general assembly and legislative agencies for the fiscal year beginning July 1, 2016, and ending June 30, 2017, are reduced by the following amount:

..... \$ 5,400,000

2. The budgeted amounts for the general assembly and legislative agencies for the fiscal year beginning July 1, 2016, may be adjusted to reflect the unexpended budgeted amounts from the previous fiscal year.

Sec. 3. 2015 Iowa Acts, chapter 138, is amended by adding the following new section: NEW SECTION. SEC. 7A. Section 257.35, Code 2016, is amended by adding the following new subsection:

NEW SUBSECTION. 10A. Notwithstanding subsection 1, and in addition to the reduction applicable pursuant to subsection 2, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for the fiscal year beginning July 1, 2016, and ending June 30, 2017, shall be reduced by the department of management by eighteen million seven hundred fifty thousand dollars. The reduction for each area education agency shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

Sec. 4. Section 2.48, subsection 3, Code 2016, is amended by adding the following new paragraph:

NEW PARAGRAPH. *Of.* In 2016:

- (1) The homestead tax credit under chapter 425.
- (2) The elderly and disabled property tax credit under chapter 425.
- (3) The agricultural land tax credit under chapter 426.
- (4) The military service tax credit under chapter 426A.
- (5) The business property tax credit under chapter 426C.
- (6) The commercial and industrial property tax replacement claims under section 441.21A.

Sec. 5. Section 230.8, Code 2016, is amended to read as follows:

**230.8 Transfers of persons with mental illness — expenses.**

The transfer to any state hospitals or to the places of their residence of persons with mental illness who have no residence in this state or whose residence is unknown and deemed to be a state case, shall be made according to the directions of the administrator, and when practicable by employees of the state hospitals. The actual and necessary expenses of such transfers shall be paid by the department on itemized vouchers sworn to by the claimants and approved by the administrator, ~~and the amount of the expenses is appropriated to the department from any funds in the state treasury not otherwise appropriated.~~

Sec. 6. Section 820.24, Code 2016, is amended to read as follows:

**820.24 Expenses — how paid.**

When the punishment of the crime shall be the confinement of the criminal in the penitentiary, the expenses shall be ~~paid out of the state treasury, on the certificate of the governor and warrant of the director of the department of administrative services by the department of corrections;~~ and in all other cases they shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed. The expenses shall be the fees paid to the officers of the state on whose governor the requisition is made, and all necessary and actual traveling expenses incurred in returning the prisoner.

DIVISION II

MISCELLANEOUS PROVISIONS

Sec. 7. HUMAN TRAFFICKING. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the office to combat human trafficking established pursuant to section 80.45 as enacted by 2016 Iowa Acts, Senate File 2191, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	200,000
.....	FTEs	2.00

Sec. 8. BUDGET PROCESS FOR FISCAL YEAR 2017-2018.

1. For the budget process applicable to the fiscal year beginning July 1, 2017, on or before October 1, 2016, in lieu of the information specified in section 8.23, subsection 1, unnumbered paragraph 1, and paragraph “a”, all departments and establishments of the government shall transmit to the director of the department of management, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, together with supporting data and explanations as called for by the director of the department of management after consultation with the legislative services agency.

2. The estimates of expenditure requirements shall be in a form specified by the director of the department of management, and the expenditure requirements shall include all proposed expenditures and shall be prioritized by program or the results to be achieved. The estimates shall be accompanied by performance measures for evaluating the effectiveness of the programs or results.

Sec. 9. TIME AND ATTENDANCE SOLUTION — EXECUTIVE BRANCH. It is the intent of the general assembly that executive branch agencies make use of an existing master agreement entered into by the department of administrative services on November 17, 2015, to develop a statewide time and attendance solution. The statewide time and attendance solution will have the ability to generate savings within

state government, minimize compliance risk, and improve workforce productivity with a vendor who specializes in measuring metrics to monitor performance and measures financial and operational activities by incorporating modeling and data analytics, baseline numbers, and any additional pertinent information.

Sec. 10. SALARY MODEL ADMINISTRATOR. The salary model administrator shall work in conjunction with the legislative services agency to maintain the state's salary model used for analyzing, comparing, and projecting state employee salary and benefit information, including information relating to employees of the state board of regents, the department of revenue, the department of administrative services, the five institutions under the jurisdiction of the state board of regents, the judicial district departments of correctional services, and the state department of transportation shall provide salary data to the department of management and the legislative services agency to operate the state's salary model. The format and frequency of provision of the salary data shall be determined by the department of management and the legislative services agency. The information shall be used in collective bargaining processes under chapter 20 and in calculating the funding needs contained within the annual salary adjustment legislation. A state employee organization as defined in section 20.3, subsection 4, may request information produced by the model, but the information provided shall not contain information attributable to individual employees.

Sec. 11. Section 24.32, Code 2016, is amended to read as follows:

**24.32 Decision certified.**

After a hearing upon the appeal, the state board shall certify its decision to the county auditor and to the parties to the appeal as provided by rule, and the decision shall be final. The county auditor shall make up the records in accordance with the decision and the levying board shall make its levy in accordance with the decision. Upon receipt of the decision, the certifying board shall correct its records accordingly, if necessary. Final disposition of all appeals shall be made by the state board ~~on or before April 30 of each year~~ within forty-five days after the date of the appeal hearing.

Sec. 12. **NEW SECTION. 135.37A Natural hair braiding.**

1. A person shall register with the department in order to perform a commercial service involving natural hair braiding. For purposes of this section, "*natural hair braiding*" means a method of natural hair care consisting of braiding, locking, twisting, weaving, cornrowing, or otherwise physically manipulating hair without the use of chemicals to alter the hair's physical characteristics that incorporates both traditional and modern styling techniques.

2. The department shall adopt rules pursuant to chapter 17A to administer this section. Such rules shall include but not be limited to all of the following:

- a. Establishing minimum safety and sanitation criteria for the provision of natural hair braiding.
- b. Requiring a person performing natural hair braiding to complete one hour per calendar year of continuing education regarding minimum safety and sanitation criteria for the provision of natural hair braiding.
- c. Authorizing the department to inspect a location where a person performs natural hair braiding upon receipt of a complaint to the department about that person or location.

3. If the department determines that a person is in violation of a requirement under this section, the department may order the person to cease performing natural hair braiding until the necessary corrective action has been taken.

Sec. 13. Section 256.7, subsection 32, paragraph c, unnumbered paragraph 1, Code 2016, is amended to read as follows:

Adopt rules that limit the statewide enrollment of pupils in educational instruction

and course content that are delivered primarily over the internet to not more than eighteen one-hundredths of one percent of the statewide enrollment of all pupils, and that limit the number of pupils participating in open enrollment for purposes of receiving educational instruction and course content that are delivered primarily over the internet to no more than one percent of a sending district's enrollment. ~~Until June 30, 2018, such~~ Such limitations shall not apply if the limitations would prevent siblings from enrolling in the same school district or if a sending district determines that the educational needs of a physically or emotionally fragile student would be best served by educational instruction and course content that are delivered primarily over the internet. Students who meet the requirements of section 282.18 may participate in open enrollment under this paragraph "c" for purposes of enrolling only in the CAM community school district or the Clayton Ridge community school district.

Sec. 14. Section 256.7, subsection 32, paragraph c, Code 2016, is amended by adding the following new subparagraph:

**NEW SUBPARAGRAPH.** (6) This paragraph "c" is repealed July 1, 2018.

Sec. 15. Section 256.11, subsection 16, paragraph d, Code 2016, is amended by striking the paragraph.

Sec. 16. Section 418.12, subsection 5, Code 2016, is amended to read as follows:

5. If the department of revenue determines that the revenue accruing to the fund or accounts within the fund exceeds thirty million dollars for a fiscal year or exceeds the amount necessary for the purposes of this chapter if the amount necessary is less than thirty million dollars for a fiscal year, then those excess moneys shall be credited by the department of revenue for deposit in the general fund of the state.

Sec. 17. Section 915.25, subsection 3, as enacted by 2016 Iowa Acts, Senate File 2288, section 16, is amended to read as follows:

3. Notwithstanding the provisions of sections 232.147, 232.149, and 232.149A, an intake or juvenile court officer shall disclose to the alleged victim of a delinquent act, upon the request of the victim, the complaint, the name and address of the child who allegedly committed the delinquent act, and the disposition of the complaint. If the alleged delinquent act would be a ~~foreible felony~~ serious misdemeanor, aggravated misdemeanor, or felony offense if committed by an adult, the intake or juvenile court officer shall provide notification to the victim of the delinquent act as required by section 915.24.

Sec. 18. 2015 Iowa Acts, chapter 141, section 59, as amended by 2016 Iowa Acts, Senate File 2314, section 22, if enacted, is amended to read as follows:

**SEC. 59. SECRETARY OF STATE.** There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

**1. ADMINISTRATION AND ELECTIONS**

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 1,440,890
..... FTEs	13.10
	<u>15.60</u>

The state department or state agency which provides data processing services to support voter registration file maintenance and storage shall provide those services without charge.

**2. BUSINESS SERVICES**

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:



.....	\$ 1,440,891
..... FTEs	13.10
	<u>15.60</u>

Sec. 19. 2016 Iowa Acts, Senate File 2324, section 1, subsection 12, if enacted, is amended to read as follows:

12. STATE FAIR AUTHORITY

For infrastructure costs associated with the remodeling of the northwest portion of the fairgrounds, including but not limited to a new events area and updates to the grandstand, stage, and midway:

FY 2016-2017:	\$ 500,000
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FY 2017-2018:	\$ 500,000
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<u>FY 2018-2019:</u>	<u>\$ 4,500,000</u>
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DIVISION III  
CORRECTIVE PROVISIONS

Sec. 20. Section 29C.24, subsection 3, paragraph a, subparagraphs (3) and (6), as enacted by 2016 Iowa Acts, Senate File 2306, section 2, are amended to read as follows:

(3) The imposition of income taxes under chapter 422, divisions II and III, including the requirement to file tax returns under sections 422.13 through 422.15 or section 422.36, as applicable, and including the requirement to withhold and remit income tax from out-of-state employees under section 422.16. In addition, the performance of disaster or emergency-related work during a disaster response period by an out-of-state business or out-of-state employee shall not require an out-of-state business to be included in a consolidated return under section 422.37, and shall not increase the amount of net income of the out-of-state business allocated and apportioned to the state under sections section 422.8 or 422.33, as applicable.

(6) The assessment of property taxes by the department of revenue under sections 428.24 through 428.26, 428.28, and 428.29, or chapters 433, 434, 435, and 437 through 438, or by a local assessor under another provision of law, on property brought into the state to aid in the performance of disaster or emergency-related work during a disaster response period if such property does not remain in the state after the conclusion of the disaster response period.

Sec. 21. Section 29C.24, subsection 4, as enacted by 2016 Iowa Acts, Senate File 2306, section 2, is amended to read as follows:

4. *Business and employee status after a disaster response period.* An out-of-state business or out-of-state employee that remains in the state after the conclusion of the disaster response period ~~for~~ during which the disaster or emergency-related work was performed shall be fully subject to the state’s standards for establishing presence, residency, or doing business as otherwise provided by law, and shall be responsible for any resulting taxes, fees, licensing, registration, filing, or other requirements.

Sec. 22. Section 155A.13, subsection 3, paragraph d, as enacted by 2016 Iowa Acts, Senate File 453, section 3, is amended to read as follows:

d. An applicant seeking a special or limited-use pharmacy ~~licensed~~ license for a proposed telepharmacy site that does not meet the mileage requirement established in paragraph “c” and is not statutorily exempt from the mileage requirement may apply to the board for a waiver of the mileage requirement. A waiver request shall only be granted if the applicant can demonstrate to the board that the proposed telepharmacy

site is located in an area where there is limited access to pharmacy services and can establish the existence of compelling circumstances that justify waiving the mileage requirement. The board's decision to grant or deny a waiver request shall be a proposed decision subject to mandatory review by the director of the department of public health. The director shall review a proposed decision and shall have the power to approve, modify, or veto a proposed decision. The director's decision on a waiver request shall be considered final agency action subject to judicial review under chapter 17A.

Sec. 23. Section 229.13, subsection 7, paragraph a, subparagraph (1), as enacted by 2016 Iowa Acts, Senate File 2259, section 1, is amended to read as follows:

(1) The respondent's mental health professional acting within the scope of the mental health professional's practice shall notify the committing court, with preference given to the committing judge, if available, in the appropriate county ~~where~~ and the court shall enter a written order directing that the respondent be taken into immediate custody by the appropriate sheriff or sheriff's deputy. The appropriate sheriff or sheriff's deputy shall exercise all due diligence in taking the respondent into protective custody to a hospital or other suitable facility.

Sec. 24. Section 256.11, subsection 4, Code 2016, as amended by 2016 Iowa Acts, House File 2392, section 26, if enacted, is amended to read as follows:

4. The following shall be taught in grades seven and eight: English-language arts; social studies; mathematics; science; health; age-appropriate and research-based human growth and development; career exploration and development; physical education; music; and visual art. Career exploration and development shall be designed so that students are appropriately prepared to create an individual career and academic plan pursuant to section 279.61, incorporate foundational career and technical education concepts aligned with the six career and technical education service areas as defined in ~~paragraph subsection 5, subsection paragraph "h,"~~ and incorporate relevant twenty-first century skills. The health curriculum shall include age-appropriate and research-based information regarding the characteristics of sexually transmitted diseases, including HPV and the availability of a vaccine to prevent HPV, and acquired immune deficiency syndrome. The state board as part of accreditation standards shall adopt curriculum definitions for implementing the program in grades seven and eight. However, this subsection shall not apply to the teaching of career exploration and development in nonpublic schools. For purposes of this section, "*age-appropriate*", "*HPV*", and "*research-based*" mean the same as defined in section 279.50.

Sec. 25. Section 272.25, subsection 3, Code 2016, as amended by 2016 Iowa Acts, Senate File 2196, section 3, is amended to read as follows:

3. A requirement that the program include instruction in skills and strategies to be used in classroom management of individuals, and of small and large groups, under varying conditions; skills for communicating and working constructively with pupils, teachers, administrators, and parents; preparation in reading theory, knowledge, strategies, and approaches, and for integrating literacy instruction ~~in~~ into content areas in accordance with section 256.16; and skills for understanding the role of the board of education and the functions of other education agencies in the state. The requirement shall be based upon recommendations of the department of education after consultation with teacher education faculty members in colleges and universities.

Sec. 26. Section 521A.6B, subsection 5, paragraph e, if enacted by 2016 Iowa Acts, House File 2394, section 10, is amended to read as follows:

e. Entering into agreements with or obtaining documentation from any insurer registered under section 521A.4, any member of an internationally active insurance group, and any other state, federal, or international regulatory agency for members of the internationally active insurance group, that provides the basis for or otherwise

clarifies the commissioner's role as group-wide supervisor of an internationally active insurance group, including provisions for resolving disputes with other regulatory officials. Such agreements or documentation shall not serve as evidence in any proceeding that any insurer or person within an insurance ~~company~~ holding company system not domiciled or incorporated in this state is doing business in this state or is otherwise subject to jurisdiction in this state.

Sec. 27. Section 598C.102, subsection 8, paragraph b, as enacted by 2016 Iowa Acts, Senate File 2233, section 2, is amended to read as follows:

b. An individual who has custodial responsibility for a child under a law of this state other than this chapter.

Sec. 28. 2016 Iowa Acts, House File 2269, section 20, subsection 1, is amended to read as follows:

1. It is amended, rescinded, or supplemented by the affirmative action of the executive ~~council~~ committee of the Iowa beef cattle producers association created in section 181.3, as amended in this Act.

Sec. 29. 2016 Iowa Acts, Senate File 378, section 2, is amended to read as follows:

SEC. 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is repealed.

Sec. 30. 2016 Iowa Acts, Senate File 2185, section 2, is amended by striking the section and inserting in lieu thereof the following:

SEC. 2. Section 709.21, subsection 3, Code 2016, is amended to read as follows:

3. A person who violates this section commits a ~~serious~~ an aggravated misdemeanor.

#### DIVISION IV

#### CITY UTILITY BILLINGS AND COLLECTIONS — LIENS

Sec. 31. Section 384.84, subsection 4, paragraph a, Code 2016, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (4) A lien under subparagraph (1) shall not be placed upon a premises that is a mobile home, modular home, or manufactured home served by any of the services under that subparagraph if the mobile home, modular home, or manufactured home is owned by a tenant of and located in a mobile home park or manufactured home community and the mobile home park or manufactured home community owner or manager is the account holder, unless the lease agreement specifies that the tenant is responsible for payment of a portion of the rates or charges billed to the account holder.

Sec. 32. Section 384.84, subsections 10 and 11, Code 2016, are amended to read as follows:

10. For the purposes of this section, "*premises*" includes a mobile home, modular home, or manufactured home as defined in section 435.1, ~~when the mobile home, modular home, or manufactured home is taxed as real estate.~~

11. Notwithstanding subsection 4, except for mobile home parks or manufactured home communities where the mobile home park or manufactured home community owner or manager is responsible for paying the rates or charges for services, a lien shall not be filed against the land if the premises are located on leased land. If the premises are located on leased land, a lien may be filed against the premises only.

#### DIVISION V

#### INCOME TAX CHECKOFFS

Sec. 33. INCOME TAX CHECKOFFS. Notwithstanding Code section 422.12E which provides for the repeal of certain income tax return checkoffs when the same four checkoffs have been provided on the income tax return for two consecutive years, the four income tax return checkoffs provided in sections 422.12D, 422.12H, 422.12K, and 422.12L, Code 2016, as appearing on the 2015 individual income tax return, shall be allowed for the tax years beginning January 1, 2016, January 1, 2017, and January 1,

2018, and shall be provided on the 2016, 2017, and 2018 individual income tax returns.

Sec. 34. Section 422.12E, subsection 1, Code 2016, is amended to read as follows:

1. For tax years beginning on or after January 1, ~~2004~~ 2019, there shall be allowed no more than four income tax return checkoffs on each income tax return. ~~When~~ For tax years beginning on or after January 1, 2017, when the same four income tax return checkoffs have been provided on the income tax return for two consecutive years, the two checkoffs for which the least amount has been contributed, in the aggregate for the first tax year and through March 15 of the second tax year, are repealed. This section does not apply to the income tax return checkoff provided in section 68A.601.

Sec. 35. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2016.

#### DIVISION VI

##### FLOOD MITIGATION PROGRAM

Sec. 36. Section 418.15, subsection 1, Code 2016, is amended to read as follows:

1. *a.* A governmental entity shall not receive remittances of sales tax revenue under this chapter after twenty years from the date the governmental entity's project was approved by the board ~~or after expiration of the additional period of years if approved under paragraph "b"~~ unless the remittance amount is calculated under section 418.11 based on sales subject to the tax under section 432.2 occurring before the expiration of the twenty-year period ~~or expiration of the additional period of years if approved under paragraph "b"~~.

*b.* The twenty-year period for receiving remittances of sales tax revenue under this chapter may be extended upon application by the governmental entity and approval by the board. An application for an extension of the twenty-year period must be filed by the governmental entity with the board prior to expiration of the twenty-year period. The board may approve the governmental entity to receive remittances of sales tax revenue under this chapter for an additional period of consecutive years beyond the twenty-year period if all of the following are satisfied:

(1) The total amount of remittances actually received by the governmental entity during the twenty-year period are less than the total amount of remittances for which the governmental entity was approved to receive by the board at the time of the project's approval under section 418.9, subsection 4, and reduced under section 418.9, subsection 8, or section 418.12, subsection 6, paragraph "b", if applicable.

(2) The amount of the remittances approved in each additional year does not exceed fifteen million dollars or seventy percent of the total yearly amount of increased sales tax increment revenue in the governmental entity's applicable area and deposited in the governmental entity's account, whichever is less.

(3) The total amount of remittances in any such additional fiscal year for all governmental entities approved to use sales tax revenues under this chapter does not exceed, in the aggregate, thirty million dollars.

(4) The total amount of remittances to the governmental entity approved by the board for all additional years does not exceed the difference between the total amount of remittances actually received by the governmental entity during the twenty-year period and the total amount of remittances for which the governmental entity was approved to receive by the board at the time of the project's approval under section 418.9, subsection 4, and reduced under section 418.9, subsection 8, or section 418.12, subsection 6, paragraph "b", if applicable.

#### DIVISION VII

##### ELECTRIC TRANSMISSION LINES

Sec. 37. NEW SECTION. 478.6A Merchant line franchises — requirements — limitations.

1. For purposes of this section, “*merchant line*” means a high-voltage direct current electric transmission line which does not provide for the erection of electric substations at intervals of less than fifty miles, which substations are necessary to accommodate both the purchase and sale to persons located in this state of electricity generated or transmitted by the franchisee.

2. A petition for a franchise to construct a merchant line, in addition to any other applicable requirements pursuant to this chapter, shall be subject to all of the following:

a. Notwithstanding section 478.10, the sale and transfer of a merchant line, by voluntary or judicial sale or otherwise, shall not carry with it the transfer of the franchise.

b. Notwithstanding section 478.21, if a petition that involves the taking of property under eminent domain is not approved by the board and a franchise granted within three years following the date the petition is filed with the board pursuant to section 478.3, the board shall reject the petition and make a record of the rejection. If the hearing on the petition conducted pursuant to section 478.4 has been held within the three-year period following the date the petition is filed, but the board has not completed its deliberations within that three-year period, the three-year period may be extended by the board to allow completion of deliberations. A petitioner shall not file a petition for the same or a similar project that has been rejected within sixty months following the date of rejection if the rejection was for failure to be approved within three years following the date the petition was filed as provided in this subsection.

c. In considering whether to grant a petition that involves the taking of property under eminent domain, section 478.3, subsection 3, is not applicable, and the term “*public*” shall be interpreted to be limited to consumers located in this state.

Sec. 38. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

#### Sec. 39. APPLICABILITY.

1. This division of this Act is applicable to petitions for franchise filed on or after November 1, 2014, that have not been approved by the utilities board on or after the effective date of this division of this Act, and to petitions for franchise filed on or after the effective date of this division of this Act.

2. For petitions for franchise filed with the board prior to the effective date of this division of this Act, the three-year approval period specified in section 478.6A, subsection 2, paragraph “b”, shall not be applicable, and such petitions for franchise shall be considered rejected by the board subject to the terms and provisions of section 478.6A, subsection 2, paragraph “b”, if not approved by the board within two years following the effective date of this division of this Act.

### DIVISION VIII SOLAR TAX CREDIT

Sec. 40. Section 422.11L, Code 2016, is amended by adding the following new subsection:

NEW SUBSECTION. 6. For purposes of this section, “*Internal Revenue Code*” means the Internal Revenue Code of 1954, prior to the date of its redesignation as the Internal Revenue Code of 1986 by the Tax Reform Act of 1986, or means the Internal Revenue Code of 1986 as amended to and including January 1, 2016.

Sec. 41. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to January 1, 2015, for tax years beginning on or after that date:

1. The section of this division of this Act enacting section 422.11L, subsection 6.>
2. Title page, line 2, by striking <responsibilities,> and inserting <and regulatory

responsibilities, concerning taxation, providing penalties,>

3. Title page, line 4, after <date> by inserting <and retroactive and other applicability>

ON THE PART OF THE HOUSE:

PAT GRASSLEY, CHAIR  
CHRIS HAGENOW  
LINDA UPMEYER

ON THE PART OF THE SENATE:

ROBERT E. DVORSKY, CHAIR  
MICHAEL E. GRONSTAL  
PAM JOCHUM

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 2460

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2460, a bill for an Act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, respectfully make the following report:

- 1. That the Senate recedes from its amendment, H-8277.
- 2. That House File 2460, as amended, passed, and reprinted by the House, is amended to read as follows:

- 1. By striking everything after the enacting clause and inserting:

<DIVISION I

DEPARTMENT ON AGING — FY 2016-2017

Section 1. 2015 Iowa Acts, chapter 137, section 121, is amended to read as follows:

SEC. 121. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa’s aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

	\$ <del>5,699,866</del>
	<u>12,548,603</u>
	FTEs            31.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, ~~\$139,973~~ \$279,946 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds by area agencies on aging that require compliance with both state and federal laws, rules, and regulations, including but not limited to all of the following:

(1) Requiring that expenditures are incurred only for goods or services received or performed prior to the end of the fiscal period designated for use of the funds.

(2) Prohibiting prepayment for goods or services not received or performed prior to the end of the fiscal period designated for use of the funds.

(3) Prohibiting the prepayment for goods or services not defined specifically by good

or service, time period, or recipient.

(4) Prohibiting the establishment of accounts from which future goods or services which are not defined specifically by good or service, time period, or recipient, may be purchased.

b. The procedures shall provide that if any funds are expended in a manner that is not in compliance with the procedures and applicable federal and state laws, rules, and regulations, and are subsequently subject to repayment, the area agency on aging expending such funds in contravention of such procedures, laws, rules and regulations, not the state, shall be liable for such repayment.

4. Of the funds appropriated in this section, at least ~~\$125,000~~ \$250,000 shall be used to fund the unmet needs identified through Iowa’s aging and disability resource center network.

5. Of the funds appropriated in this section, at least ~~\$300,000~~ \$600,000 shall be used to fund home and community-based services through the area agencies on aging that enable older individuals to avoid more costly utilization of residential or institutional services and remain in their own homes.

6. Of the funds appropriated in this section, ~~\$406,833~~ \$962,537 shall be used for the purposes of chapter 231E and section 231.56A, of which ~~\$144,333~~ \$350,000 shall be used for the office of substitute decision maker pursuant to chapter 231E, and the remainder shall be distributed equally to the area agencies on aging to administer the prevention of elder abuse, neglect, and exploitation program pursuant to section 231.56A, in accordance with the requirements of the federal Older Americans Act of 1965, 42 U.S.C. §3001 et seq., as amended.

7. Of the funds appropriated in this section, \$1,000,000 shall be used to fund continuation of the aging and disability resource center lifelong links to provide individuals and caregivers with information and services to plan for and maintain independence.

DIVISION II

OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2016-2017

Sec. 2. 2015 Iowa Acts, chapter 137, section 122, is amended to read as follows:

SEC. 122. OFFICE OF LONG-TERM CARE OMBUDSMAN.

1. There is appropriated from the general fund of the state to the office of long-term care ombudsman for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	<del>638,391</del>
		<u>1,376,783</u>
.....	FTEs	<del>17.00</del>
		<u>18.00</u>

2. Of the funds appropriated in this section, ~~\$110,000~~ \$220,000 shall be used to continue to provide for additional local long-term care ombudsmen.

3. Of the funds appropriated in this section, \$100,000 shall be used to provide an additional long-term care ombudsman to provide assistance and advocacy related to long-term care services and supports under the Medicaid program pursuant to section 231.44.

DIVISION III

DEPARTMENT OF PUBLIC HEALTH — FY 2016-2017

Sec. 3. 2015 Iowa Acts, chapter 137, section 123, is amended to read as follows:



SEC. 123. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the department of public health for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS

For reducing the prevalence of the use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling, and for not more than the following full-time equivalent positions:

.....	\$ 13,631,845
	<u>26,988,690</u>
..... FTEs	10.00

a. (1) Of the funds appropriated in this subsection, ~~\$2,624,180~~ \$5,248,361 shall be used for the tobacco use prevention and control initiative, including efforts at the state and local levels, as provided in chapter 142A. The commission on tobacco use prevention and control established pursuant to section 142A.3 shall advise the director of public health in prioritizing funding needs and the allocation of moneys appropriated for the programs and initiatives. Activities of the programs and initiatives shall be in alignment with the United States centers for disease control and prevention best practices for comprehensive tobacco control programs that include the goals of preventing youth initiation of tobacco usage, reducing exposure to secondhand smoke, and promotion of tobacco cessation. To maximize resources, the department shall determine if third-party sources are available to instead provide nicotine replacement products to an applicant prior to provision of such products to an applicant under the initiative. The department shall track and report to the individuals specified in this Act; any reduction in the provision of nicotine replacement products realized by the initiative through implementation of the prerequisite screening.

(2) (a) ~~Of the funds allocated in this paragraph "a", \$226,533 is transferred to the~~ The department shall collaborate with the alcoholic beverages division of the department of commerce for enforcement of tobacco laws, regulations, and ordinances and to engage in tobacco control activities approved by the division of tobacco use prevention and control of the department of public health as specified in the memorandum of understanding entered into between the divisions.

(b) For the fiscal year beginning July 1, 2016, and ending June 30, 2017, the terms of the memorandum of understanding, entered into between the division of tobacco use prevention and control of the department of public health and the alcoholic beverages division of the department of commerce, governing compliance checks conducted to ensure licensed retail tobacco outlet conformity with tobacco laws, regulations, and ordinances relating to persons under ~~eighteen~~ 18 years of age, shall continue to restrict the number of such checks to one check per retail outlet, and one additional check for any retail outlet found to be in violation during the first check.

b. Of the funds appropriated in this subsection, ~~\$11,007,664~~ \$21,740,329 shall be used for problem gambling and substance-related disorder prevention, treatment, and recovery services, including a 24-hour helpline, public information resources, professional training, youth prevention, and program evaluation.

(1) ~~Of the funds allocated in this paragraph "b", \$9,451,857 shall be used for substance-related disorder prevention and treatment.~~

(a) ~~Of the funds allocated in this subparagraph (1), \$449,650 shall be used for the public purpose of a grant program to provide substance-related disorder prevention programming for children.~~

(i) ~~Of the funds allocated in this subparagraph division (a), \$213,769 shall be used for grant funding for organizations that provide programming for children by utilizing~~

mentors. Programs approved for such grants shall be certified or must be certified within six months of receiving the grant award by the Iowa commission on volunteer services as utilizing the standards for effective practice for mentoring programs.

(ii) Of the funds allocated in this subparagraph division (a), \$213,419 shall be used for grant funding for organizations providing programming that includes youth development and leadership services. The programs shall also be recognized as being programs that are scientifically based with evidence of their effectiveness in reducing substance-related disorders in children.

(iii) The department of public health shall utilize a request for proposals process to implement the grant program.

(iv) All grant recipients shall participate in a program evaluation as a requirement for receiving grant funds.

(v) Of the funds allocated in this subparagraph division (a), up to \$22,461 may be used to administer substance-related disorder prevention grants and for program evaluations.

(b) Of the funds allocated in this subparagraph (1), \$136,301 shall be used for culturally competent substance-related disorder treatment pilot projects.

(i) The department shall utilize the amount allocated in this subparagraph division (b) for at least three pilot projects to provide culturally competent substance-related disorder treatment in various areas of the state. Each pilot project shall target a particular ethnic minority population. The populations targeted shall include but are not limited to African American, Asian, and Latino.

(ii) The pilot project requirements shall provide for documentation or other means to ensure access to the cultural competence approach used by a pilot project so that such approach can be replicated and improved upon in successor programs.

(2) Of the funds allocated in this paragraph "b", up to \$1,555,807 may be used for problem gambling prevention, treatment, and recovery services.

(a) Of the funds allocated in this subparagraph (2), \$1,286,881 shall be used for problem gambling prevention and treatment.

(b) Of the funds allocated in this subparagraph (2), up to \$218,926 may be used for a 24-hour helpline, public information resources, professional training, and program evaluation.

(c) Of the funds allocated in this subparagraph (2), up to \$50,000 may be used for the licensing of problem gambling treatment programs.

(3) It is the intent of the general assembly that from the moneys allocated in this paragraph "b", persons with a dual diagnosis of substance-related disorder and gambling addiction shall be given priority in treatment services.

e. Notwithstanding any provision of law to the contrary, to standardize the availability, delivery, cost of delivery, and accountability of problem gambling and substance-related disorder treatment services statewide, the department shall continue implementation of a process to create a system for delivery of treatment services in accordance with the requirements specified in 2008 Iowa Acts, chapter 1187, section 3, subsection 4. To ensure the system provides a continuum of treatment services that best meets the needs of Iowans, the problem gambling and substance-related disorder treatment services in any area may be provided either by a single agency or by separate agencies submitting a joint proposal.

(1) The system for delivery of substance-related disorder and problem gambling treatment shall include problem gambling prevention.

(2) The system for delivery of substance-related disorder and problem gambling treatment shall include substance-related disorder prevention by July 1, 2017.

(3) Of the funds allocated in paragraph "b", the department may use up to \$50,000

for administrative costs to continue developing and implementing the process in accordance with this paragraph “c”.

d. The requirement of section ~~123.53~~ 123.17, subsection 5, is met by the appropriations and allocations made in this division of this Act for purposes of substance-related disorder treatment and addictive disorders for the fiscal year beginning July 1, 2016.

~~e. The department of public health shall work with all other departments that fund substance-related disorder prevention and treatment services and all such departments shall, to the extent necessary, collectively meet the state maintenance of effort requirements for expenditures for substance-related disorder services as required under the federal substance-related disorder prevention and treatment block grant.~~

2. HEALTHY CHILDREN AND FAMILIES

For promoting the optimum health status for children, adolescents from birth through 21 years of age, and families, and for not more than the following full-time equivalent positions:

.....	\$ 2,308,771
	<u>5,693,774</u>
.....	FTEs 12.00

a. Of the funds appropriated in this subsection, not more than ~~\$367,420~~ \$734,841 shall be used for the healthy opportunities for parents to experience success (HOPEs)-healthy families Iowa (HFI) program established pursuant to section 135.106. The funding shall be distributed to renew the grants that were provided to the grantees that operated the program during the fiscal year ending June 30, 2016.

b. In order to implement the legislative intent stated in sections 135.106 and 256I.9, that priority for home visitation program funding be given to programs using evidence-based or promising models for home visitation, it is the intent of the general assembly to phase in the funding priority in accordance with 2012 Iowa Acts, chapter 1133, section 2, subsection 2, paragraph “0b”.

c. Of the funds appropriated in this subsection, ~~\$1,099,414~~ \$3,275,059 shall be used for continuation of the department’s initiative to provide for adequate developmental surveillance and screening during a child’s first five years. The funds shall be used first to fully fund the current sites to ensure that the sites are fully operational, with the remaining funds to be used for expansion to additional sites. The full implementation and expansion shall include enhancing the scope of the program through collaboration with the child health specialty clinics to promote healthy child development through early identification and response to both biomedical and social determinants of healthy development; by monitoring child health metrics to inform practice, document long-term health impacts and savings, and provide for continuous improvement through training, education, and evaluation; and by providing for practitioner consultation particularly for children with behavioral conditions and needs. The department of public health shall also collaborate with the Iowa Medicaid enterprise and the child health specialty clinics to integrate the activities of the first five initiative into the establishment of patient-centered medical homes, community utilities, accountable care organizations, and other integrated care models developed to improve health quality and population health while reducing health care costs. To the maximum extent possible, funding allocated in this paragraph shall be utilized as matching funds for medical assistance program reimbursement.

d. Of the funds appropriated in this subsection, ~~\$37,320~~ \$74,640 shall be distributed to a statewide dental carrier to provide funds to continue the donated dental services program patterned after the projects developed by the lifeline network to provide dental services to indigent individuals who are elderly or with disabilities.

e. Of the funds appropriated in this subsection, ~~\$55,997~~ \$111,995 shall be used for childhood obesity prevention.

f. Of the funds appropriated in this subsection, ~~\$81,384~~ \$162,768 shall be used to provide audiological services and hearing aids for children. The department may enter into a contract to administer this paragraph.

g. Of the funds appropriated in this subsection, ~~\$12,500~~ \$25,000 is transferred to the university of Iowa college of dentistry for provision of primary dental services to children. State funds shall be matched on a dollar-for-dollar basis. The university of Iowa college of dentistry shall coordinate efforts with the department of public health, bureau of oral and health delivery systems, to provide dental care to underserved populations throughout the state.

h. Of the funds appropriated in this subsection, ~~\$25,000~~ \$50,000 shall be used to address youth suicide prevention.

i. Of the funds appropriated in this subsection, ~~\$25,000~~ \$50,000 shall be used to support the Iowa effort to address the survey of children who experience adverse childhood experiences known as ACEs.

j. The department of public health shall continue to administer the program to assist parents in this state with costs resulting from the death of a child in accordance with the provisions of 2014 Iowa Acts, chapter 1140, section 22, subsection 12.

3. CHRONIC CONDITIONS

For serving individuals identified as having chronic conditions or special health care needs, and for not more than the following full-time equivalent positions:

.....	\$ 2,477,846
	<u>5,080,692</u>
..... FTEs	5.00

a. Of the funds appropriated in this subsection, ~~\$79,966~~ \$159,932 shall be used for grants to individual patients who have an inherited metabolic disorder to assist with the costs of medically necessary foods and formula.

b. Of the funds appropriated in this subsection, ~~\$445,822~~ \$1,041,644 shall be used for the brain injury services program pursuant to section 135.22B, including for continuation of the contracts for resource facilitator services in accordance with section 135.22B, subsection 9, and to enhance brain injury training and recruitment of service providers on a statewide basis. Of the amount allocated in this paragraph, ~~\$47,500~~ \$95,000 shall be used to fund one full-time equivalent position to serve as the state brain injury services program manager.

c. Of the funds appropriated in this subsection, ~~\$273,991~~ \$547,982 shall be used as additional funding to leverage federal funding through the federal Ryan White Care Act, Tit. II, AIDS drug assistance program supplemental drug treatment grants.

d. Of the funds appropriated in this subsection, ~~\$74,911~~ \$149,823 shall be used for the public purpose of continuing to contract with an existing national-affiliated organization to provide education, client-centered programs, and client and family support for people living with epilepsy and their families. The amount allocated in this paragraph in excess of ~~\$50,000~~ \$100,000 shall be matched dollar-for-dollar by the organization specified.

e. Of the funds appropriated in this subsection, ~~\$392,557~~ \$785,114 shall be used for child health specialty clinics.

f. Of the funds appropriated in this subsection, ~~\$200,000~~ \$400,000 shall be used by the regional autism assistance program established pursuant to section 256.35, and administered by the child health specialty clinic located at the university of Iowa hospitals and clinics. The funds shall be used to enhance interagency collaboration and coordination of educational, medical, and other human services for persons with

autism, their families, and providers of services, including delivering regionalized services of care coordination, family navigation, and integration of services through the statewide system of regional child health specialty clinics and fulfilling other requirements as specified in chapter 225D. The university of Iowa shall not receive funds allocated under this paragraph for indirect costs associated with the regional autism assistance program.

g. Of the funds appropriated in this subsection, ~~\$285,496~~ \$594,543 shall be used for the comprehensive cancer control program to reduce the burden of cancer in Iowa through prevention, early detection, effective treatment, and ensuring quality of life. Of the funds allocated in this paragraph “g”, ~~\$75,000~~ \$150,000 shall be used to support a melanoma research symposium, a melanoma biorepository and registry, basic and translational melanoma research, and clinical trials.

h. Of the funds appropriated in this subsection, ~~\$63,225~~ \$101,450 shall be used for cervical and colon cancer screening, and ~~\$150,000~~ \$300,000 shall be used to enhance the capacity of the cervical cancer screening program to include provision of recommended prevention and early detection measures to a broader range of low-income women.

i. Of the funds appropriated in this subsection, ~~\$263,347~~ \$526,695 shall be used for the center for congenital and inherited disorders.

j. Of the funds appropriated in this subsection, ~~\$64,705~~ \$129,411 shall be used for the prescription drug donation repository program created in chapter 135M.

k. Of the funds appropriated in this subsection, ~~\$107,631~~ \$215,263 shall be used by the department of public health for reform-related activities, including but not limited to facilitation of communication to stakeholders at the state and local level, administering the patient-centered health advisory council pursuant to section 135.159, and involvement in health care system innovation activities occurring across the state.

l. Of the funds appropriated in this subsection, ~~\$12,500~~ \$25,000 shall be used for administration of chapter 124D, the medical cannabidiol Act.

4. COMMUNITY CAPACITY

For strengthening the health care delivery system at the local level, and for not more than the following full-time equivalent positions:

.....	\$	<u>4,410,667</u>
		<u>7,339,136</u>
.....	FTEs	<u>11.00</u>
		<u>13.00</u>

a. Of the funds appropriated in this subsection, ~~\$49,707~~ \$99,414 is allocated for continuation of the child vision screening program implemented through the university of Iowa hospitals and clinics in collaboration with early childhood Iowa areas. The program shall submit a report to the individuals identified in this Act for submission of reports regarding the use of funds allocated under this paragraph “a”. The report shall include the objectives and results for the program year including the target population and how the funds allocated assisted the program in meeting the objectives; the number, age, and location within the state of individuals served; the type of services provided to the individuals served; the distribution of funds based on service provided; and the continuing needs of the program.

b. Of the funds appropriated in this subsection, ~~\$55,228~~ \$110,656 is allocated for continuation of an initiative implemented at the university of Iowa and ~~\$49,952~~ \$99,904 is allocated for continuation of an initiative at the state mental health institute at Cherokee to expand and improve the workforce engaged in mental health treatment and services. The initiatives shall receive input from the university of Iowa, the

department of human services, the department of public health, and the mental health and disability services commission to address the focus of the initiatives.

c. Of the funds appropriated in this subsection, ~~\$582,314~~ \$1,164,628 shall be used for essential public health services that promote healthy aging throughout one's lifespan, contracted through a formula for local boards of health, to enhance health promotion and disease prevention services.

d. Of the funds appropriated in this ~~section~~ subsection, ~~\$49,643~~ \$99,286 shall be deposited in the governmental public health system fund created in section 135A.8 to be used for the purposes of the fund.

~~e. Of the funds appropriated in this subsection, \$52,724 shall be used to continue to address the shortage of mental health professionals in the state.~~

f. Of the funds appropriated in this subsection, ~~\$25,000~~ \$50,000 shall be used for a grant to a statewide association of psychologists that is affiliated with the American psychological association to be used for continuation of a program to rotate intern psychologists in placements in urban and rural mental health professional shortage areas, as defined in section 135.180.

g. (1) Of the funds appropriated in this subsection, ~~\$1,441,484~~ \$1,210,770 shall be allocated as a grant to the Iowa primary care association to be used pursuant to section 135.153 for the statewide coordination of the Iowa collaborative safety net provider network. Coordination of the network shall focus on increasing access by underserved populations to health care services, increasing integration of the health system and collaboration across the continuum of care with a focus on safety net services, and enhancing the Iowa collaborative safety net provider network's communication and education efforts. The amount allocated as a grant under this subparagraph (1) shall be used as follows to support the Iowa collaborative safety net provider network goals of increased access, health system integration, and engagement:

(a) For distribution to safety net partners in the state that work to increase access of the underserved population to health services:

..... \$ ~~512,742~~  
1,025,485

(i) Of the amount allocated in this subparagraph division (a), ~~up to \$206,707~~ not less than \$413,415 shall be distributed to the Iowa prescription drug corporation for continuation of the pharmaceutical infrastructure for safety net providers as described in [2007 Iowa Acts, chapter 218, section 108](#)

(ii) Of the amount allocated in this subparagraph division (a), ~~up to \$174,161~~ not less than \$348,322 shall be distributed to free clinics and free clinics of Iowa for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care.

(iii) Of the amount allocated in this subparagraph division (a), ~~up to \$25,000~~ not less than \$50,000 shall be distributed to the Iowa coalition against sexual assault to continue a training program for sexual assault response team (SART) members, including representatives of law enforcement, victim advocates, prosecutors, and certified medical personnel.

(iv) Of the amount allocated in this subparagraph division (a), ~~up to \$106,874~~ not less than \$213,748 shall be distributed to the Polk county medical society for continuation of the safety net provider patient access to a specialty health care initiative as described in 2007 Iowa Acts, chapter 218, section 109.

(c) For distribution to safety net partners in the state that work to serve as a resource for credible, accurate information on health care-related needs and services for vulnerable populations in the state including the Iowa association of rural health

clinics for necessary infrastructure and service delivery transformation and the Iowa primary care association to support partner engagement, program management, and statewide coordination of the network:

..... \$ ~~92,642~~  
185,285

(2) The amount allocated under this paragraph “g” shall not be reduced for administrative or other costs prior to distribution. The Iowa collaborative safety net provider network may continue to distribute funds allocated pursuant to this paragraph “g” through existing contracts or renewal of existing contracts.

(3) For each goal of the Iowa collaborative safety net provider network, the Iowa primary care association shall submit a progress report to the individuals designated in this Act for submission of reports by December 15, 2016, including progress in developing and implementing the network, how the funds were distributed and used in developing and implementing the network, and the remaining needs identified to fully develop and implement the network.

h. Of the funds appropriated in this subsection, ~~\$106,700~~ \$213,400 shall be used for continuation of the work of the direct care worker advisory council established pursuant to 2008 Iowa Acts, chapter 1188, section 69, in implementing the recommendations in the final report submitted by the advisory council to the governor and the general assembly in March 2012, including by continuing to develop, promote, and make available on a statewide basis the prepare-to-care core curriculum and its associated modules and specialties through various formats including online access, community colleges, and other venues; exploring new and maintaining existing specialties including but not limited to oral health and dementia care; supporting instructor training; and assessing and making recommendations concerning the Iowa care book and information technology systems and infrastructure uses and needs.

i. (1) Of the funds appropriated in this subsection, ~~\$108,187~~ \$216,375 shall be ~~used for allocation to~~ allocated for continuation of the contract with an independent statewide direct care worker organization previously selected through a request for proposals process. The contract shall continue to include performance and outcomes measures, and shall continue to allow the contractor to use a portion of the funds received under the contract to collect data to determine results based on the performance and outcomes measures.

(2) Of the funds appropriated in this subsection, ~~\$37,500~~ \$75,000 shall be used to provide scholarships or other forms of subsidization for direct care worker educational conferences, training, or outreach activities.

j. Of the funds appropriated in this subsection, the department may use up to ~~\$29,087~~ \$58,175 for up to one full-time equivalent position to administer the volunteer health care provider program pursuant to section 135.24.

k. Of the funds appropriated in this subsection, ~~\$50,000~~ \$100,000 shall be used for a matching dental education loan repayment program to be allocated to a dental nonprofit health service corporation to continue to develop the criteria and implement the loan repayment program.

l. Of the funds appropriated in this subsection, ~~\$52,911~~ \$105,823 is transferred to the college student aid commission for deposit in the rural Iowa primary care trust fund created in section 261.113 to be used for the purposes of the fund.

m. Of the funds appropriated in this subsection, ~~\$125,000~~ \$250,000 shall be used for the purposes of the Iowa donor registry as specified in section 142C.18.

n. Of the funds appropriated in this subsection, ~~\$50,000~~ \$100,000 shall be used for continuation of a grant to a nationally affiliated volunteer eye organization that has an established program for children and adults and that is solely dedicated to preserving

sight and preventing blindness through education, nationally certified vision screening and training, and community and patient service programs. The organization shall submit a report to the individuals identified in this Act for submission of reports regarding the use of funds allocated under this paragraph "n". The report shall include the objectives and results for the program year including the target population and how the funds allocated assisted the program in meeting the objectives; the number, age, and location within the state of individuals served; the type of services provided to the individuals served; the distribution of funds based on services provided; and the continuing needs of the program.

o. Of the funds appropriated in this subsection, ~~\$1,000,000~~ \$2,000,000 shall be deposited in the medical residency training account created in section 135.175, subsection 5, paragraph "a", and is appropriated from the account to the department of public health to be used for the purposes of the medical residency training state matching grants program as specified in section 135.176. However, notwithstanding any provision to the contrary in section 135.176, priority in the awarding of grants for the fiscal year beginning July 1, 2016, shall be given to sponsors approved but not funded in the prior fiscal year competitive procurement process that proposed preference in the use of the grant funds for internal medicine positions, and priority in the awarding of the remaining moneys shall be given to sponsors that propose preference in the use of the grant funds for psychiatric residency positions and family practice residency positions.

p. Of the funds appropriated in this subsection, ~~\$78,309~~ \$156,619 is allocated to the university of Iowa hospitals and clinics to continue a systematic and evidence-based practice collaborative care model to improve outcomes of mental health treatment in primary care settings in the state. Funds shall be used to establish the collaborative care model in several primary care practices in rural and urban areas throughout the state, to provide staffing to administer the model, and to provide staff training and database management to track and manage patient outcomes.

q. Of the funds appropriated in this subsection, \$100,000 shall be used by the department of public health to develop recommendations to be submitted in a report by December 15, 2016, as otherwise described in this division of this Act, including those for a broader, more systematic and strategic workforce initiative, which may include a comprehensive study of workforce program needs and the establishment of an advisory workgroup.

5. HEALTHY AGING

To provide public health services that reduce risks and invest in promoting and protecting good health over the course of a lifetime with a priority given to older Iowans and vulnerable populations:

..... \$ ~~3,648,571~~  
7,297,142

6. INFECTIOUS DISEASES

For reducing the incidence and prevalence of communicable diseases, and for not more than the following full-time equivalent positions:

..... \$ ~~667,577~~  
1,335,155  
..... FTEs 4.00

7. PUBLIC PROTECTION

For protecting the health and safety of the public through establishing standards and enforcing regulations, and for not more than the following full-time equivalent positions:



.....	\$	<del>2,169,595</del>
		<u>4,399,191</u>
.....	FTEs	<del>136.00</del>
		<u>137.00</u>

a. Of the funds appropriated in this subsection, not more than ~~\$227,350~~ \$454,700 shall be credited to the emergency medical services fund created in section 135.25. Moneys in the emergency medical services fund are appropriated to the department to be used for the purposes of the fund.

b. Of the funds appropriated in this subsection, ~~\$101,516~~ \$203,032 shall be used for sexual violence prevention programming through a statewide organization representing programs serving victims of sexual violence through the department's sexual violence prevention program. The amount allocated in this paragraph "b" shall not be used to supplant funding administered for other sexual violence prevention or victims assistance programs.

c. Of the funds appropriated in this subsection, ~~\$299,375~~ \$598,751 shall be used for the state poison control center. Pursuant to the directive under 2014 Iowa Acts, chapter 1140, section 102, the federal matching funds available to the state poison control center from the department of human services under the federal Children's Health Insurance Program Reauthorization Act allotment shall be subject to the federal administrative cap rule of 10 percent applicable to funding provided under Tit. XXI of the federal Social Security Act and included within the department's calculations of the cap.

d. Of the funds appropriated in this subsection, ~~\$268,875~~ \$537,750 shall be used for childhood lead poisoning provisions.

8. RESOURCE MANAGEMENT

For establishing and sustaining the overall ability of the department to deliver services to the public, and for not more than the following full-time equivalent positions:

.....	\$	<del>427,536</del>
		<u>1,005,072</u>
.....	FTEs	4.00

9. MISCELLANEOUS PROVISIONS

a. The university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section. The university of Iowa hospitals and clinics billings to the department shall be on at least a quarterly basis.

b. The department of public health shall conduct a sampling of the entities to which appropriated funds are allocated, granted, or otherwise distributed under this section and shall require such entities to submit a progress report to the department by September 1, 2016, which includes the objectives and results of the program since the initial receipt of state funding and how the funds are assisting the program in meeting the objectives, specifying the target population served and the type of services provided, and identifying the continuing needs of the recipient entity and the service population. The department shall review the information reported and shall make recommendations to the governor and the general assembly by December 15, 2016, to realign, bundle, or otherwise redistribute funding to meet the needs identified and improve services during the subsequent fiscal year.

c. The department of public health shall submit a report to the individuals identified in this Act for submission of reports by December 15, 2016, regarding a proposal for realigning, bundling, redistributing, or otherwise adjusting the department's funding streams to reflect the department's priorities and goals and to provide increased

flexibility in the distribution of funding to meet these priorities and goals. The proposal shall specifically include recommendations for a broader, more systematic and strategic workforce initiative which may include a comprehensive study of workforce program needs and the establishment of an advisory workgroup. The proposal shall also specifically include strategies, developed in collaboration with the department of education, to encourage elementary and secondary education students to pursue careers in the fields of health and health care.

DIVISION IV

DEPARTMENT OF VETERANS AFFAIRS — FY 2016-2017

Sec. 4. 2015 Iowa Acts, chapter 137, section 124, is amended to read as follows:

SEC. 124. DEPARTMENT OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the department of veterans affairs for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	600,273
		<u>1,200,546</u>
.....	FTEs	15.00

2. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	3,797,498
		<u>7,594,996</u>

a. The Iowa veterans home billings involving the department of human services shall be submitted to the department on at least a monthly basis.

c. Within available resources and in conformance with associated state and federal program eligibility requirements, the Iowa veterans home may implement measures to provide financial assistance to or on behalf of veterans or their spouses who are participating in the community reentry program.

e. The Iowa veterans home shall expand the annual discharge report to also include applicant information and to provide for the collection of demographic information including but not limited to the number of individuals applying for admission and admitted or denied admittance and the basis for the admission or denial; the age, gender, and race of such individuals; and the level of care for which such individuals applied for admission including residential or nursing level of care.

3. HOME OWNERSHIP ASSISTANCE PROGRAM

For transfer to the Iowa finance authority for the continuation of the home ownership assistance program for persons who are or were eligible members of the armed forces of the United States, pursuant to section 16.54:

.....	\$	1,250,000
		<u>2,500,000</u>

Sec. 5. 2015 Iowa Acts, chapter 137, section 125, is amended to read as follows:

SEC. 125. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the standing appropriation in section 35A.16 for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the amount appropriated from the general fund of the state pursuant to that section for the following designated purposes shall not exceed the following amount:

For the county commissions of veteran affairs fund under section 35A.16:

.....	\$	495,000
		<u>990,000</u>

DIVISION V

DEPARTMENT OF HUMAN SERVICES — FY 2016-2017

Sec. 6. 2015 Iowa Acts, chapter 137, section 126, is amended to read as follows:

SEC. 126. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, from moneys received under the federal temporary assistance for needy families (TANF) block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and successor legislation, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To be credited to the family investment program account and used for assistance under the family investment program under chapter 239B:

..... \$ ~~2,568,497~~  
5,112,462

2. To be credited to the family investment program account and used for the job opportunities and basic skills (JOBS) program and implementing family investment agreements in accordance with chapter 239B:

..... \$ ~~5,069,089~~  
5,575,693

3. To be used for the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ ~~1,449,490~~  
2,898,980

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year. However, unless such moneys are encumbered or obligated on or before September 30, ~~2016~~ 2017, the moneys shall revert.

4. For field operations:

..... \$ ~~15,648,116~~  
35,774,331

5. For general administration:

..... \$ ~~1,872,000~~  
3,744,000

6. For state child care assistance:

..... \$ ~~17,523,555~~  
46,866,826

a. Of the funds appropriated in this subsection, ~~\$13,164,048~~ \$26,328,097 is transferred to the child care and development block grant appropriation made by the Eighty-sixth General Assembly, 2016 Session, for the federal fiscal year beginning October 1, 2016, and ending September 30, 2017. Of this amount, ~~\$100,000~~ \$200,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.

b. Any funds appropriated in this subsection remaining unallocated shall be used for state child care assistance payments for families who are employed including but not limited to individuals enrolled in the family investment program.

~~7. For distribution to counties and regions through the property tax relief fund for mental health and disability services as provided in an appropriation made for this purpose:~~

..... \$ 2,447,026

8. For child and family services:

..... \$ 16,042,215

37,256,580

9. For child abuse prevention grants:

..... \$ 62,500

125,000

10. For pregnancy prevention grants on the condition that family planning services are funded:

..... \$ 965,033

1,930,067

Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2016, if the programs have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2016, if the programs are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997 Iowa Acts, chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females of childbearing age within the geographic area to be served by the grant.

11. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:

..... \$ 518,593

1,037,186

12. For the family investment program share of the costs to continue to develop and maintain a new, integrated eligibility determination system:

..... \$ 3,327,440

5,654,880

13. a. Notwithstanding any provision to the contrary, including but not limited to requirements in section 8.41 or provisions in 2015 or 2016 Iowa Acts regarding the receipt and appropriation of federal block grants, federal funds from the temporary assistance for needy families block grant received by the state and not otherwise appropriated in this section and remaining available for the fiscal year beginning July 1, 2016, are appropriated to the department of human services to the extent as may be necessary to be used in the following priority order: the family investment program, for state child care assistance program payments for families who are employed, and for the family investment program share of costs to develop and maintain a new, integrated eligibility determination system. The federal funds appropriated in this paragraph "a" shall be expended only after all other funds appropriated in subsection 1 for the assistance under the family investment program, in subsection 6 for child care assistance, or in subsection 12 for the family investment program share of the costs to continue to develop and maintain a new, integrated eligibility determination system, as applicable, have been expended. For the purposes of this subsection, the funds appropriated in subsection 6, paragraph "a", for transfer to the child care and development block grant appropriation are considered fully expended when the full amount has been transferred.

b. The department shall, on a quarterly basis, advise the legislative services agency

and department of management of the amount of funds appropriated in this subsection that was expended in the prior quarter.

14. Of the amounts appropriated in this section, ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning July 1, 2016, is transferred to the appropriation of the federal social services block grant made to the department of human services for that fiscal year.

15. For continuation of the program providing categorical eligibility for the food assistance program as specified for the program in the section of this division of this 2016 Act relating to the family investment program account:

..... \$ 12,500  
25,000

16. The department may transfer funds allocated in this section to the appropriations made in this division of this Act for the same fiscal year for general administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the same fiscal year for the family investment program from the general fund of the state.

Sec. 7. 2015 Iowa Acts, chapter 137, section 127, is amended to read as follows:

**SEC. 127. FAMILY INVESTMENT PROGRAM ACCOUNT.**

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2016, and ending June 30, 2017, shall be used to provide assistance in accordance with chapter 239B.

2. The department may use a portion of the moneys credited to the FIP account under this section as necessary for salaries, support, maintenance, and miscellaneous purposes.

3. The department may transfer funds allocated in subsection 4 to the appropriations made in this division of this Act for the same fiscal year for general administration and field operations for resources necessary to implement and operate the family investment program services referred to in this section and those funded in the appropriation made in this division of this Act for the same fiscal year for the family investment program from the general fund of the state.

4. Moneys appropriated in this division of this Act and credited to the FIP account for the fiscal year beginning July 1, 2016, and ending June 30, 2017, are allocated as follows:

a. To be retained by the department of human services to be used for coordinating with the department of human rights to more effectively serve participants in FIP and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy families block grant:

..... \$ 10,000  
20,000

b. To the department of human rights for staffing, administration, and implementation of the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ 3,096,417  
6,192,834

(1) Of the funds allocated for the family development and self-sufficiency grant program in this paragraph "b", not more than 5 percent of the funds shall be used for the administration of the grant program.

(2) The department of human rights may continue to implement the family development and self-sufficiency grant program statewide during fiscal year 2016-2017.

(3) The department of human rights may engage in activities to strengthen and

improve family outcomes measures and data collection systems under the family development and self-sufficiency grant program.

c. For the diversion subaccount of the FIP account:

..... \$ ~~407,500~~  
815,000

A portion of the moneys allocated for the subaccount may be used for field operations, salaries, data management system development, and implementation costs and support deemed necessary by the director of human services in order to administer the FIP diversion program. To the extent moneys allocated in this paragraph “c” are not deemed by the department to be necessary to support diversion activities, such moneys may be used for other efforts intended to increase engagement by family investment program participants in work, education, or training activities.

d. For the food assistance employment and training program:

..... \$ ~~33,294~~  
66,588

(1) The department shall apply the federal supplemental nutrition assistance program (SNAP) employment and training state plan in order to maximize to the fullest extent permitted by federal law the use of the 50 percent federal reimbursement provisions for the claiming of allowable federal reimbursement funds from the United States department of agriculture pursuant to the federal SNAP employment and training program for providing education, employment, and training services for eligible food assistance program participants, including but not limited to related dependent care and transportation expenses.

(2) The department shall continue the categorical federal food assistance program eligibility at 160 percent of the federal poverty level and continue to eliminate the asset test from eligibility requirements, consistent with federal food assistance program requirements. The department shall include as many food assistance households as is allowed by federal law. The eligibility provisions shall conform to all federal requirements including requirements addressing individuals who are incarcerated or otherwise ineligible.

e. For the JOBS program:

..... \$ ~~8,770,199~~  
16,129,101

5. Of the child support collections assigned under FIP, an amount equal to the federal share of support collections shall be credited to the child support recovery appropriation made in this division of this Act. Of the remainder of the assigned child support collections received by the child support recovery unit, a portion shall be credited to the FIP account, a portion may be used to increase recoveries, and a portion may be used to sustain cash flow in the child support payments account. If as a consequence of the appropriations and allocations made in this section the resulting amounts are insufficient to sustain cash assistance payments and meet federal maintenance of effort requirements, the department shall seek supplemental funding. If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payments account.

6. The department may adopt emergency rules for the family investment, JOBS, food assistance, and medical assistance programs if necessary to comply with federal requirements.

Sec. 8. 2015 Iowa Acts, chapter 137, section 128, is amended to read as follows:  
 SEC. 128. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is

appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program (FIP) account and used for family investment program assistance under chapter 239B:

.....	\$ 24,336,937
	<u>48,673,875</u>

1. Of the funds appropriated in this section, ~~\$3,701,110~~ \$10,553,408 is allocated for the JOBS program.

2. Of the funds appropriated in this section, ~~\$1,656,927~~ \$3,313,854 is allocated for the family development and self-sufficiency grant program.

3. Notwithstanding section 8.39, for the fiscal year beginning July 1, 2016, if necessary to meet federal maintenance of effort requirements; or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant; or to meet cash flow needs resulting from delays in receiving federal funding; or to implement, in accordance with this division of this Act, activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys; to comply with federal requirements; or to maximize the use of federal funds, the department of human services may transfer funds within or between any of the appropriations made in this division of this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

- a. For the family investment program.
- b. For child care assistance.
- c. For child and family services.
- d. For field operations.
- e. For general administration.
- ~~f. For distribution to counties or regions through the property tax relief fund for mental health and disability services as provided in an appropriation for this purpose.~~

This subsection shall not be construed to prohibit the use of existing state transfer authority for other purposes. The department shall report any transfers made pursuant to this subsection to the legislative services agency.

4. Of the funds appropriated in this section, ~~\$97,839~~ \$195,678 shall be used for continuation of a grant to an Iowa-based nonprofit organization with a history of providing tax preparation assistance to low-income Iowans in order to expand the usage of the earned income tax credit. The purpose of the grant is to supply this assistance to underserved areas of the state.

5. Of the funds appropriated in this section, ~~\$30,000~~ \$60,000 shall be used for the continuation of an unfunded pilot project, as defined in 441 IAC 100.1, relating to parental obligations, in which the child support recovery unit participates, to support the efforts of a nonprofit organization committed to strengthening the community through youth development, healthy living, and social responsibility headquartered in a county with a population over 350,000. The funds allocated in this subsection shall be used by the recipient organization to develop a larger community effort, through public and private partnerships, to support a broad-based multi-county fatherhood initiative that promotes payment of child support obligations, improved family relationships, and full-time employment.

6. The department may transfer funds appropriated in this section to the appropriations made in this division of this Act for general administration and field

operations as necessary to administer this section and the overall family investment program.

Sec. 9. 2015 Iowa Acts, chapter 137, section 129, is amended to read as follows:

SEC. 129. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For child support recovery, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 7,331,686
	<u>14,663,373</u>
..... FTEs	464.00

1. The department shall expend up to ~~\$12,164~~ \$24,329, including federal financial participation, for the fiscal year beginning July 1, 2016, for a child support public awareness campaign. The department and the office of the attorney general shall cooperate in continuation of the campaign. The public awareness campaign shall emphasize, through a variety of media activities, the importance of maximum involvement of both parents in the lives of their children as well as the importance of payment of child support obligations.

2. Federal access and visitation grant moneys shall be issued directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation sites and mediation services.

3. The appropriation made to the department for child support recovery may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for cash flow management purposes the department may temporarily draw more than the amount appropriated, provided the amount appropriated is not exceeded at the close of the fiscal year.

4. With the exception of the funding amount specified, the requirements established under 2001 Iowa Acts, chapter 191, section 3, subsection 5, paragraph "c", subparagraph (3), shall be applicable to parental obligation pilot projects for the fiscal year beginning July 1, 2016, and ending June 30, 2017. Notwithstanding 441 IAC 100.8, providing for termination of rules relating to the pilot projects, the rules shall remain in effect until June 30, 2017.

Sec. 10. 2015 Iowa Acts, chapter 137, section 132, is amended to read as follows:

SEC. 132. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2016, except as otherwise expressly authorized by law, consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

.....	\$651,595,782
	<u>1,318,246,446</u>

1. Iowans support reducing the number of abortions performed in our state. Funds appropriated under this section shall not be used for abortions, unless otherwise authorized under this section.

2. The provisions of this section relating to abortions shall also apply to the Iowa



health and wellness plan created pursuant to chapter 249N.

3. The department shall utilize not more than ~~\$30,000~~ \$60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program as established in 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 409, subsection 6. Of the funds allocated in this subsection, not more than ~~\$2,500~~ \$5,000 may be expended for administrative purposes.

4. Of the funds appropriated in this Act to the department of public health for addictive disorders, ~~\$475,000~~ \$950,000 for the fiscal year beginning July 1, 2016, is transferred to the department of human services for an integrated substance-related disorder managed care system. The department shall not assume management of the substance-related disorder system in place of the managed care contractor unless such a change in approach is specifically authorized in law. The departments of human services and public health shall work together to maintain the level of mental health and substance-related disorder treatment services provided by the managed care contractor through the Iowa plan for behavioral health contractors. Each department shall take the steps necessary to continue the federal waivers as necessary to maintain the level of services.

5. a. The department shall aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic screening, diagnostic, and treatment program under the medical assistance program due to becoming 21 years of age who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to policy provisions.

b. Of the funds appropriated in this section, ~~\$50,000~~ \$100,000 shall be used for participation in one or more pilot projects operated by a private provider to allow the individual or individuals to receive service in the community in accordance with principles established in *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose of providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic screening, diagnostic, and treatment program under the medical assistance program due to becoming 21 years of age who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to the policy provisions.

6. Of the funds appropriated in this section, up to ~~\$1,525,041~~ \$3,050,082 may be transferred to the field operations or general administration appropriations in this division of this Act for operational costs associated with Part D of the federal Medicare Prescription Drug Improvement and Modernization Act of 2003, Pub. L. No. 108-173.

7. Of the funds appropriated in this section, up to ~~\$221,050~~ \$442,100 may be transferred to the appropriation in this division of this Act for medical contracts to be used for clinical assessment services and prior authorization of services.

8. A portion of the funds appropriated in this section may be transferred to the appropriations in this division of this Act for general administration, medical contracts, the children's health insurance program, or field operations to be used for the state match cost to comply with the payment error rate measurement (PERM) program for both the medical assistance and children's health insurance programs as developed by the centers for Medicare and Medicaid services of the United States department of health and human services to comply with the federal Improper Payments Information Act of 2002, Pub. L. No. 107-300.

9. The department shall continue to implement the recommendations of the assuring better child health and development initiative II (ABCDII) clinical panel to the Iowa

early and periodic screening, diagnostic, and treatment services healthy mental development collaborative board regarding changes to billing procedures, codes, and eligible service providers.

10. Of the funds appropriated in this section, a sufficient amount is allocated to supplement the incomes of residents of nursing facilities, intermediate care facilities for persons with mental illness, and intermediate care facilities for persons with an intellectual disability, with incomes of less than \$50 in the amount necessary for the residents to receive a personal needs allowance of \$50 per month pursuant to section 249A.30A.

~~11. Of the funds appropriated in this section, the following amounts are transferred to the appropriations made in this division of this Act for the state mental health institutes:~~

~~a. Cherokee mental health institute — \$ 4,549,212~~

~~b. Independence mental health institute — \$ 4,522,947~~

12. a. Of the funds appropriated in this section, ~~\$2,041,939~~ \$3,000,000 is allocated for the state match for a disproportionate share hospital payment of ~~\$4,544,712~~ \$6,861,848 to hospitals that meet both of the conditions specified in subparagraphs (1) and (2). In addition, the hospitals that meet the conditions specified shall either certify public expenditures or transfer to the medical assistance program an amount equal to provide the nonfederal share for a disproportionate share hospital payment of ~~\$8,772,003~~ \$19,771,582. The hospitals that meet the conditions specified shall receive and retain 100 percent of the total disproportionate share hospital payment of ~~\$13,316,715~~ \$26,633,430.

(1) The hospital qualifies for disproportionate share and graduate medical education payments.

(2) The hospital is an Iowa state-owned hospital with more than 500 beds and eight or more distinct residency specialty or subspecialty programs recognized by the American college of graduate medical education.

b. Distribution of the disproportionate share payments shall be made on a monthly basis. The total amount of disproportionate share payments including graduate medical education, enhanced disproportionate share, and Iowa state-owned teaching hospital payments shall not exceed the amount of the state's allotment under Pub. L. No. 102-234. In addition, the total amount of all disproportionate share payments shall not exceed the hospital-specific disproportionate share limits under Pub. L. No. 103-66.

c. The university of Iowa hospitals and clinics shall either certify public expenditures or transfer to the appropriations made in this division of this Act for medical assistance an amount equal to provide the nonfederal share for increased medical assistance payments for inpatient and outpatient hospital services of ~~\$4,950,000~~ \$9,900,000. The university of Iowa hospitals and clinics shall receive and retain 100 percent of the total increase in medical assistance payments.

d. Payment methodologies utilized for disproportionate share hospitals and graduate medical education, and other supplemental payments under the Medicaid program may be adjusted or converted to other methodologies or payment types to provide these payments ~~through Medicaid managed care~~ after April 1, 2016. The department of human services shall obtain approval from the centers for Medicare and Medicaid services of the United States department of health and human services prior to implementation of any such adjusted or converted methodologies or payment types.

13. One hundred percent of the nonfederal share of payments to area education agencies that are medical assistance providers for medical assistance-covered services provided to medical assistance-covered children, shall be made from the appropriation made in this section.

~~14. Any new or renewed contract entered into by the department with a third party to administer services under the medical assistance program shall provide that any interest earned on payments from the state during the state fiscal year shall be remitted to the department and treated as recoveries to offset the costs of the medical assistance program.~~

15. A portion of the funds appropriated in this section may be transferred to the appropriation in this division of this Act for medical contracts to be used for administrative activities associated with the money follows the person demonstration project.

16. Of the funds appropriated in this section, ~~\$174,505~~ \$349,011 shall be used for the administration of the health insurance premium payment program, including salaries, support, maintenance, and miscellaneous purposes.

17. a. The department may increase the amounts allocated for salaries, support, maintenance, and miscellaneous purposes associated with the medical assistance program, as necessary, to implement cost containment strategies. The department shall report any such increase to the legislative services agency and the department of management.

b. If the savings to the medical assistance program from cost containment efforts exceed the cost for the fiscal year beginning July 1, 2016, the department may transfer any savings generated for the fiscal year due to medical assistance program cost containment efforts to the appropriation made in this division of this Act for medical contracts or general administration to defray the increased contract costs associated with implementing such efforts.

18. For the fiscal year beginning July 1, 2016, and ending June 30, 2017, the replacement generation tax revenues required to be deposited in the property tax relief fund pursuant to section 437A.8, subsection 4, paragraph "d", and section 437A.15, subsection 3, paragraph "f", shall instead be credited to and supplement the appropriation made in this section and used for the allocations made in this section.

~~19. The department shall continue to administer the state balancing incentive payments program as specified in 2012 Iowa Acts, chapter 1133, section 14.~~

20. a. Of the funds appropriated in this section, up to ~~\$25,000~~ \$50,000 may be transferred by the department to the appropriation made in this division of this Act to the department for the same fiscal year for general administration to be used for associated administrative expenses and for not more than one full-time equivalent position, in addition to those authorized for the same fiscal year, to be assigned to implementing the children's mental health home project.

b. Of the funds appropriated in this section, up to ~~\$200,000~~ \$400,000 may be transferred by the department to the appropriation made to the department in this division of this Act for the same fiscal year for Medicaid program-related general administration planning and implementation activities. The funds may be used for contracts or for personnel in addition to the amounts appropriated for and the positions authorized for general administration for the fiscal year.

c. Of the funds appropriated in this section, up to ~~\$1,500,000~~ \$3,000,000 may be transferred by the department to the appropriations made in this division of this Act for the same fiscal year for general administration or medical contracts to be used to support the development and implementation of standardized assessment tools for persons with mental illness, an intellectual disability, a developmental disability, or a brain injury.

21. Of the funds appropriated in this section, ~~\$125,000~~ \$250,000 shall be used for lodging expenses associated with care provided at the university of Iowa hospitals and clinics for patients with cancer whose travel distance is 30 miles or more and whose

income is at or below 200 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services. The department of human services shall establish the maximum number of overnight stays and the maximum rate reimbursed for overnight lodging, which may be based on the state employee rate established by the department of administrative services. The funds allocated in this subsection shall not be used as nonfederal share matching funds.

23. The department of human services shall not implement the following cost containment strategies as recommended by the governor for the fiscal year beginning July 1, 2016:

a. A policy to ensure that reimbursement for Medicare Part A and Medicare Part B crossover claims is limited to the Medicaid reimbursement rate.

b. An adjustment to the reimbursement policy in order to end the primary care physician rate increase originally authorized by the federal Health Care and Education Reconciliation Act of 2010, section 1202, Pub. L. No. 111-152, 42 U.S.C. §1396a(a)(13)(C) that allows qualified primary care physicians to receive the greater of the Medicare rate or Medicaid rate for a specified set of codes.

24. The department shall report the implementation of any cost containment strategies to the individuals specified in this division of this Act for submission of reports upon implementation.

25. The department shall report the implementation of any improved processing changes and any related cost reductions to the individuals specified in this division of this Act for submission of reports upon implementation.

26. Of the funds appropriated in this section, \$2,000,000 shall be used to implement reductions in the waiting lists of all medical assistance home and community-based services waivers.

27. The department shall submit a report to the individuals identified in this Act for submission of reports, regarding the impact of changes in home and community-based services waiver supported employment and prevocational services by December 15, 2016.

28. Any dental benefit manager contracting with the department of human services for the dental wellness plan on or after July 1, 2016, shall meet the same contract requirements. Readiness review of such a dental benefit manager shall be based on the criteria applicable to the dental wellness plan when implemented on May 1, 2014, including but not limited to network adequacy, access to services, performance measures, benefit design, and other requirements as determined by the department for the dental wellness program. Any dental benefit manager that has been approved by a readiness review prior to July 1, 2016, shall not be required to repeat such review for the department.

29. The department of human services shall review the fiscal impact and potential benefit to Medicaid recipients of including single-tablet regimens or long-acting alternatives for the treatment of HIV or acquired immune deficiency syndrome on the preferred drug list, as an alternative to multi-tablet regimens. The department shall identify opportunities to align the cost of single-tablet regimens for the treatment of HIV or acquired immune deficiency syndrome with the corresponding multi-tablet regimens, and shall pursue manufacturer supplemental rebate offers through the sovereign states drug consortium supplemental rebate negotiation process to determine if any supplemental rebate opportunities are available for calendar year 2018. If such opportunities are available, the department shall implement any such supplemental rebate offer opportunities beginning in calendar year 2018.

Sec. 11. 2015 Iowa Acts, chapter 137, section 133, is amended to read as follows:

SEC. 133. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... \$ 9,806,982  
17,045,964

1. The department of inspections and appeals shall provide all state matching funds for survey and certification activities performed by the department of inspections and appeals. The department of human services is solely responsible for distributing the federal matching funds for such activities.

2. Of the funds appropriated in this section, ~~\$25,000~~ \$50,000 shall be used for continuation of home and community-based services waiver quality assurance programs, including the review and streamlining of processes and policies related to oversight and quality management to meet state and federal requirements.

3. Of the amount appropriated in this section, up to ~~\$100,000~~ \$200,000 may be transferred to the appropriation for general administration in this division of this Act to be used for additional full-time equivalent positions in the development of key health initiatives such as cost containment, development and oversight of managed care programs, and development of health strategies targeted toward improved quality and reduced costs in the Medicaid program.

4. Of the funds appropriated in this section, ~~\$500,000~~ \$1,000,000 shall be used for planning and development, in cooperation with the department of public health, of a phased-in program to provide a dental home for children.

5. Of the funds appropriated in this section, ~~\$1,000,000~~ \$2,000,000 shall be credited to the autism support program fund created in section 225D.2 to be used for the autism support program created in chapter 225D, with the exception of the following amounts of this allocation which shall be used as follows:

a. Of the funds allocated in this subsection, ~~\$125,000~~ \$250,000 shall be deposited in the board-certified behavior analyst and board-certified assistant behavior analyst grants program fund created in section 135.181, ~~as enacted in this Act~~, to be used for the purposes of the fund.

b. Of the funds allocated in this subsection, ~~\$12,500~~ \$25,000 shall be used for the public purpose of continuation of a grant to a child welfare services provider headquartered in a county with a population between 205,000 and 215,000 in the latest certified federal census that provides multiple services including but not limited to a psychiatric medical institution for children, shelter, residential treatment, after school programs, school-based programming, and an Asperger's syndrome program, to be used for support services for children with autism spectrum disorder and their families.

c. Of the funds allocated in this subsection, ~~\$12,500~~ \$25,000 shall be used for the public purpose of continuing a grant to a hospital-based provider headquartered in a county with a population between 90,000 and 95,000 in the latest certified federal census that provides multiple services including but not limited to diagnostic, therapeutic, and behavioral services to individuals with autism spectrum disorder across one's lifespan. The grant recipient shall utilize the funds to continue the pilot project to determine the necessary support services for children with autism spectrum disorder and their families to be included in the children's disabilities services system. The grant recipient shall submit findings and recommendations based upon the results of the pilot project to the individuals specified in this division of this Act for submission of reports by December 31, ~~2015~~ 2016.

Sec. 12. 2015 Iowa Acts, chapter 137, section 134, is amended to read as follows:

SEC. 134. STATE SUPPLEMENTARY ASSISTANCE.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state supplementary assistance program:  
 ..... \$ ~~6,498,593~~  
   11,611,442

2. The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security income and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement this subsection.

3. If during the fiscal year beginning July 1, 2016, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-through requirement specified in Tit. XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. §1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this division of this Act to ensure that federal requirements are met. In addition, the department may make other programmatic and rate adjustments necessary to remain within the amount appropriated in this section while ensuring compliance with federal requirements. The department may adopt emergency rules to implement the provisions of this subsection.

Sec. 13. 2015 Iowa Acts, chapter 137, section 135, is amended to read as follows:

SEC. 135. CHILDREN'S HEALTH INSURANCE PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I, including supplemental dental services, for receipt of federal financial participation under Tit. XXI of the federal Social Security Act, which creates the children's health insurance program:

..... \$ ~~10,206,922~~  
   9,176,652

2. Of the funds appropriated in this section, ~~\$21,400~~ \$42,800 is allocated for continuation of the contract for outreach with the department of public health.

Sec. 14. 2015 Iowa Acts, chapter 137, section 136, is amended to read as follows:

SEC. 136. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:  
 ..... \$ ~~25,704,334~~  
   36,389,561

1. Of the funds appropriated in this section, ~~\$21,844,620~~ \$30,039,561 shall be used for state child care assistance in accordance with section 237A.13.

2. Nothing in this section shall be construed or is intended as or shall imply a grant of entitlement for services to persons who are eligible for assistance due to an income

level consistent with the waiting list requirements of section 237A.13. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated in this section.

~~3. Of the funds appropriated in this section, \$216,226 is allocated for the statewide grant program for child care resource and referral services under section 237A.26. A list of the registered and licensed child care facilities operating in the area served by a child care resource and referral service shall be made available to the families receiving state child care assistance in that area.~~

~~4. Of the funds appropriated in this section, \$468,487 is allocated for child care quality improvement initiatives including but not limited to the voluntary quality rating system in accordance with section 237A.30.~~

5. Of the funds appropriated in this section, ~~\$3,175,000~~ \$6,350,000 shall be credited to the early childhood programs grants account in the early childhood Iowa fund created in section 256L.11. The moneys shall be distributed for funding of community-based early childhood programs targeted to children from birth through five years of age developed by early childhood Iowa areas in accordance with approved community plans as provided in section 256L.8.

6. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's service areas. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

7. A portion of the state match for the federal child care and development block grant shall be provided as necessary to meet federal matching funds requirements through the state general fund appropriation made for child development grants and other programs for at-risk children in section 279.51.

8. If a uniform reduction ordered by the governor under section 8.31 or other operation of law, transfer, or federal funding reduction reduces the appropriation made in this section for the fiscal year, the percentage reduction in the amount paid out to or on behalf of the families participating in the state child care assistance program shall be equal to or less than the percentage reduction made for any other purpose payable from the appropriation made in this section and the federal funding relating to it. The percentage reduction to the other allocations made in this section shall be the same as the uniform reduction ordered by the governor or the percentage change of the federal funding reduction, as applicable. If there is an unanticipated increase in federal funding provided for state child care assistance, the entire amount of the increase shall be used for state child care assistance payments. If the appropriations made for purposes of the state child care assistance program for the fiscal year are determined to be insufficient, it is the intent of the general assembly to appropriate sufficient funding for the fiscal year in order to avoid establishment of waiting list requirements.

9. Notwithstanding section 8.33, moneys advanced for purposes of the programs developed by early childhood Iowa areas, advanced for purposes of wraparound child care, or received from the federal appropriations made for the purposes of this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 15. 2015 Iowa Acts, chapter 137, section 137, is amended to read as follows:

SEC. 137. JUVENILE INSTITUTION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For operation of the state training school at Eldora and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 6,116,710
	<u>12,233,420</u>
..... FTEs	169.30
	<u>188.30</u>

Of the funds appropriated in this subsection, ~~\$45,575~~ \$91,150 shall be used for distribution to licensed classroom teachers at this and other institutions under the control of the department of human services based upon the average student yearly enrollment at each institution as determined by the department.

2. A portion of the moneys appropriated in this section shall be used by the state training school at Eldora for grants for adolescent pregnancy prevention activities at the institution in the fiscal year beginning July 1, 2016.

Sec. 16. 2015 Iowa Acts, chapter 137, section 138, is amended to read as follows:

SEC. 138. CHILD AND FAMILY SERVICES.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

.....	\$ 42,670,969
	<u>84,482,419</u>

~~2. Up to \$2,600,000 of the amount of federal temporary assistance for needy families block grant funding appropriated in this division of this Act for child and family services shall be made available for purposes of juvenile delinquent graduated sanction services.~~

3. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under the medical assistance program, state child care assistance program, or the family investment program which are provided to children who would otherwise receive services paid under the appropriation in this section. The department may transfer funds appropriated in this section to the appropriations made in this division of this Act for general administration and for field operations for resources necessary to implement and operate the services funded in this section.

4. a. Of the funds appropriated in this section, up to ~~\$17,910,893~~ \$35,736,649 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services. If the department projects that such expenditures for the fiscal year will be less than the target amount allocated in this paragraph "a", the department may reallocate the excess to provide additional funding for shelter care or the child welfare emergency services addressed with the allocation for shelter care.

b. If at any time after September 30, 2016, annualization of a service area's current expenditures indicates a service area is at risk of exceeding its group foster care expenditure target under section 232.143 by more than 5 percent, the department and juvenile court services shall examine all group foster care placements in that service area in order to identify those which might be appropriate for termination. In addition,



any aftercare services believed to be needed for the children whose placements may be terminated shall be identified. The department and juvenile court services shall initiate action to set dispositional review hearings for the placements identified. In such a dispositional review hearing, the juvenile court shall determine whether needed aftercare services are available and whether termination of the placement is in the best interest of the child and the community.

5. In accordance with the provisions of section 232.188, the department shall continue the child welfare and juvenile justice funding initiative during fiscal year 2016-2017. Of the funds appropriated in this section, ~~\$858,876~~ \$1,717,753 is allocated specifically for expenditure for fiscal year 2016-2017 through the decategorization services funding pools and governance boards established pursuant to section 232.188.

6. A portion of the funds appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family preservation or reunification project or successor project to stay together or to be reunified.

7. Notwithstanding section 234.35 or any other provision of law to the contrary, state funding for shelter care and the child welfare emergency services contracting implemented to provide for or prevent the need for shelter care shall be limited to ~~\$4,034,237~~ \$8,096,158.

8. Federal funds received by the state during the fiscal year beginning July 1, 2016, as the result of the expenditure of state funds appropriated during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for services and purposes provided for under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for the purposes designated until the close of the succeeding fiscal year.

9. a. Of the funds appropriated in this section, up to ~~\$1,645,000~~ \$3,290,000 is allocated for the payment of the expenses of court-ordered services provided to juveniles who are under the supervision of juvenile court services, which expenses are a charge upon the state pursuant to section 232.141, subsection 4. Of the amount allocated in this paragraph "a", up to ~~\$778,143~~ \$1,556,287 shall be made available to provide school-based supervision of children adjudicated under chapter 232, of which not more than ~~\$7,500~~ \$15,000 may be used for the purpose of training. A portion of the cost of each school-based liaison officer shall be paid by the school district or other funding source as approved by the chief juvenile court officer.

b. Of the funds appropriated in this section, up to ~~\$374,492~~ \$748,985 is allocated for the payment of the expenses of court-ordered services provided to children who are under the supervision of the department, which expenses are a charge upon the state pursuant to section 232.141, subsection 4.

c. Notwithstanding section 232.141 or any other provision of law to the contrary, the amounts allocated in this subsection shall be distributed to the judicial districts as determined by the state court administrator and to the department's service areas as determined by the administrator of the department of human services' division of child and family services. The state court administrator and the division administrator shall make the determination of the distribution amounts on or before June 15, 2016.

d. Notwithstanding chapter 232 or any other provision of law to the contrary, a district or juvenile court shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient court-ordered services funds available in the district court or departmental service area distribution amounts to pay for the service. The chief juvenile court officer and the departmental service area

manager shall encourage use of the funds allocated in this subsection such that there are sufficient funds to pay for all court-related services during the entire year. The chief juvenile court officers and departmental service area managers shall attempt to anticipate potential surpluses and shortfalls in the distribution amounts and shall cooperatively request the state court administrator or division administrator to transfer funds between the judicial districts' or departmental service areas' distribution amounts as prudent.

e. Notwithstanding any provision of law to the contrary, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under chapter 232 which is a charge upon the state under section 232.141, subsection 4.

f. Of the funds allocated in this subsection, not more than ~~\$41,500~~ \$83,000 may be used by the judicial branch for administration of the requirements under this subsection.

g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000 shall be used by the department of human services to support the interstate commission for juveniles in accordance with the interstate compact for juveniles as provided in section 232.173.

10. Of the funds appropriated in this section, ~~\$4,026,613~~ \$13,253,227 is allocated for juvenile delinquent graduated sanctions services. Any state funds saved as a result of efforts by juvenile court services to earn a federal Tit. IV-E match for juvenile court services administration may be used for the juvenile delinquent graduated sanctions services.

11. Of the funds appropriated in this section, ~~\$804,142~~ \$1,658,285 is transferred to the department of public health to be used for the child protection center grant program for child protection centers located in Iowa in accordance with section 135.118. The grant amounts under the program shall be equalized so that each center receives a uniform base amount of ~~\$122,500~~ \$245,000, so that \$50,000 is awarded to establish a satellite child protection center in a city in north central Iowa that is the county seat of a county with a population between 44,000 and 45,000 according to the 2010 federal decennial census, and so that the remaining funds shall be are awarded through a funding formula based upon the volume of children served.

12. If the department receives federal approval to implement a waiver under Tit. IV-E of the federal Social Security Act to enable providers to serve children who remain in the children's families and communities, for purposes of eligibility under the medical assistance program through 25 years of age, children who participate in the waiver shall be considered to be placed in foster care.

13. Of the funds appropriated in this section, ~~\$2,012,583~~ \$4,025,167 is allocated for the preparation for adult living program pursuant to section 234.46.

14. Of the funds appropriated in this section, ~~\$113,668~~ \$227,337 shall be used for the public purpose of continuing a grant to a nonprofit human services organization providing services to individuals and families in multiple locations in southwest Iowa and Nebraska for support of a project providing immediate, sensitive support and forensic interviews, medical exams, needs assessments, and referrals for victims of child abuse and their nonoffending family members.

15. Of the funds appropriated in this section, ~~\$150,310~~ \$300,620 is allocated for the foster care youth council approach of providing a support network to children placed in foster care.

16. Of the funds appropriated in this section, ~~\$101,000~~ \$202,000 is allocated for use pursuant to section 235A.1 for continuation of the initiative to address child sexual abuse implemented pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection 21.

17. Of the funds appropriated in this section, ~~\$315,120~~ \$630,240 is allocated for the

community partnership for child protection sites.

18. Of the funds appropriated in this section, ~~\$185,625~~ \$371,250 is allocated for the department's minority youth and family projects under the redesign of the child welfare system.

19. Of the funds appropriated in this section, ~~\$593,297~~ \$1,186,595 is allocated for funding of the community circle of care collaboration for children and youth in northeast Iowa.

20. Of the funds appropriated in this section, at least ~~\$73,579~~ \$147,158 shall be used for the continuation of the child welfare provider training academy, a collaboration between the coalition for family and children's services in Iowa and the department.

21. Of the funds appropriated in this section, ~~\$105,936~~ \$211,872 shall be used for continuation of the central Iowa system of care program grant through June 30, 2017.

22. Of the funds appropriated in this section, ~~\$117,500~~ \$235,000 shall be used for the public purpose of the continuation and expansion of a system of care program grant implemented in Cerro Gordo and Linn counties to utilize a comprehensive and long-term approach for helping children and families by addressing the key areas in a child's life of childhood basic needs, education and work, family, and community.

23. Of the funds appropriated in this section, at least ~~\$12,500~~ \$25,000 shall be used to continue and to expand the foster care respite pilot program in which postsecondary students in social work and other human services-related programs receive experience by assisting family foster care providers with respite and other support.

24. Of the funds appropriated in this section, ~~\$55,000~~ \$110,000 shall be used for the public purpose of funding community-based services and other supports with a system of care approach for children with a serious emotional disturbance and their families through a nonprofit provider of child welfare services that has been in existence for more than 115 years, is located in a county with a population of more than 200,000 but less than 220,000 according to the latest census information issued by the United States census bureau, is licensed as a psychiatric medical institution for children, and was a system of care grantee prior to July 1, 2016.

Sec. 17. 2015 Iowa Acts, chapter 137, section 139, is amended to read as follows:

SEC. 139. ADOPTION SUBSIDY.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

a. For adoption subsidy payments and services:  
..... \$ ~~21,499,143~~  
43,046,664

b. (1) The funds appropriated in this section shall be used as authorized or allowed by federal law or regulation for any of the following purposes:

(a) For adoption subsidy payments and related costs.

(b) For post-adoption services and for other purposes under Tit. IV-B or Tit. IV-E of the federal Social Security Act.

(2) The department of human services may transfer funds appropriated in this subsection to the appropriation for child and family services in this Act for the purposes of post-adoption services as specified in this paragraph "b".

2. The department may transfer funds appropriated in this section to the appropriation made in this division of this Act for general administration for costs paid from the appropriation relating to adoption subsidy.

3. Federal funds received by the state during the fiscal year beginning July 1, 2016, as the result of the expenditure of state funds during a previous state fiscal year for a

service or activity funded under this section are appropriated to the department to be used as additional funding for the services and activities funded under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 18. 2015 Iowa Acts, chapter 137, section 141, is amended to read as follows:

SEC. 141. FAMILY SUPPORT SUBSIDY PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program subject to the enrollment restrictions in section 225C.37, subsection 3:

..... \$ 536,966  
1,069,282

2. ~~The department shall use at least \$320,750~~ \$727,500 of the moneys appropriated in this section is transferred to the department of public health for the family support center component of the comprehensive family support program under ~~section 225C.47 chapter 225C, subchapter V. Not more than \$12,500 of the amount allocated in this subsection shall be used for administrative costs. The department of human services shall submit a report to the individuals identified in this Act for submission of reports by December 15, 2016, regarding the outcomes of the program and recommendations for future program improvement.~~

3. If at any time during the fiscal year, the amount of funding available for the family support subsidy program is reduced from the amount initially used to establish the figure for the number of family members for whom a subsidy is to be provided at any one time during the fiscal year, notwithstanding section 225C.38, subsection 2, the department shall revise the figure as necessary to conform to the amount of funding available.

Sec. 19. 2015 Iowa Acts, chapter 137, section 142, is amended to read as follows:

SEC. 142. CONNER DECREE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For building community capacity through the coordination and provision of training opportunities in accordance with the consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

..... \$ 16,816  
33,632

Sec. 20. 2015 Iowa Acts, chapter 137, section 143, is amended to read as follows:

SEC. 143. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated ~~which amounts shall not be transferred or expended for any purpose other than the purposes designated, notwithstanding section 218.6 to the contrary:~~

1. For operation of the state mental health institute at Cherokee as required by chapters 218 and 226 for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,772,808

14,644,041

..... FTEs 169.20

2. For operation of the state mental health institute at Independence as required by chapters 218 and 226 for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,162,104

18,552,103

..... FTEs 233.00

Sec. 21. 2015 Iowa Acts, chapter 137, section 144, is amended to read as follows:

**SEC. 144. STATE RESOURCE CENTERS.**

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,762,241

20,719,486

b. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 7,291,903

14,053,011

2. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of intermediate care facilities for persons with an intellectual disability services, in a manner which does not shift costs between the medical assistance program, counties, or other sources of funding for the state resource centers.

3. The state resource centers may expand the time-limited assessment and respite services during the fiscal year.

4. If the department's administration and the department of management concur with a finding by a state resource center's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

5. If existing capacity limitations are reached in operating units, a waiting list is in effect for a service or a special need for which a payment source or other funding is available for the service or to address the special need, and facilities for the service or to address the special need can be provided within the available payment source or other funding, the superintendent of a state resource center may authorize opening not more than two units or other facilities and begin implementing the service or addressing the special need during fiscal year 2016-2017.

Sec. 22. 2015 Iowa Acts, chapter 137, section 145, is amended to read as follows:

**SEC. 145. SEXUALLY VIOLENT PREDATORS.**

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017,

the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee, including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	<u>4,946,539</u>
.....		10,193,079
.....	FTEs	132.50

2. Unless specifically prohibited by law, if the amount charged provides for recoupment of at least the entire amount of direct and indirect costs, the department of human services may contract with other states to provide care and treatment of persons placed by the other states at the unit for sexually violent predators at Cherokee. The moneys received under such a contract shall be considered to be repayment receipts and used for the purposes of the appropriation made in this section.

Sec. 23. 2015 Iowa Acts, chapter 137, section 146, is amended to read as follows:

SEC. 146. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For field operations, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	<u>29,460,488</u>
.....		54,442,877
.....	FTEs	1,837.00

2. Priority in filling full-time equivalent positions shall be given to those positions related to child protection services and eligibility determination for low-income families.

Sec. 24. 2015 Iowa Acts, chapter 137, section 147, is amended to read as follows:

SEC. 147. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For general administration, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	<u>7,449,099</u>
.....		15,673,198
.....	FTEs	309.00

2. Of the funds appropriated in this section, ~~\$75,000~~ \$150,000 shall be used to continue the contract for the provision of a program to provide technical assistance, support, and consultation to providers of habilitation services and home and community-based services waiver services for adults with disabilities under the medical assistance program.

3. Of the funds appropriated in this section, ~~\$25,000~~ \$50,000 is transferred to the Iowa finance authority to be used for administrative support of the council on homelessness established in section 16.2D and for the council to fulfill its duties in addressing and reducing homelessness in the state.

4. Of the funds appropriated in this section, ~~\$125,000~~ \$250,000 shall be transferred to and deposited in the administrative fund of the Iowa ABLE savings plan trust

created in section 12I.4, if enacted in this or any other Act, to be used for implementation and administration activities of the Iowa ABLE savings plan trust.

5. Of the funds appropriated in this section, \$300,000 shall be used to contract for planning grants for the development and implementation of children’s mental health crisis services as provided in this Act.

6. Of the funds appropriated in this section, \$200,000 shall be used to continue to expand the provision of nationally accredited and recognized internet-based training to include mental health and disability services providers.

7. Of the funds appropriated in this section, \$300,000 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for RefugeeRISE AmeriCorps program member recruitment and training to improve the economic well-being and health of economically disadvantaged refugees in local communities across Iowa. Funds transferred may be used to supplement federal funds under federal regulations.

Sec. 25. 2015 Iowa Acts, chapter 137, is amended by adding the following new section:

NEW SECTION. SEC. 147A. DEPARTMENT-WIDE DUTIES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes at facilities under the purview of the department of human services:

..... \$ 2,879,274

Sec. 26. 2015 Iowa Acts, chapter 137, section 148, is amended to read as follows:

SEC. 148. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:

..... \$ 42,343  
84,686

Sec. 27. 2015 Iowa Acts, chapter 137, section 149, is amended to read as follows:

SEC. 149. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a.-(1) For the fiscal year beginning July 1, 2016, the total state funding amount for the nursing facility budget shall not exceed \$151,421,458.

(2) The department, in cooperation with nursing facility representatives, shall review projections for state funding expenditures for reimbursement of nursing facilities on a quarterly basis and the department shall determine if an adjustment to the medical assistance reimbursement rate is necessary in order to provide reimbursement within the state funding amount for the fiscal year. Notwithstanding 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph “e”, and subsection 3, paragraph “a”, subparagraph (2), if the state funding expenditures for the nursing facility budget for the fiscal year are projected to exceed the amount specified in subparagraph (1), the department shall adjust the reimbursement for nursing facilities reimbursed under the case-mix reimbursement system to maintain expenditures of the nursing facility budget within the specified amount for the fiscal year.

(3) (a) For the fiscal year beginning July 1, 2016, case-mix, non-case mix, and special population nursing facilities shall be reimbursed in accordance with the methodology in effect on June 30, 2016.

(b) For managed care claims, the department of human services shall adjust the payment rate floor for nursing facilities, annually, to maintain a rate floor that is no lower than the Medicaid fee-for-service case-mix adjusted rate calculated in accordance with 441 IAC 81.6. The department shall then calculate adjusted reimbursement rates, including but not limited to add-on-payments, annually, and shall notify Medicaid managed care organizations of the adjusted reimbursement rates within 30 days of determining the adjusted reimbursement rates. Any adjustment of reimbursement rates under this subparagraph division shall be budget neutral to the state budget.

(4) For any open or unsettled nursing facility cost report for a fiscal year prior to and including the fiscal year beginning July 1, 2015, including any cost report remanded on judicial review for inclusion of prescription drug, laboratory, or x-ray costs, the department shall offset all reported prescription drug, laboratory, and x-ray costs with any revenue received from Medicare or other revenue source for any purpose. For purposes of this subparagraph, a nursing facility cost report is not considered open or unsettled if the facility did not initiate an administrative appeal under chapter 17A or if any appeal rights initiated have been exhausted.

b. (1) For the fiscal year beginning July 1, 2016, the department shall establish the pharmacy dispensing fee reimbursement at \$11.73 per prescription, until a cost of dispensing survey is completed. The actual dispensing fee shall be determined by a cost of dispensing survey performed by the department and required to be completed by all medical assistance program participating pharmacies every two years, adjusted as necessary to maintain expenditures within the amount appropriated to the department for this purpose for the fiscal year.

(2) The department shall utilize an average acquisition cost reimbursement methodology for all drugs covered under the medical assistance program in accordance with 2012 Iowa Acts, chapter 1133, section 33.

(3) Notwithstanding subparagraph (2), if the centers for Medicare and Medicaid services of the United States department of health and human services (CMS) requires, as a condition of federal Medicaid funding, that the department implement an aggregate federal upper limit (FUL) for drug reimbursement based on the average manufacturer's price (AMP), the department may utilize a reimbursement methodology for all drugs covered under the Medicaid program based on the national average drug acquisition cost (NADAC) methodology published by CMS, in order to assure compliance with the aggregate FUL, minimize outcomes of drug reimbursements below pharmacy acquisition costs, limit administrative costs, and minimize any change in the aggregate reimbursement for drugs. The department may adopt emergency rules to implement this subparagraph.

c. (1) For the fiscal year beginning July 1, 2016, reimbursement rates for outpatient hospital services shall remain at the rates in effect on June 30, 2016, subject to Medicaid program upper payment limit rules, and adjusted as necessary to maintain expenditures within the amount appropriated to the department for this purpose for the fiscal year.

(2) For the fiscal year beginning July 1, 2016, reimbursement rates for inpatient hospital services shall remain at the rates in effect on June 30, 2016, subject to Medicaid program upper payment limit rules, and adjusted as necessary to maintain expenditures within the amount appropriated to the department for this purpose for the fiscal year.

(3) For the fiscal year beginning July 1, 2016, the graduate medical education and disproportionate share hospital fund shall remain at the amount in effect on June 30, 2016, except that the portion of the fund attributable to graduate medical education shall be reduced in an amount that reflects the elimination of graduate medical



education payments made to out-of-state hospitals.

(4) In order to ensure the efficient use of limited state funds in procuring health care services for low-income Iowans, funds appropriated in this Act for hospital services shall not be used for activities which would be excluded from a determination of reasonable costs under the federal Medicare program pursuant to 42 U.S.C. §1395x(v)(1)(N).

d. For the fiscal year beginning July 1, 2016, reimbursement rates for ~~rural health clinics~~, hospices, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.

e. For the fiscal year beginning July 1, 2016, independent laboratories and rehabilitation agencies shall be reimbursed using the same methodology in effect on June 30, 2016.

f. (1) For the fiscal year beginning July 1, 2016, reimbursement rates for home health agencies shall continue to be based on the Medicare low utilization payment adjustment (LUPA) methodology with state geographic wage adjustments, and ~~updated to reflect the most recent Medicare LUPA rates shall be adjusted to increase the rates to the extent possible within the \$1,000,000 of state funding appropriated for this purpose. The department shall continue to update the rates every two years to reflect the most recent Medicare LUPA rates.~~

(2) For the fiscal year beginning July 1, 2016, rates for private duty nursing and personal care services under the early and periodic screening, diagnostic, and treatment program benefit shall be calculated based on the methodology in effect on June 30, 2016.

g. For the fiscal year beginning July 1, 2016, federally qualified health centers and rural health clinics shall receive cost-based reimbursement for 100 percent of the reasonable costs for the provision of services to recipients of medical assistance.

h. For the fiscal year beginning July 1, 2016, the reimbursement rates for dental services shall remain at the rates in effect on June 30, 2016.

i. (1) For the fiscal year beginning July 1, 2016, state-owned psychiatric medical institutions for children shall receive cost-based reimbursement for 100 percent of the actual and allowable costs for the provision of services to recipients of medical assistance.

(2) For the nonstate-owned psychiatric medical institutions for children, reimbursement rates shall be based on the reimbursement methodology ~~developed by the Medicaid managed care contractor for behavioral health services as required for federal compliance in effect on June 30, 2016.~~

(3) As a condition of participation in the medical assistance program, enrolled providers shall accept the medical assistance reimbursement rate for any covered goods or services provided to recipients of medical assistance who are children under the custody of a psychiatric medical institution for children.

j. For the fiscal year beginning July 1, 2016, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2016, except for area education agencies, local education agencies, infant and toddler services providers, home and community-based services providers including consumer-directed attendant care providers under a section 1915(c) or 1915(i) waiver, targeted case management providers, and those providers whose rates are required to be determined pursuant to section 249A.20.

k. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2016, the reimbursement rate for anesthesiologists shall remain at the rate in effect on June 30, 2016.

l. Notwithstanding section 249A.20, for the fiscal year beginning July 1, 2016, the average reimbursement rate for health care providers eligible for use of the federal Medicare resource-based relative value scale reimbursement methodology under section 249A.20 shall remain at the rate in effect on June 30, 2016; however, this rate shall not exceed the maximum level authorized by the federal government.

m. For the fiscal year beginning July 1, 2016, the reimbursement rate for residential care facilities shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement. The flat reimbursement rate for facilities electing not to file annual cost reports shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

n. For the fiscal year beginning July 1, 2016, the reimbursement rates for inpatient mental health services provided at hospitals shall remain at the rates in effect on June 30, 2016, subject to Medicaid program upper payment limit rules; and psychiatrists shall be reimbursed at the medical assistance program fee-for-service rate in effect on June 30, 2016.

o. For the fiscal year beginning July 1, 2016, community mental health centers may choose to be reimbursed for the services provided to recipients of medical assistance through either of the following options:

(1) For 100 percent of the reasonable costs of the services.

(2) In accordance with the alternative reimbursement rate methodology established by the medical assistance program's managed care contractor for mental health services and approved by the department of human services in effect on June 30, 2016.

p. For the fiscal year beginning July 1, 2016, the reimbursement rate for providers of family planning services that are eligible to receive a 90 percent federal match shall remain at the rates in effect on June 30, 2016.

q. For the fiscal year beginning July 1, 2016, the upper limits on and reimbursement rates for providers of home and community-based services waiver services shall remain at the limits in effect on June 30, 2016 for which the rate floor is based on the average aggregate reimbursement rate for the fiscal year beginning July 1, 2014, shall be determined as follows:

(1) For fee-for-service claims, the reimbursement rate shall be increased by 1 percent over the rates in effect on June 30, 2016.

(2) For managed care claims, the reimbursement rate floor shall be increased by 1 percent over the rate floor in effect on April 1, 2016.

r. For the fiscal year beginning July 1, 2016, the reimbursement rates for emergency medical service providers shall remain at the rates in effect on June 30, 2016.

2. For the fiscal year beginning July 1, 2016, the reimbursement rate for providers reimbursed under the in-home-related care program shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

3. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 2002.

4. ~~For~~ Notwithstanding section 234.38, for the fiscal year beginning July 1, 2016, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be \$16.78, the rate for children ages 6 through 11 years shall be \$17.45, the rate for children ages 12 through 15 years shall be \$19.10, and the rate for children and young adults ages 16 and older shall be \$19.35. For youth

ages 18 to 21 who have exited foster care, the preparation for adult living program maintenance rate shall be \$602.70 per month. The maximum payment for adoption subsidy nonrecurring expenses shall be limited to \$500 and the disallowance of additional amounts for court costs and other related legal expenses implemented pursuant to 2010 Iowa Acts, chapter 1031, section 408, shall be continued.

5. For the fiscal year beginning July 1, 2016, the maximum reimbursement rates for social services providers under contract shall remain at the rates in effect on June 30, 2016, or the provider's actual and allowable cost plus inflation for each service, whichever is less. However, if a new service or service provider is added after June 30, 2016, the initial reimbursement rate for the service or provider shall be based upon a weighted average of provider rates for similar services.

6. For the fiscal year beginning July 1, 2016, the reimbursement rates for resource family recruitment and retention contractors, child welfare emergency services contractors, and supervised apartment living foster care providers shall remain at the rates in effect on June 30, 2016.

7. a. For the purposes of this subsection, "combined reimbursement rate" means the combined service and maintenance reimbursement rate for a service level under the department's reimbursement methodology. Effective July 1, 2016, the combined reimbursement rate for a group foster care service level shall be the amount designated in this subsection. However, if a group foster care provider's reimbursement rate for a service level as of June 30, 2016, is more than the rate designated in this subsection, the provider's reimbursement shall remain at the higher rate.

b. Unless a group foster care provider is subject to the exception provided in paragraph "a", effective July 1, 2016, the combined reimbursement rates for the service levels under the department's reimbursement methodology shall be as follows:

(1) For service level, community - D1, the daily rate shall be at least \$84.17.

(2) For service level, comprehensive - D2, the daily rate shall be at least \$119.09.

(3) For service level, enhanced - D3, the daily rate shall be at least \$131.09.

8. The group foster care reimbursement rates paid for placement of children out of state shall be calculated according to the same rate-setting principles as those used for in-state providers, unless the director of human services or the director's designee determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

9. a. For the fiscal year beginning July 1, 2016, the reimbursement rate paid for shelter care and the child welfare emergency services implemented to provide or prevent the need for shelter care shall be established by contract.

b. For the fiscal year beginning July 1, 2016, the combined service and maintenance components of the reimbursement rate paid for shelter care services shall be based on the financial and statistical report submitted to the department. The maximum reimbursement rate shall be \$101.83 per day. The department shall reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

c. Notwithstanding section 232.141, subsection 8, for the fiscal year beginning July 1, 2016, the amount of the statewide average of the actual and allowable rates for reimbursement of juvenile shelter care homes that is utilized for the limitation on recovery of unpaid costs shall remain at the amount in effect for this purpose in the fiscal year beginning July 1, 2015.

10. For the fiscal year beginning July 1, 2016, the department shall calculate reimbursement rates for intermediate care facilities for persons with an intellectual disability at the 80th percentile. Beginning July 1, 2016, the rate calculation

methodology shall utilize the consumer price index inflation factor applicable to the fiscal year beginning July 1, 2016.

11. For the fiscal year beginning July 1, 2016, for child care providers reimbursed under the state child care assistance program, the department shall set provider reimbursement rates based on the rate reimbursement survey completed in December 2004. Effective July 1, 2016, the child care provider reimbursement rates shall remain at the rates in effect on June 30, 2016. The department shall set rates in a manner so as to provide incentives for a nonregistered provider to become registered by applying the increase only to registered and licensed providers.

11A. For the fiscal year beginning July 1, 2016, notwithstanding any provision to the contrary under this section, affected providers or services shall be reimbursed as follows:

a. For fee-for-service claims, reimbursement shall be calculated based on the methodology otherwise specified in this section for the fiscal year beginning July 1, 2016, for the respective provider or service.

b. For claims subject to a managed care contract:

(1) With the exception of any provider or service to which a reimbursement increase is applicable for the fiscal year under this section, reimbursement shall be based on the methodology established by the managed care contract. However, any reimbursement established under such contract shall not be lower than the rate floor established by the department of human services as the managed care organization provider or service reimbursement rate floor for the respective provider or service in effect on April 1, 2016.

(2) For any provider or service to which a reimbursement increase is applicable for the fiscal year under this section, upon the effective date of the reimbursement increase, the department of human services shall modify the rate floor in effect on April 1, 2016, to reflect the increase specified under this section. Any reimbursement established under the managed care contract shall not be lower than the rate floor as modified by the department of human services to reflect the provider rate increase specified under this section.

13. The department may adopt emergency rules to implement this section.

Sec. 28. 2015 Iowa Acts, chapter 137, is amended by adding the following new section:

NEW SECTION. SEC. 151A. TRANSFER OF MEDICAID MODERNIZATION SAVINGS BETWEEN APPROPRIATIONS FY 2016-2017. Notwithstanding section 8.39, subsection 1, for the fiscal year beginning July 1, 2016, if savings resulting from the governor's Medicaid modernization initiative accrue to the medical contracts or children's health insurance program appropriation from the general fund of the state and not to the medical assistance appropriation from the general fund of the state under this division of this Act, such savings may be transferred to such medical assistance appropriation for the same fiscal year without prior written consent and approval of the governor and the director of the department of management. The department of human services shall report any transfers made pursuant to this section to the legislative services agency.

#### DIVISION VI

##### HEALTH CARE ACCOUNTS AND FUNDS — FY 2016-2017

Sec. 29. 2015 Iowa Acts, chapter 137, section 152, is amended to read as follows:

SEC. 152. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is appropriated from the pharmaceutical settlement account created in section 249A.33 to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for

the purpose designated:

Notwithstanding any provision of law to the contrary, to supplement the appropriations made in this Act for medical contracts under the medical assistance program for the fiscal year beginning July 1, 2016, and ending June 30, 2017:

..... \$ ~~1,001,088~~  
1,300,000

Sec. 30. 2015 Iowa Acts, chapter 137, section 153, is amended to read as follows:

SEC. 153. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to the contrary and subject to the availability of funds, there is appropriated from the quality assurance trust fund created in section 249L.4 to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, for the purposes designated:

To supplement the appropriation made in this Act from the general fund of the state to the department of human services for medical assistance for the same fiscal year:

..... \$ ~~18,602,604~~  
36,705,208

Sec. 31. 2015 Iowa Acts, chapter 137, section 154, is amended to read as follows:

SEC. 154. HOSPITAL HEALTH CARE ACCESS TRUST FUND — DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to the contrary and subject to the availability of funds, there is appropriated from the hospital health care access trust fund created in section 249M.4 to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, for the purposes designated:

To supplement the appropriation made in this Act from the general fund of the state to the department of human services for medical assistance for the same fiscal year:

..... \$ ~~17,350,000~~  
34,700,000

DIVISION VII

PROPERTY TAX RELIEF FUND BLOCK GRANT MONEY — FY 2016-2017

Sec. 32. 2015 Iowa Acts, chapter 137, section 157, is amended to read as follows:

SEC. 157. PROPERTY TAX RELIEF FUND BLOCK GRANT MONEYS. The moneys transferred to the property tax relief fund for the fiscal year beginning July 1, ~~2015 2016~~, from the federal social services block grant pursuant to 2015 Iowa Acts, House File 630, and ~~from the federal temporary assistance for needy families block grant~~, totaling at least ~~\$11,774,275~~ \$7,456,296, are appropriated to the department of human services for the fiscal year beginning July 1, ~~2015 2016~~, and ending June 30, ~~2016 2017~~, to be used for the purposes designated, notwithstanding any provision of law to the contrary:

1. ~~For distribution to any mental health and disability services region where 25 percent of the region's projected expenditures exceeds the region's projected fund balance:~~

..... \$ ~~480,000~~

a. For purposes of this subsection:

(1) "Available funds" means a county mental health and services fund balance on June 30, 2015, plus the maximum amount a county was allowed to levy for the fiscal year beginning July 1, 2015.

(2) "Projected expenditures" means the actual expenditures of a mental health and disability services region as of June 30, 2015, multiplied by an annual inflation rate of 2 percent plus the projected costs for new core services administered by the region as provided in a region's regional service system management plan approved pursuant to

section 331.393 for the fiscal year beginning July 1, 2015.

(3) "Projected fund balance" means the difference between a mental health and disability services region's available funds and projected expenditures.

b. If sufficient funds are not available to implement this subsection, the department of human services shall distribute funds to a region in proportion to the availability of funds.

2. To be transferred to the appropriation in this Act for child and family services for the fiscal year beginning July 1, 2016, to be used for the purpose of that appropriation:

..... \$ 5,407,137  
6,880,223

DIVISION VIII

PRIOR YEAR APPROPRIATIONS AND OTHER PROVISIONS  
 FAMILY INVESTMENT PROGRAM ACCOUNT FY 2015-2016

Sec. 33. 2015 Iowa Acts, chapter 137, section 7, subsection 4, paragraph e, is amended to read as follows:

e. For the JOBS program:

..... \$ 17,540,398  
17,140,398

FAMILY INVESTMENT PROGRAM GENERAL FUND FY 2015-2016

Sec. 34. 2015 Iowa Acts, chapter 137, section 8, unnumbered paragraph 2, is amended to read as follows:

To be credited to the family investment program (FIP) account and used for family investment program assistance under chapter 239B:

..... \$ 48,673,875  
44,773,875

Sec. 35. 2015 Iowa Acts, chapter 137, section 8, subsection 1, is amended to read as follows:

1. Of the funds appropriated in this section, ~~\$7,402,220~~ \$7,002,220 is allocated for the JOBS program.

MEDICAL ASSISTANCE APPROPRIATION — FY 2015-2016

Sec. 36. 2015 Iowa Acts, chapter 137, section 12, unnumbered paragraph 2, is amended to read as follows:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2015, except as otherwise expressly authorized by law, consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

..... \$ 1,303,191,564  
1,318,191,564

MODERNIZATION EMERGENCY RULES FY 2015-2016

Sec. 37. 2015 Iowa Acts, chapter 137, section 12, subsection 24, is amended to read as follows:

~~24. The department of human services may adopt emergency rules as necessary to implement the governor's Medicaid modernization initiative beginning January 1, 2016.~~

AUTISM SUPPORT PROGRAM FUND FY 2015-2016

Sec. 38. 2015 Iowa Acts, chapter 137, section 13, subsection 5, unnumbered paragraph 1, is amended to read as follows:

Of the funds appropriated in this section, \$2,000,000 shall be credited to the autism support program fund created in section 225D.2 to be used for the autism support program created in chapter 225D, with the exception of the following amounts of this

allocation which shall be used as follows:

STATE SUPPLEMENTARY ASSISTANCE FY 2015-2016

Sec. 39. 2015 Iowa Acts, chapter 137, section 14, unnumbered paragraph 2, is amended to read as follows:

For the state supplementary assistance program:

..... \$ ~~12,997,187~~  
11,897,187

CHILD CARE ASSISTANCE FY 2015-2016

Sec. 40. 2015 Iowa Acts, chapter 137, section 16, unnumbered paragraph 2, is amended to read as follows:

For child care programs:

..... \$ ~~51,408,668~~  
41,408,668

Sec. 41. 2015 Iowa Acts, chapter 137, section 16, subsection 1, is amended to read as follows:

1. Of the funds appropriated in this section, ~~\$43,689,241~~ \$33,689,241 shall be used for state child care assistance in accordance with section 237A.13.

Sec. 42. 2015 Iowa Acts, chapter 137, section 16, subsection 9, is amended to read as follows:

9. Notwithstanding section 8.33, moneys ~~advanced for purposes of the programs developed by early childhood Iowa areas, advanced for purposes of wraparound child care, appropriated in this section~~ or received from the federal appropriations made for the purposes of this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

NURSING FACILITY BUDGET FY 2015-2016

Sec. 43. 2015 Iowa Acts, chapter 137, section 29, subsection 1, paragraph a, subparagraph (1), is amended to read as follows:

(1) For the fiscal year beginning July 1, 2015, the total state funding amount for the nursing facility budget shall not exceed ~~\$151,421,158~~ \$227,131,737.

Sec. 44. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 45. RETROACTIVE APPLICABILITY. This division of this Act is retroactively applicable to July 1, 2015.

DIVISION IX

DECATEGORIZATION

Sec. 46. DECATEGORIZATION CARRYOVER FUNDING — TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188, subsection 5, paragraph “b”, any state appropriated moneys in the funding pool that remained unencumbered or unobligated at the close of the fiscal year beginning July 1, 2013, and were deemed carryover funding to remain available for the two succeeding fiscal years that still remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2015, shall not revert but shall be transferred to the medical assistance program for the fiscal year beginning July 1, 2015.

Sec. 47. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 48. RETROACTIVE APPLICABILITY. This division of this Act is retroactively applicable to July 1, 2015.

DIVISION X

CODE CHANGES

LOCAL OFFICES OF SUBSTITUTE DECISION MAKER

Sec. 49. Section 231E.4, subsection 3, paragraph a, Code 2016, is amended to read as follows:

a. Select persons through a request for proposals process to establish local offices of substitute decision maker in each of the planning and service areas. Local offices shall be established statewide on or before July 1, ~~2017~~ 2018.

INSTITUTIONS FOR PERSONS WITH AN INTELLECTUAL DISABILITY —  
ASSESSMENT

Sec. 50. Section 222.60A, Code 2016, is amended to read as follows:

**222.60A Cost of assessment.**

Notwithstanding any provision of this chapter to the contrary, any amount attributable to any ~~fee-assessed~~ assessment pursuant to section 249A.21 that would otherwise be the liability of any county shall be paid by the state. The department may transfer funds from the appropriation for medical assistance to pay any amount attributable to any ~~fee-assessed~~ assessment pursuant to section 249A.21 that is a liability of the state.

Sec. 51. Section 249A.12, subsection 3, paragraph c, Code 2016, is amended to read as follows:

c. ~~Effective February 1, 2002, the~~ The state shall be responsible for all of the nonfederal share of the costs of intermediate care facility for persons with an intellectual disability services provided under medical assistance attributable to the assessment ~~fee~~ for intermediate care facilities for individuals with an intellectual disability imposed pursuant to section 249A.21. ~~Effective February 1, 2003, a~~ A county is not required to reimburse the department and shall not be billed for the nonfederal share of the costs of such services attributable to the assessment ~~fee~~.

Sec. 52. Section 249A.21, Code 2016, is amended to read as follows:

**249A.21 Intermediate care facilities for persons with an intellectual disability — assessment.**

1. ~~The department may assess~~ An intermediate care ~~facilities~~ facility for persons with an intellectual disability, as defined in section 135C.1, ~~a fee in shall be assessed~~ an amount for the ~~preceding calendar quarter~~, not to exceed six percent of the ~~total annual revenue of the facility for the preceding fiscal year~~ actual paid claims for the ~~previous quarter~~.

2. The assessment shall be paid ~~by each intermediate care facility for persons with an intellectual disability~~ to the department ~~in equal monthly amounts on or before the fifteenth day of each month on a quarterly basis~~. ~~The department may deduct the monthly amount from medical assistance payments to a facility described in subsection 1. The amount deducted from payments shall not exceed the total amount of the assessments due~~ An intermediate care facility for persons with an intellectual disability shall submit the assessment amount no later than thirty days following the end of each calendar quarter.

3. ~~Revenue from the assessments shall be credited~~ The department shall collect the assessment imposed and shall credit all revenues collected to the state medical assistance appropriation. This revenue may be used only for services for which federal financial participation under the medical assistance program is available to match state funds.

4. If the department determines that an intermediate care facility for persons with an intellectual disability has underpaid or overpaid the assessment, the department shall notify the intermediate care facility for persons with an intellectual disability of the amount of the unpaid assessment or refund due. Such payment or refund shall be due or refunded within thirty days of the issuance of the notice.

5. An intermediate care facility for persons with an intellectual disability that fails



to pay the assessment within the time frame specified in this section shall pay, in addition to the outstanding assessment, a penalty in the amount of one and five-tenths percent of the assessment amount owed for each month or portion of each month the payment is overdue. However, if the department determines that good cause is shown for failure to comply with payment of the assessment, the department shall waive the penalty or a portion of the penalty.

6. If an assessment has not been received by the department by the last day of the third month after the payment is due, the department shall suspend payment due the intermediate care facility for persons with an intellectual disability under the medical assistance program including payments made on behalf of the medical assistance program by a Medicaid managed care contractor.

7. The assessment imposed under this section constitutes a debt due and owing the state and may be collected by civil action, including but not limited to the filing of tax liens, and any other method provided for by law.

8. If federal financial participation to match the assessments made under subsection 1 becomes unavailable under federal law, the department shall terminate the imposing of the assessments beginning on the date that the federal statutory, regulatory, or interpretive change takes effect.

~~5.~~ 9. The department of human services may procure a sole source contract to implement the provisions of this section.

~~6.~~ 10. The department may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement this section, and any fee assessed pursuant to this section against an intermediate care facility for persons with an intellectual disability that is operated by the state may be made retroactive to October 1, 2003.

## DIVISION XI

### HOSPITAL HEALTH CARE ACCESS ASSESSMENT

Sec. 53. Section 249M.5, Code 2016, is amended to read as follows:

#### **249M.5 Future repeal.**

This chapter is repealed ~~June 30, 2016~~ July 1, 2017.

Sec. 54. REVIEW OF ALTERNATIVE ASSESSMENT METHODOLOGY. The department of human services shall explore alternative hospital health care access assessment methodologies and shall make recommendations to the governor and the general assembly by December 15, 2016, regarding continuation of the hospital health care access assessment program beyond July 1, 2017, and an alternative assessment methodology. Any continuation of the program and assessment methodology shall meet all of the following guidelines:

1. All funds generated by the assessment shall be returned to participating hospitals in the form of higher Medicaid payments, with the exception of \$3,800,000 which shall be used to supplement the medical assistance appropriation.

2. Continuation of the program and any new assessment methodology shall be subject to any required federal approval.

3. Any new assessment methodology shall minimize the negative financial impact on participating hospitals to the greatest extent possible.

4. Any new assessment methodology shall result in at least the same if not a greater aggregate financial benefit to participating hospitals compared with the benefit existing under the program prior to July 1, 2016.

5. Only participating hospitals subject to imposition of the assessment shall receive a financial return from the program.

6. Any continuation of the program shall include a means of tracking the financial return to individual participating hospitals.

7. Any quality metrics utilized by the program, if continued, shall align with similar metrics being used under Medicare and the state innovation model initiative process.

8. Any new assessment methodology shall incorporate a recognition of the increased costs attributable to care and services such as inpatient psychiatric care, rehabilitation services, and neonatal intensive care units.

9. Any continuation of the program shall include oversight and review by the hospital health care access trust fund board created in section 249M.4.

Sec. 55. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 56. RETROACTIVE APPLICABILITY. The section of this division of this Act amending section 249M.5, Code 2016, is retroactively applicable to June 30, 2016.

#### DIVISION XII

#### AUTISM SUPPORT PROGRAM

Sec. 57. Section 135.181, subsections 1 and 2, Code 2016, are amended to read as follows:

1. The department shall establish a board-certified behavior analyst and board-certified assistant behavior analyst grants program to provide grants to Iowa resident and nonresident applicants who have been accepted for admission or are attending a board of regents university, community college, or an accredited private institution, within or outside the state of Iowa, are enrolled in a program that is accredited and meets coursework requirements to prepare the applicant to be eligible for board certification as a behavior analyst or assistant behavior analyst, and demonstrate financial need. ~~Priority in the awarding of a grant shall be given to applicants who are residents of Iowa.~~

2. The department, in cooperation with the department of education, shall adopt rules pursuant to chapter 17A to establish minimum standards for applicants to be eligible for a grant that address all of the following:

a. Eligibility requirements for and qualifications of an applicant to receive a grant. The applicant shall agree to practice in the state of Iowa for a period of time, not to exceed four years, as specified in the contract entered into between the applicant and the department at the time the grant is awarded. In addition, the applicant shall agree, as specified in the contract, that during the contract period, the applicant will assist in supervising an individual working toward board certification as a behavior analyst or assistant behavior analyst or to consult with schools and service providers that provide services and supports to individuals with autism.

b. The application process for the grant.

c. Criteria for preference in awarding of the grants. Priority in the awarding of a grant shall be given to applicants who are residents of Iowa.

d. Determination of the amount of a grant. The amount of funding awarded to each applicant shall be based on the applicant's enrollment status, the number of applicants, and the total amount of available funds. The total amount of funds awarded to an individual applicant shall not exceed fifty percent of the total costs attributable to program tuition and fees, annually.

e. Use of the funds awarded. Funds awarded may be used to offset the costs attributable to tuition and fees for the accredited behavior analyst or assistant behavior analyst program.

Sec. 58. Section 135.181, Code 2016, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The department shall submit a report to the governor and the general assembly no later than January 1, annually, that includes but is not limited to all of the following:

- a. The number of applications received for the immediately preceding fiscal year.
- b. The number of applications approved and the total amount of funding awarded in grants in the immediately preceding fiscal year.
- c. The cost of administering the program in the immediately preceding fiscal year.
- d. Recommendations for any changes to the program.

Sec. 59. Section 225D.1, subsection 8, Code 2016, is amended to read as follows:

8. “*Eligible individual*” means a child less than ~~nine~~ fourteen years of age who has been diagnosed with autism based on a diagnostic assessment of autism, is not otherwise eligible for coverage for applied behavioral analysis treatment under the medical assistance program, section 514C.28, or private insurance coverage, and whose household income does not exceed ~~four~~ five hundred percent of the federal poverty level.

Sec. 60. Section 225D.2, subsection 2, paragraphs c and d, Code 2016, are amended to read as follows:

c. Notwithstanding the age limitation for an eligible individual, a provision that if an eligible individual reaches ~~nine~~ fourteen years of age prior to completion of the maximum applied behavioral analysis treatment period specified in paragraph “b”, the individual may complete such treatment in accordance with the individual’s treatment plan, not to exceed the maximum treatment period.

d. A graduated schedule for cost-sharing by an eligible individual based on a percentage of the total benefit amount expended for the eligible individual, annually. Cost-sharing shall be applicable to eligible individuals with household incomes at or above two hundred percent of the federal poverty level in incrementally increased amounts up to a maximum of ~~ten~~ fifteen percent. The rules shall provide a financial hardship exemption from payment of the cost-sharing based on criteria established by rule of the department.

Sec. 61. AUTISM SUPPORT FUND — TRANSFER.

Notwithstanding section 225D.2, moneys credited to the autism support fund that remain unexpended or unobligated at the close of the fiscal year beginning July 1, 2015, shall be transferred to the appropriation in this Act for medical contracts to be used for the purpose of that appropriation for the succeeding fiscal year.

Sec. 62. EFFECTIVE DATE. The section of this division of this Act providing for transfer of moneys in the autism support fund that remain unexpended or unobligated at the close of the fiscal year beginning July 1, 2015, being deemed of immediate importance, takes effect upon enactment.

Sec. 63. RETROACTIVE APPLICABILITY. The section of this division of this Act providing for transfer of moneys in the autism support fund that remain unexpended or unobligated at the close of the fiscal year beginning July 1, 2015, is retroactively applicable to July 1, 2015.

### DIVISION XIII

#### CHILDREN’S MENTAL HEALTH AND WELL-BEING

Sec. 64. CHILDREN’S MENTAL HEALTH CRISIS SERVICES — PLANNING GRANTS.

1. The department of human services shall establish a request for proposals process, in cooperation with the departments of public health and education and the judicial branch, which shall be based upon recommendations for children’s mental health crisis services described in the children’s mental health and well-being workgroup final report submitted to the department on December 15, 2015.

2. Planning grants shall be awarded to two lead entities. Each lead entity should be a member of a specifically designated coalition of three to four other entities that propose to serve different geographically defined areas of the state, but a lead entity

shall not be a mental health and disability services region.

3. The request for proposals shall require each grantee to develop a plan for children's mental health crisis services for the grantee's defined geographic area that includes all of the following:

a. Identification of the existing children's mental health crisis services in the defined area.

b. Identification of gaps in children's mental health crisis services in the defined area.

c. A plan for collection of data that demonstrates the effects of children's mental health crisis services through the collection of outcome data and surveys of the children affected and their families.

d. A method for using federal, state, and other funding including funding currently available, to implement and support children's mental health crisis services.

e. Utilization of collaborative processes developed from the recommendations from the children's mental health and well-being workgroup final report submitted to the department on December 15, 2015.

f. A recommendation for any additional state funding needed to establish a children's mental health crisis service system in the defined area.

g. A recommendation for statewide standard requirements for children's mental health crisis services, as defined in the children's mental health and well-being workgroup final report submitted to the department of human services on December 15, 2015, including but not limited to all of the following:

(1) Standardized primary care practitioner screenings.

(2) Standardized mental health crisis screenings.

(3) Standardized mental health and substance use disorder assessments.

(4) Requirements for certain inpatient psychiatric hospitals and psychiatric medical institutions for children to accept and treat all children regardless of the acuity of their condition.

4. Each grantee shall submit a report to the department by December 15, 2016. The department shall combine the essentials of each report and shall submit a report to the general assembly by January 15, 2017, regarding the department's conclusions and recommendations.

Sec. 65. CHILDREN'S WELL-BEING LEARNING LABS. The department of human services, utilizing existing departmental resources and with the continued assistance of a private child welfare foundation focused on improving child well-being, shall study and collect data on emerging, collaborative efforts in existing programs engaged in addressing well-being for children with complex needs and their families in communities across the state. The department shall establish guidelines based upon recommendations in the children's mental health and well-being workgroup final report submitted to the department on December 15, 2015, to select three to five such programs to be designated learning labs to enable the department to engage in a multi-site learning process during the 2016 calendar year with a goal of creating an expansive structured learning network. The department shall submit a report with recommendations including lessons learned, suggested program design refinements, and implications for funding, policy changes, and best practices to the general assembly by January 15, 2017.

Sec. 66. DEPARTMENT OF HUMAN SERVICES — ADDITIONAL STUDY REPORTS. The department of human services shall, in consultation with the department of public health, the mental health and disability services commission, and the mental health planning council, submit a report with recommendations to the general assembly by December 15, 2016, regarding all of the following:

1. The creation and implementation of a statewide children's mental health crisis service system to include but not be limited to an inventory of all current children's mental health crisis service systems in the state including children's mental health crisis service system telephone lines. The report shall include recommendations regarding proposed changes to improve the effectiveness of and access to children's mental health crisis services.

2. The development and implementation of a children's mental health public education and awareness campaign that targets the reduction of stigma for children with mental illness and that supports children with mental illness and their families in seeking effective treatment. The plan shall include potential methods for funding such a campaign.

Sec. 67. CHILDREN'S MENTAL HEALTH AND WELL-BEING ADVISORY COMMITTEE. The department of human services shall create and provide support to a children's mental health and well-being advisory committee to continue the coordinated efforts of the children's mental health subcommittee and the children's well-being subcommittee of the children's mental health and well-being workgroup. Consideration shall be given to continued service by members of the children's mental health and well-being workgroup created pursuant to 2015 Iowa Acts, ch. 137, and representatives from the departments of human services, public health, and education; the judicial branch; and other appropriate stakeholders designated by the director. The advisory committee shall do all of the following:

1. Provide guidance regarding implementation of the recommendations in the children's mental health and well-being workgroup final report submitted to the department on December 15, 2015, and subsequent reports required by this Act.

2. Select and study additional children's well-being learning labs to assure a continued commitment to joint learning and comparison for all learning lab sites.

#### DIVISION XIV

#### OPIOID ANTAGONIST REVISION

Sec. 68. Section 135.190, subsection 1, as enacted by 2016 Iowa Acts, Senate File 2218, section 1, is amended by adding the following new paragraph:

NEW PARAGRAPH. *Oa.* "Licensed health care professional" means the same as defined in section 280.16.

Sec. 69. Section 135.190, as enacted by 2016 Iowa Acts, Senate File 2218, section 1, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. *a.* Notwithstanding any other provision of law to the contrary, a licensed health care professional may prescribe an opioid antagonist to a person in a position to assist.

*b.* (1) Notwithstanding any other provision of law to the contrary, a pharmacist licensed under chapter 155A may, by standing order or through collaborative agreement, dispense, furnish, or otherwise provide an opioid antagonist to a person in a position to assist.

(2) A pharmacist who dispenses, furnishes, or otherwise provides an opioid antagonist pursuant to a valid prescription, standing order, or collaborative agreement shall provide instruction to the recipient in accordance with any protocols and instructions developed by the department under this section.

NEW SUBSECTION. 4. The department may adopt rules pursuant to chapter 17A to implement and administer this section.

Sec. 70. Section 135.190, subsection 3, as enacted by 2016 Iowa Acts, Senate File 2218, section 1, is amended to read as follows:

3. A person in a position to assist or a prescriber of an opioid antagonist who has acted reasonably and in good faith shall not be liable for any injury arising from the

provision, administration, or assistance in the administration of an opioid antagonist as provided in this section.

Sec. 71. Section 147A.18, subsections 1 and 5, as enacted by 2016 Iowa Acts, Senate File 2218, section 3, are amended to read as follows:

1. a. Notwithstanding any other provision of law to the contrary, a licensed health care professional may prescribe an opioid antagonist in the name of a service program, law enforcement agency, or fire department to be maintained for use as provided in this section.

b. (1) Notwithstanding any other provision of law to the contrary, a pharmacist licensed under chapter 155A may, by standing order or through collaborative agreement, dispense, furnish, or otherwise provide an opioid antagonist in the name of a service program, law enforcement agency, or fire department to be maintained for use as provided in this section.

(2) A pharmacist who dispenses, furnishes, or otherwise provides an opioid antagonist pursuant to a valid prescription, standing order, or collaborative agreement shall provide instruction to the recipient in accordance with the protocols and instructions developed by the department under this section.

5. The department ~~shall~~ may adopt rules pursuant to chapter 17A to implement and administer this section, ~~including but not limited to standards and procedures for the prescription, distribution, storage, replacement, and administration of opioid antagonists, and for the training and authorization to be required for first responders to administer an opioid antagonist.~~

Sec. 72. OPIOID ANTAGONIST IMPLEMENTATION CONTINGENCY. 2016 Iowa Acts, Senate File 2218, section 4, is repealed.

Sec. 73. 2016 Iowa Acts, Senate File 2218, as enacted, is amended by adding the following new section:

NEW SECTION. SEC. \_\_\_\_. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 74. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 75. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to April 6, 2016.

#### DIVISION XV NURSING GRANT PROGRAMS

Sec. 76. Section 135.178, Code 2016, is amended to read as follows:

**135.178 Nurse residency state matching grants program —~~repeal~~.**

~~1.~~ The department shall establish a nurse residency state matching grants program to provide matching state funding to sponsors of nurse residency programs in this state to establish, expand, or support nurse residency programs that meet standards adopted by rule of the department. Funding for the program may be provided through the health care workforce shortage fund or the nurse residency state matching grants program account created in section 135.175. The department, in cooperation with the Iowa board of nursing, the department of education, Iowa institutions of higher education with board of nursing-approved programs to educate nurses, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A to establish minimum standards for nurse residency programs to be eligible for a matching grant that address all of the following:

~~a.~~ 1. Eligibility requirements for and qualifications of a sponsor of a nurse residency program to receive a grant, including that the program includes both rural and urban components.

~~b.~~ 2. The application process for the grant.

e. 3. Criteria for preference in awarding of the grants.

~~d.~~ 4. Determination of the amount of a grant.

e. 5. Use of the funds awarded. Funds may be used to pay the costs of establishing, expanding, or supporting a nurse residency program as specified in this section, including but not limited to the costs associated with residency stipends and nursing faculty stipends.

~~2. This section is repealed June 30, 2016.~~

Sec. 77. Section 261.129, Code 2016, is amended to read as follows:

**261.129 Iowa needs nurses now initiative —repeal.**

1. *Nurse educator incentive payment program.*

a. The commission shall establish a nurse educator incentive payment program.

Funding for the program may be provided through the health care workforce shortage fund or the health care professional and Iowa needs nurses now initiative account created in section 135.175. For the purposes of this subsection, “*nurse educator*” means a registered nurse who holds a master’s degree or doctorate degree and is employed as a faculty member who teaches nursing in a nursing education program as provided in [655 IAC 2.6](#) at a community college, an accredited private institution, or an institution of higher education governed by the state board of regents.

b. The program shall consist of incentive payments to recruit and retain nurse educators. The program shall provide for incentive payments of up to twenty thousand dollars for a nurse educator who remains teaching in a qualifying teaching position for a period of not less than four consecutive academic years.

c. The nurse educator and the commission shall enter into an agreement specifying the obligations of the nurse educator and the commission. If the nurse educator leaves the qualifying teaching position prior to teaching for four consecutive academic years, the nurse educator shall be liable to repay the incentive payment amount to the state, plus interest as specified by rule. However, if the nurse educator leaves the qualifying teaching position involuntarily, the nurse educator shall be liable to repay only a pro rata amount of the incentive payment based on incomplete years of service.

d. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A relating to the establishment and administration of the nurse educator incentive payment program. The rules shall include provisions specifying what constitutes a qualifying teaching position.

2. *Nursing faculty fellowship program.*

a. The commission shall establish a nursing faculty fellowship program to provide funds to nursing schools in the state, including but not limited to nursing schools located at community colleges, for fellowships for individuals employed in qualifying positions on the nursing faculty. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and the Iowa needs nurses now initiative account created in section 135.175. The program shall be designed to assist nursing schools in filling vacancies in qualifying positions throughout the state.

b. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, and in cooperation with nursing schools throughout the state, shall develop a distribution formula which shall provide that no more than thirty percent of the available moneys are awarded to a single nursing school. Additionally, the program shall limit funding for a qualifying position in a nursing school to no more than ten thousand dollars per year for up to three years.

c. The commission, in consultation with the department of public health, the board of

nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A to administer the program. The rules shall include provisions specifying what constitutes a qualifying position at a nursing school.

d. In determining eligibility for a fellowship, the commission shall consider all of the following:

- (1) The length of time a qualifying position has gone unfilled at a nursing school.
- (2) Documented recruiting efforts by a nursing school.
- (3) The geographic location of a nursing school.

(4) The type of nursing program offered at the nursing school, including associate, bachelor's, master's, or doctoral degrees in nursing, and the need for the specific nursing program in the state.

3. *Nurse educator scholarship program.*

a. The commission shall establish a nurse educator scholarship program. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and the Iowa needs nurses now initiative account created in section 135.175. The goal of the nurse educator scholarship program is to address the waiting list of qualified applicants to Iowa's nursing schools by providing incentives for the training of additional nursing educators. For the purposes of this subsection, "nurse educator" means a registered nurse who holds a master's degree or doctorate degree and is employed as a faculty member who teaches nursing in a nursing education program as provided in [655 IAC 2.6](#) at a community college, an accredited private institution, or an institution of higher education governed by the state board of regents.

b. The program shall consist of scholarships to further advance the education of nurses to become nurse educators. The program shall provide for scholarship payments in an amount established by rule for students who are preparing to teach in qualifying teaching positions.

c. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A relating to the establishment and administration of the nurse educator scholarship program. The rules shall include provisions specifying what constitutes a qualifying teaching position and the amount of any scholarship.

4. *Nurse educator scholarship-in-exchange-for-service program.*

a. The commission shall establish a nurse educator scholarship-in-exchange-for-service program. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and Iowa needs nurses now initiative account created in section 135.175. The goal of the nurse educator scholarship-in-exchange-for-service program is to address the waiting list of qualified applicants to Iowa's nursing schools by providing incentives for the education of additional nursing educators. For the purposes of this subsection, "nurse educator" means a registered nurse who holds a master's degree or doctorate degree and is employed as a faculty member who teaches nursing in a nursing education program as provided in [655 IAC 2.6](#) at a community college, an accredited private institution, or an institution of higher education governed by the state board of regents.

b. The program shall consist of scholarships to further advance the education of nurses to become nurse educators. The program shall provide for scholarship-in-exchange-for-service payments in an amount established by rule for students who are preparing to teach in qualifying teaching positions for a period of not less than four consecutive academic years.

c. The scholarship-in-exchange-for-service recipient and the commission shall enter into an agreement specifying the obligations of the applicant and the commission. If



the nurse educator leaves the qualifying teaching position prior to teaching for four consecutive academic years, the nurse educator shall be liable to repay the scholarship-in-exchange-for-service amount to the state plus interest as specified by rule. However, if the nurse educator leaves the qualified teaching position involuntarily, the nurse educator shall be liable to repay only a pro rata amount of the scholarship based on incomplete years of service.

d. The receipt of a nurse educator scholarship-in-exchange-for-service shall not impact eligibility of an individual for other financial incentives including but not limited to loan forgiveness programs.

e. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A relating to the establishment and administration of the nurse educator scholarship-in-exchange-for-service program. The rules shall include the provisions specifying what constitutes a qualifying teaching position and the amount of any scholarship-in-exchange-for-service.

~~5. *Repeal.* This section is repealed June 30, 2016.~~

Sec. 78. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 79. RETROACTIVE APPLICABILITY. This division of this Act is retroactively applicable to June 30, 2016.

#### DIVISION XVI

##### NON-STATE GOVERNMENT-OWNED NURSING FACILITY UPPER PAYMENT LIMIT SUPPLEMENTAL PAYMENT PROGRAM

Sec. 80. Section 249L.2, Code 2016, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. “*Non-state governmental entity*” means a hospital authority, hospital district, health care district, city, or county.

NEW SUBSECTION. 5B. “*Non-state government-owned nursing facility*” means a nursing facility owned or operated by a non-state governmental entity for which a non-state governmental entity holds the nursing facility’s license and is party to the nursing facility’s Medicaid contract.

Sec. 81. Section 249L.2, subsection 6, Code 2016, is amended to read as follows:

6. “*Nursing facility*” means a licensed nursing facility as defined in section 135C.1 that is a freestanding facility or a nursing facility operated by a hospital licensed pursuant to chapter 135B, but does not include a distinct-part skilled nursing unit or a swing-bed unit operated by a hospital, or a nursing facility owned by the state or federal government ~~or other governmental unit.~~ “*Nursing facility*” includes a non-state government-owned nursing facility if the nursing facility participates in the non-state government-owned nursing facility upper payment limit supplemental payment program.

Sec. 82. NON-STATE GOVERNMENT-OWNED NURSING FACILITY UPPER PAYMENT LIMIT SUPPLEMENTAL PAYMENT PROGRAM.

1. The department of human services shall submit, to the centers for Medicare and Medicaid services (CMS) of the United States department of health and human services, a Medicaid state plan amendment to allow qualifying non-state government-owned nursing facilities to receive a supplemental payment in accordance with the upper payment limit requirements pursuant to 42 C.F.R. §447.272. The supplemental payment shall be in addition to the greater of the Medicaid fee-for-service per diem reimbursement rate or the per diem payment established for the nursing facility under a Medicaid managed care contract.

2. At a minimum, the Medicaid state plan amendment shall provide for all of the

following:

a. A non-state governmental entity shall provide the state share of the expected supplemental payment in the form of an intergovernmental transfer to the state.

b. The state shall claim federal matching funds and shall make supplemental payments to eligible non-state governmental entities based on the supplemental amount as calculated by the state for each nursing facility for which a non-state governmental entity owns the nursing facility's license. A managed care contractor shall not retain any portion of the supplemental payment, but shall treat the supplemental payment as a pass through payment to the eligible non-state governmental entity.

c. The supplemental payment program shall be budget neutral to the state. No general fund revenue shall be expended under the program including for costs of administration. If payments under the program result in overpayment to a nursing facility, or if CMS disallows federal participation related to a nursing facility's receipt or use of supplemental payments authorized under the program, the state may recoup an amount equivalent to the amount of supplemental payments overpaid or disallowed. Supplemental payments shall be subject to any adjustment for payments made in error, including but not limited to adjustments made by state or federal law, and the state may recoup an amount equivalent to any such adjustment.

d. A nursing facility participating in the program shall notify the state of any changes in ownership that may affect the nursing facility's continued eligibility for the program within thirty days of any such change.

e. No portion of the supplemental payment paid to a participating nursing facility may be used for contingent fees. Expenditures for development fees, legal fees, or consulting fees shall not exceed five percent of the supplemental funds received, annually, and any such expenditures shall be reported to the department of human services, and included in the department's annual report pursuant to subsection 3.

f. The supplemental payment paid to a participating nursing facility shall only be used as specified in state and federal law. Supplemental payments paid to a participating nursing facility shall only be used as follows:

(1) A portion of the amount received may be used for nursing facility quality improvement initiatives including but not limited to educational scholarships and nonmandatory training. Priority in the awarding of contracts for such training shall be for Iowa-based organizations.

(2) A portion of the amount received may be used for nursing facility remodeling or renovation. Priority in the awarding of contracts for such remodeling or renovations shall be for Iowa-based organizations and skilled laborers.

(3) A portion of the amount received may be used for health information technology infrastructure and software. Priority in the awarding of contracts for such health information technology infrastructure and software shall be for Iowa-based organizations.

(4) A portion of the amount received may be used for endowments to offset costs associated with maintenance of hospitals licensed under chapter 135B and nursing facilities licensed under chapter 135C.

g. A non-state governmental entity shall only be eligible for supplemental payments attributable to up to 10 percent of the potential non-state government-owned nursing facilities licensed in the state.

3. Following receipt of approval and implementation of the program, the department shall submit a report to the governor and the general assembly, annually, on or before December 15, regarding the program. The report shall include, at a minimum, the name and location of participating non-state governmental entities and the non-state

government-owned nursing facilities with which the non-state governmental entities have partnered to participate in the program; the amount of the matching funds provided by each non-state governmental entity; the net supplemental payment amount received by each participating non-governmental entity and non-state government-owned nursing facility; and the amount expended for each of the specified categories of approved expenditure.

4. The department of human services shall work collaboratively with representatives of nursing facilities, hospitals, and other affected stakeholders in adopting administrative rules, and in implementing and administering this program.

5. As used in this section:

a. “Non-state governmental entity” means a hospital authority, hospital district, health care district, city, or county.

b. “Non-state government-owned nursing facility” means a nursing facility owned or operated by a non-state governmental entity for which a non-state governmental entity holds the nursing facility’s license and is party to the nursing facility’s Medicaid contract.

Sec. 83. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 84. IMPLEMENTATION PROVISIONS.

1. The section of this division of this Act directing the department of human services to submit a Medicaid state plan amendment to CMS shall be implemented as soon as possible following enactment, consistent with all applicable federal requirements.

2. The sections of this division of this Act amending section 249L.2, shall only be implemented upon receipt by the department of human services of approval of the Medicaid state plan amendment by the centers for Medicare and Medicaid services of the United States department of health and human services, and if such approval is received, are applicable no earlier than the first day of the calendar quarter following the date of receipt of such approval.

#### DIVISION XVII TRAUMA CARE SYSTEM

Sec. 85. Section 147A.23, subsection 2, paragraph c, Code 2016, is amended to read as follows:

c. (1) Upon verification and the issuance of a certificate of verification, a hospital or emergency care facility agrees to maintain a level of commitment and resources sufficient to meet responsibilities and standards as required by the trauma care criteria established by rule under this subchapter. Verifications are valid for a period of three years or as determined by the department and are renewable. As part of the verification and renewal process, the department may conduct periodic on-site reviews of the services and facilities of the hospital or emergency care facility.

(2) Notwithstanding subparagraph (1), the department shall not decrease a level II certificate of verification issued to a trauma care facility by the department on or before July 1, 2015, unless the facility subsequently fails to comply with the trauma care criteria established in administrative rules in effect on July 1, 2015.

Sec. 86. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 87. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to June 30, 2015.

#### DIVISION XVIII

#### MENTAL HEALTH AND DISABILITY SERVICES REGIONS — FUNDING

Sec. 88. MENTAL HEALTH AND DISABILITY SERVICES REGIONS — FUNDING. 1. There is appropriated from the general fund of the state to the

department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated: For a grant to a five-county mental health and disability services region with a population of between 290,000 to 300,000 as determined by the latest federal decennial census, for the provision of mental health and disability services within the region:

..... \$ 500,000

The moneys appropriated in this subsection are contingent upon the continuation of sustainable service funding relationships between all counties in the region for the fiscal year beginning July 1, 2016, and ending June 30, 2017. The department and the region shall enter into a memorandum of understanding regarding the use of the moneys by the region prior to the region's receipt of moneys under this subsection.

2. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For a grant to a single-county mental health and disability services region with a population of over 350,000 as determined by the latest federal decennial census, for the provision of mental health and disability services within the region:

..... \$ 2,500,000

The department shall work with the region awarded moneys pursuant to this subsection to a complete a three-year sustainable cash flow funding plan for the delivery of mental health and disability services in the region to be submitted to the department by November 15, 2016. The department and the region shall enter into a memorandum of understanding regarding the use of the moneys and detailing the provisions of the plan prior to the region's receipt of moneys under this subsection.

3. The department shall distribute moneys appropriated in this section within 60 days of the date of signing of the memorandum of understanding between the department and each region.

4. Moneys awarded under this section shall be used by the regions consistent with each region's service system management plan as approved by the department.

DIVISION XIX

MENTAL HEALTH AND DISABILITY SERVICES REDESIGN PROGRESS REPORT

Sec. 89. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN PROGRESS REPORT. The department of human services shall review and report progress on the implementation of the adult mental health and disability services redesign and shall identify any challenges faced in achieving the goals of the redesign. The progress report shall include but not be limited to information regarding the mental health and disability services regional service system including governance, management, and administration; the implementation of best practices including evidence-based best practices; the availability of, access to, and provision of initial core services and additional core services to and for required core service populations and additional core service populations; and the financial stability and fiscal viability of the redesign. The department shall submit its report with findings to the governor and the general assembly no later than November 15, 2016.

DIVISION XX

REFUGEEERISE AMERICORPS PROGRAM

Sec. 90. Section 15H.5, subsection 5, paragraph a, Code 2016, is amended to read as follows:

a. Funding for the Iowa summer youth corps program, the Iowa green corps program established pursuant to section 15H.6, and the Iowa reading corps program established

pursuant to section 15H.7, and the RefugeeRISE AmeriCorps program established pursuant to section 15H.8, shall be obtained from private sector, and local, state, and federal government sources, or from other available funds credited to the community programs account, which shall be created within the economic development authority under the authority of the commission. Moneys available in the account for a fiscal year are appropriated to the commission to be used for the programs. The commission may establish an escrow account within the authority and obligate moneys within that escrow account for tuition or program payments to be made beyond the term of any fiscal year. Notwithstanding section 12C.7, subsection 2, interest earned on moneys in the community programs account shall be credited to the account. Notwithstanding section 8.33, moneys in the community programs account or escrow account shall not revert to the general fund but shall remain available for expenditure in future fiscal years.

Sec. 91. NEW SECTION. 15H.8 RefugeeRISE AmeriCorps program.

1. *a.* The Iowa commission on volunteer service, in collaboration with the department of human services, shall establish a Refugee Rebuild, Integrate, Serve, Empower (RefugeeRISE) AmeriCorps program to increase community integration and engagement for diverse refugee communities in rural and urban areas across the state.

*b.* The commission, in collaboration with the department of human services, may adopt rules pursuant to chapter 17A to implement and administer this section.

2. The commission may use moneys in and lawfully available to the community programs account created in section 15H.5 to fund the program.

3. The commission shall submit an annual report to the general assembly and the department of human services relating to the efficacy of the program.

#### DIVISION XXI

#### MENINGOCOCCAL IMMUNIZATION

Sec. 92. Section 139A.8, subsection 2, Code 2016, is amended by adding the following new paragraph:

NEW PARAGRAPH. *e.* A person shall not be enrolled in school in the seventh grade or twelfth grade in Iowa without evidence of adequate immunization against meningococcal disease in accordance with standards approved by the United States public health service of the United States department of health and human services for such biological products and is in accordance with immunization practices recommended by the advisory committee on immunization practices of the centers for disease control and prevention.

#### DIVISION XXII

#### MEDICAID MANAGED CARE OVERSIGHT

#### REPORTING AND PUBLIC POSTING OF REPORTS — CONSUMER PROTECTION, OUTCOME ACHIEVEMENT, AND PROGRAM INTEGRITY INFORMATION

Sec. 93. DEPARTMENT OF HUMAN SERVICES — REPORTS. The department of human services shall submit to the chairpersons and ranking members of the human resources committees of the senate and the house of representatives and to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, quarterly reports, and an annual report beginning December 15, 2016, and annually by December 15, thereafter, regarding Medicaid program consumer protections, outcome achievement, and program integrity as specified in this division. The reports shall be based on and updated to include the most recent information available. The reports shall include an executive summary of the information and data compiled, an analysis of the information and data, and any trends or issues identified through such analysis, to the extent such information is not otherwise considered

confidential or protected information pursuant to federal or state law. The joint appropriations subcommittee on health and human services shall dedicate a meeting of the subcommittee during the subsequent session of the general assembly to review the annual report.

#### 1. CONSUMER PROTECTION.

The general assembly recognizes the need for ongoing review of Medicaid member engagement with and feedback regarding Medicaid managed care. The Iowa high quality health care initiative shall ensure access to medically necessary services and shall ensure that Medicaid members are fully engaged in their own health care in order to achieve overall positive health outcomes. The consumer protection component of the reports submitted as required under this section shall be based on all of the following reports relating to member and provider services:

- a. Member enrollment and disenrollment.
- b. Member grievances and appeals including all of the following:
  - (1) The percentage of grievances and appeals resolved timely.
  - (2) The number of grievances and appeals received.
- c. Member call center performance including the service level for members, providers, and pharmacy.
- d. Prior authorization denials and modifications including all of the following:
  - (1) The percentage of prior authorizations approved, denied, and modified.
  - (2) The percentage of prior authorizations processed within required timeframes.
- e. Provider network access including key gaps in provider coverage based on contract time, distance standards, and market share.
- f. Care coordination and case management, including the ratio of members to care coordinators or case managers, and the average number of contacts made with members per reporting period.
- g. Level of care and functional assessments, including the percentage of level of care assessments completed timely.
- h. Population-specific reporting including all of the following:
  - (1) General population, including adults and children.
  - (2) Special needs, including adults and children.
  - (3) Behavioral health, including adults and children.
  - (4) Elderly.
- i. Number of individuals served on the home and community-based services (HCBS) waivers by waiver type, and HCBS waiver waiting list reductions or increases.

#### 2. OUTCOME ACHIEVEMENT.

The primary focus of the general assembly in moving to Medicaid managed care is to improve the quality of care and outcomes for Medicaid members. The state has demonstrated how preventive services and the coordination of care for all of a Medicaid member's treatment significantly improve the health and well-being of the state's most vulnerable citizens. In order to ensure continued improvement, ongoing review of member outcomes as well as of the process that supports a strong provider network is necessary. The outcome achievement component of the reports submitted as required under this section shall be based on all of the following reports:

- a. Contract management including all of the following:
  - (1) Claims processing including all of the following:
    - (a) The percentage of claims paid, denied, and disputed, and the ten most common reasons for claims denials.
    - (b) The percentage of claims adjudicated timely.
  - (2) Encounter data including all of the following:
    - (a) Timeliness.

- (b) Completeness.
- (c) Accuracy.
- (3) Value-based purchasing (VBP) enrollment including the percentage of members covered by a VBP arrangement.
  - (4) Financial information including all of the following:
    - (a) Managed care organization capitation payments.
    - (b) The medical loss ratio, administrative loss ratio, and underwriting ratio.
    - (c) Program cost savings.
    - (5) Utilization of health care services by diagnostic related group and ambulatory payment classification as well as total claims volume.
    - (6) Utilization of value-added services.
    - (7) Payment of claims by department-identified provider type.
  - b. Member health outcomes including all of the following:
    - (1) Annual health care effectiveness and information set (HEDIS) performance.
    - (2) Other quality measures including all of the following:
      - (a) Behavioral health.
      - (b) Children's health outcomes.
      - (c) Prenatal and birth outcomes.
      - (d) Chronic condition management.
      - (e) Adult preventative care.
    - (3) Value index score (VIS) performance.
    - (4) Annual consumer assessment of health care providers and systems (CAHPS) performance.
    - (5) Utilization information including all of the following:
      - (a) Inpatient hospital admissions and potential preventative admissions.
      - (b) Readmissions.
      - (c) Outpatient visits.
      - (d) Emergency department visits and potentially preventable emergency department visits.
    - c. Consumer satisfaction survey.
- 3. PROGRAM INTEGRITY.
  - a. The Medicaid program has traditionally included comprehensive oversight and program integrity controls. Under Medicaid managed care, federal, state, and contractual safeguards will continue to be incorporated to prevent, detect, and eliminate provider fraud, waste, and abuse to maintain a sustainable Medicaid program. The program integrity component of the reports submitted as required under this section shall be based on all of the following reports relating to program integrity:
    - (1) The level of fraud, waste, and abuse identified by the managed care organizations.
    - (2) Managed care organization adherence to the program integrity plan, including identification of program overpayments.
    - (3) Notification of the state by the managed care organizations regarding fraud, waste, and abuse.
    - (4) The impact of program activities on capitation payments.
    - (5) Enrollment and payment information including all of the following:
      - (a) Eligibility.
      - (b) Third-party liability.
    - (6) Managed care organization reserves compared to minimum reserves required by the insurance division of the department of commerce.
    - (7) A summary report by the insurance division of the department of commerce including information relating to health maintenance organization licensure, the

annual independent audit, insurance division reporting, and reinsurance.

b. The results of any external quality review organization review shall be submitted directly to the governor, the general assembly, and the health policy oversight committee created in section 2.45.

c. The department of human services shall require each Medicaid managed care organization to authorize the national committee for quality assurance (NCQA) to submit directly to the governor, the general assembly, and the health policy oversight committee created in section 2.45, the evaluation report upon which the Medicaid managed care organization's NCQA accreditation was granted, and any subsequent evaluations of the Medicaid managed care organization.

#### 4. INCLUSION OF INFORMATION FROM OTHER OVERSIGHT ENTITIES.

The council on human services, the medical assistance advisory council, the hawk-i board, the mental health and disability services commission, and the office of long-term care ombudsman shall regularly review Medicaid managed care as it relates to the entity's respective statutory duties. These entities shall submit executive summaries of pertinent information regarding their deliberations during the prior year relating to Medicaid managed care to the department of human services no later than November 15, annually, for inclusion in the annual report submitted as required under this section.

#### 5. PUBLIC POSTING OF INFORMATION REPORTED.

The department of human services shall post all of the reports specified under this section, as the information becomes available and to the extent such information is not otherwise considered confidential or protected information pursuant to federal or state law, on the Iowa health link internet site.

#### Sec. 94. ADDITIONAL OVERSIGHT.

1. The council on human services, the medical assistance advisory council, and the hawk-i board shall submit to the chairpersons and ranking members of the human resources committees of the senate and the house of representatives and to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, on a quarterly basis, minutes of their respective meetings during which the council or board addressed Medicaid managed care.

2. The director of human services shall submit the compilation of the input and recommendations from stakeholders and Medicaid members attending the public meetings convened pursuant to 2015 Iowa Acts, chapter 137, section 63, to the chairpersons and ranking members of the human resources committees of the senate and the house of representatives and to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, on a quarterly basis.

Sec. 95. PROGRAM POLICY IMPROVEMENT. The department of human services shall ensure that Medicaid managed care organizations comply with all of the following:

1. In accordance with 42 C.F.R. §438.420, a Medicaid managed care organization, upon a recipient's request, shall continue a recipient's benefits during an appeal process. If, as allowed when final resolution of an appeal is adverse to the Medicaid recipient, the Medicaid managed care organization chooses to recover the costs of the services furnished to the recipient while an appeal is pending, the Medicaid managed care organization shall provide adequate prior notice of potential recovery of costs to the recipient at the time the appeal is filed.

2. A Medicaid managed care organization shall allow providers to appeal on a recipient's behalf if the recipient designates the provider as the recipient's representative.

3. a. A Medicaid managed care organization may include as a primary care provider



any provider designated by the state as a primary care provider, subject to a provider's respective state certification standards, including but not limited to all of the following:

(1) A physician who is a family or general practitioner, a pediatrician, an internist, an obstetrician, or a gynecologist.

(2) An advanced registered nurse practitioner.

(3) A physician assistant.

(4) A chiropractor licensed pursuant to chapter 151.

b. A Medicaid managed care organization shall not impose more restrictive, scope of practice requirements or standards of practice on a primary care provider than those prescribed by state law as a prerequisite for participation in the managed care organization's provider network.

Sec. 96. SINGLE-CASE AGREEMENT. A Medicaid managed care organization shall, at the request of a Medicaid recipient, attempt to negotiate in good faith a single-case agreement with a recipient's out-of-network provider, including a provider outside of the state, to provide for continuity of care when the recipient has an existing relationship with such provider. If a provider of a medically necessary service is not available within the managed care organization's network, the managed care organization shall, at the request of a Medicaid recipient, attempt to negotiate in good faith a single-case agreement with an out-of-network provider, regardless of the existence of an established relationship between the recipient and the provider.

#### HEALTH POLICY OVERSIGHT COMMITTEE

Sec. 97. Section 2.45, subsection 6, Code 2016, is amended to read as follows:

6. ~~The legislative health policy oversight committee, which shall be composed of ten members of the general assembly, consisting of five members from each house, to be appointed by the legislative council. The legislative health policy oversight committee shall receive updates and review data, public input and concerns, and make recommendations for improvements to and changes in law or rule regarding meet at least two times, annually, during the legislative interim to provide continuing oversight for Medicaid managed care, and to ensure effective and efficient administration of the program, address stakeholder concerns, monitor program costs and expenditures, and make recommendations.~~

#### MANAGED CARE OMBUDSMAN

Sec. 98. Section 231.44, Code 2016, is amended by adding the following new subsection:

**NEW SUBSECTION.** 3A. The office of long-term care ombudsman and representatives of the office, when providing assistance and advocacy services under this section, shall be considered a health oversight agency as defined in 45 C.F.R. §164.501 for the purposes of health oversight activities as described in 45 C.F.R. §164.512(d). Recipient information available to the office of long-term care ombudsman and representatives of the office under this subsection shall be limited to the recipient's protected health information as defined in 45 C.F.R. §160.103 for the purpose of recipient case resolution. When providing assistance and advocacy services under this section, the office of long-term care ombudsman shall act as an independent agency, and the office of long-term care ombudsman and representatives of the office shall be free of any undue influence that restrains the ability of the office or the office's representatives from providing such services and assistance. The office of long-term care ombudsman shall adopt rules applicable to long-term care ombudsmen providing assistance and advocacy services under this section to authorize such ombudsmen to function in a manner consistent with long-term care ombudsmen under the federal Act.

#### MEDICAL ASSISTANCE ADVISORY COUNCIL

Sec. 99. Section 249A.4B, Code 2016, is amended to read as follows:

**249A.4B Medical assistance advisory council.**

1. A medical assistance advisory council is created to comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of the federal Social Security Act and to advise the director about health and medical care services under the medical assistance program. The council shall meet no more than quarterly. The director of public health and a public member of the council selected by the public members of the council specified in subsection 2, paragraph "b", shall serve as ~~chairperson~~ co-chairpersons of the council.

2. The council shall include all of the following voting members:

a. The president, or the president's representative, of each of the following professional or business entities, or a member of each of the following professional or business entities, selected by the entity:

- (1) The Iowa medical society.
- (2) The Iowa osteopathic medical association.
- (3) The Iowa academy of family physicians.
- (4) The Iowa chapter of the American academy of pediatrics.
- (5) The Iowa physical therapy association.
- (6) The Iowa dental association.
- (7) The Iowa nurses association.
- (8) The Iowa pharmacy association.
- (9) The Iowa podiatric medical society.
- (10) The Iowa optometric association.
- (11) The Iowa association of community providers.
- (12) The Iowa psychological association.
- (13) The Iowa psychiatric society.
- (14) The Iowa chapter of the national association of social workers.
- (15) The coalition for family and children's services in Iowa.
- (16) The Iowa hospital association.
- (17) The Iowa association of rural health clinics.
- (18) The Iowa primary care association.
- (19) Free clinics of Iowa.
- (20) The opticians' association of Iowa, inc.
- (21) The Iowa association of hearing health professionals.
- (22) The Iowa speech and hearing association.
- (23) The Iowa health care association.
- (24) The Iowa association of area agencies on aging.
- (25) AARP.
- (26) The Iowa caregivers association.
- (27) The Iowa coalition of home and community-based services for seniors.
- (28) The Iowa adult day services association.
- (29) Leading age Iowa.
- (30) The Iowa association for home care.
- (31) The Iowa council of health care centers.
- (32) The Iowa physician assistant society.
- (33) The Iowa association of nurse practitioners.
- (34) The Iowa nurse practitioner society.
- (35) The Iowa occupational therapy association.
- (36) The ARC of Iowa, formerly known as the association for retarded citizens of Iowa.
- (37) The national ~~alliance for the mentally ill of Iowa~~ on mental illness.
- (38) The Iowa state association of counties.
- (39) The Iowa developmental disabilities council.

(40) The Iowa chiropractic society.

(41) The Iowa academy of nutrition and dietetics.

(42) The Iowa behavioral health association.

(43) The midwest association for medical equipment services or an affiliated Iowa organization.

b. ~~Public Ten public~~ representatives which may include members of consumer groups, including recipients of medical assistance or their families, consumer organizations, and others, ~~equal in number to the number of representatives of the professional and business entities specifically represented under paragraph "a";~~ appointed by the governor for staggered terms of two years each, none of whom shall be members of, or practitioners of, or have a pecuniary interest in any of the professional or business entities specifically represented under paragraph "a", and a majority of whom shall be current or former recipients of medical assistance or members of the families of current or former recipients.

c. A member of the hawk-i board created in section 514I.5, selected by the members of the hawk-i board.

3. The council shall include all of the following nonvoting members:

e. a. The director of public health, or the director's designee.

~~f.~~ b. The director of the department on aging, or the director's designee.

~~g.~~ The long-term care ombudsman, or the long-term care ombudsman's designee.

e. d. The dean of Des Moines university — osteopathic medical center, or the dean's designee.

~~f.~~ e. The dean of the university of Iowa college of medicine, or the dean's designee.

~~g.~~ f. The following members of the general assembly, each for a term of two years as provided in section 69.16B:

(1) Two members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives from their respective parties.

(2) Two members of the senate, one appointed by the president of the senate after consultation with the majority leader of the senate and one appointed by the minority leader of the senate.

3. 4. a. An executive committee of the council is created and shall consist of the following members of the council:

(1) Five of the professional or business entity members designated pursuant to subsection 2, paragraph "a", and selected by the members specified under that paragraph, as voting members.

(2) Five of the public members appointed pursuant to subsection 2, paragraph "b", and selected by the members specified under that paragraph, as voting members. Of the five public members, at least one member shall be a recipient of medical assistance.

(3) The director of public health, or the director's designee, as a nonvoting member.

b. The executive committee shall meet on a monthly basis. The director of public health and the public member serving as co-chairperson of the council shall serve as ~~chairperson~~ co-chairpersons of the executive committee.

c. Based upon the deliberations of the council and the executive committee, the executive committee shall make recommendations to the director regarding the budget, policy, and administration of the medical assistance program.

4. 5. For each council meeting, other than those held during the time the general assembly is in session, each legislative member of the council shall be reimbursed for actual travel and other necessary expenses and shall receive a per diem as specified in section 7E.6 for each day in attendance, as shall the members of the council or the executive committee who are recipients or the family members of recipients of medical

assistance, regardless of whether the general assembly is in session.

5- 6. The department shall provide staff support and independent technical assistance to the council and the executive committee.

6- 7. The director shall consider the recommendations offered by the council and the executive committee in the director's preparation of medical assistance budget recommendations to the council on human services pursuant to section 217.3 and in implementation of medical assistance program policies.

Sec. 100. APPOINTMENT OF PUBLIC REPRESENTATIVES TO MEDICAL ASSISTANCE ADVISORY COUNCIL — 2016. The director of human services shall make recommendations to the governor for appointment of public representatives to the medical assistance advisory council pursuant to section 249A.4B, subsection 1, paragraph "b", in order to fill all public representative positions on the council no later than June 30, 2016.

Sec. 101. EFFECTIVE UPON ENACTMENT. The following provision of this division of this Act, being deemed of immediate importance, takes effect upon enactment:

1. The section of this division of this Act directing the appointment of public representatives to the medical assistance advisory council no later than June 30, 2016.

#### CONTINUATION OF STATEWIDE PUBLIC MEETINGS

Sec. 102. 2015 Iowa Acts, chapter 137, section 63, is amended to read as follows:

#### SEC. 63. HEALTH POLICY OVERSIGHT — MEDICAID MANAGED CARE.

1. The department of human services shall partner with appropriate stakeholders to convene monthly statewide public meetings beginning in March 2016, and bi-monthly statewide public meetings beginning March 2017 and continuing through December 31, 2017, to receive input and recommendations from stakeholders and members of the public regarding Medicaid managed care, ~~beginning in March 2016~~. The meetings shall be held in both rural and urban areas, in small communities and large population centers, and in a manner that is geographically balanced. The department shall encourage representatives of Medicaid managed care organizations to attend the public meetings. The input and recommendations of the public meetings shall be compiled by the department of human services and submitted to the executive committee of the medical assistance advisory council created in section 249A.4B.

2. a. The executive committee of the medical assistance advisory council shall review the compilation of the input and recommendations of the public meetings convened pursuant to subsection 1, and shall submit recommendations based upon the compilation to the director of human services on a quarterly basis through December 31, 2017.

b. The director of human services shall submit the compilation and the recommendations made under paragraph "a" to the legislative health policy oversight committee created in section 2.45 through December 31, 2017.

Sec. 103. EFFECTIVE UPON ENACTMENT. The sections of this division of this Act amending 2015 Iowa Acts, chapter 137, section 63, being deemed of immediate importance, takes effect upon enactment.

#### HAWK-I PROGRAM

Sec. 104. Section 514I.5, subsection 8, paragraph d, Code 2016, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (17) Occupational therapy.

Sec. 105. Section 514I.5, Code 2016, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The hawk-i board shall monitor the capacity of Medicaid managed care organizations to specifically and appropriately address the unique needs

of children and children’s health delivery.

DIVISION XXIII  
FOOD PROGRAM

Sec. 106. IOWA EMERGENCY FOOD PURCHASE PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

- 1. For purposes of supporting an Iowa emergency food purchase program:  
..... \$ 100,000

2. The purpose of the Iowa emergency food purchase program is to relieve situations of emergency experienced by families or individuals who reside in this state, including low-income families and individuals and unemployed families and individuals, by distributing food to those persons.

3. The Iowa emergency food purchase program shall be managed by an Iowa food bank association selected by the department. The department may enter into a contract with the Iowa food bank association. The Iowa food bank association managing the program shall distribute food under the program to emergency feeding organizations in this state. The Iowa food bank association shall report to the department as required by the department.

4. The moneys appropriated in this section shall be allocated to support the Iowa emergency food purchase program only to the extent that the allocated moneys are matched on a dollar-for-dollar basis.

5. *“Iowa food bank association”* means a private nonprofit entity that meets all of the following requirements:

- a. The association is organized under chapter 504.
- b. The association qualifies under section 501(c)(3) of the Internal Revenue Code as an organization exempt from federal income tax under section 501(a) of the Internal Revenue Code.
- c. The association’s members include food banks, or affiliations of food banks, that together serve all counties in this state.
- d. The association’s principal office is located in this state.>

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

DAVE HEATON, CHAIR  
JOEL FRY  
LINDA MILLER

AMANDA RAGAN, CHAIR  
JOE BOLKCOM  
ROBERT E. DVORSKY

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 174

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 174, a bill for an Act establishing the state percent of growth, respectfully make the following report:

1. That the House recedes from its amendment, S-5001.
2. That Senate File 174, as passed by the Senate, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

Section 1. Section 257.8, subsection 1, Code 2016, is amended to read as follows:

1. *State percent of growth.* ~~The state percent of growth for the budget year beginning July 1, 2013, is two percent.~~ The state percent of growth for the budget year beginning July 1, 2014, is four percent. The state percent of growth for the budget year beginning July 1, 2015, is one and twenty-five hundredths percent. The state percent of growth for the budget year beginning July 1, 2016, is two and twenty-five hundredths percent. The state percent of growth for each subsequent budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor’s budget under section 8.21. The establishment of the state percent of growth for a budget year shall be the only subject matter of the bill which enacts the state percent of growth for a budget year.

Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The requirement of section 257.8, subsection 1, regarding the enactment of bills establishing the regular program state percent of growth within thirty days of the submission in the year preceding the base year of the governor’s budget does not apply to this Act.

Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.>

3. Title page, line 1, after <growth> by inserting <and including effective date provisions>

ON THE PART OF THE SENATE:

TOD R. BOWMAN, CHAIR  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

ON THE PART OF THE HOUSE:

RON JORGENSEN, CHAIR  
CECIL DOLECHECK  
QUENTIN STANERSON

**REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 175**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 175, a bill for an Act establishing the categorical state percent of growth, respectfully make the following report:

1. That the House recedes from its amendment, S-5002.

2. That Senate File 175, as passed by the Senate, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

Section 1. Section 257.8, subsection 2, Code 2016, is amended to read as follows:

2. *Categorical state percent of growth.* ~~The categorical state percent of growth for the budget year beginning July 1, 2013, is two percent.~~ The categorical state percent of growth for the budget year beginning July 1, 2014, is four percent. The categorical state percent of growth for the budget year beginning July 1, 2015, is one and twenty-five hundredths percent. The categorical state percent of growth for the budget year beginning July 1, 2016, is two and twenty-five hundredths percent. The categorical state percent of growth for each budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21. The establishment of the categorical state percent of growth for a budget year shall be the only subject matter of the bill which enacts the categorical state percent of growth for a budget year. The categorical state percent of growth may include state percents of growth for the teacher salary supplement, the professional development supplement, the early intervention supplement, and the teacher leadership supplement.

Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The requirement of section 257.8, subsection 2, regarding the enactment of bills establishing the categorical state percent of growth within thirty days of the submission in the year preceding the base year of the governor's budget does not apply to this Act.

Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.>

2. Title page, line 1, after <growth> by inserting <and including effective date provisions>

ON THE PART OF THE SENATE:

TOD R. BOWMAN, CHAIR  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

ON THE PART OF THE HOUSE:

RON JORGENSEN, CHAIR  
CECIL DOLECHECK  
QUENTIN STANERSON

## REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 2304

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2304, a bill for an Act relating to standards for and certification and inspection of children's residential facilities, respectfully make the following report:

1. That the House recedes from its amendment, S-5125.

2. That Senate File 2304, as passed by the Senate, is amended to read as follows:

1. Page 2, after line 32 by inserting:

<3. Standards established by the department under this chapter shall not regulate religious education curricula at children's residential facilities.>

2. Page 2, line 33, after <Rules> by inserting <**and standards** — **requirements**>

3. Page 3, by striking lines 2 through 14 and inserting:

<2. Before the administrator issues or reissues a certificate of approval to a children's residential facility under section 237C.6, the facility shall comply with standards adopted by the state fire marshal under chapter 100.

3. Rules governing sanitation, water, and waste disposal standards for children's residential facilities shall be adopted by the department of human services in consultation with the director of public health.>

4. Page 3, line 19, after <rules> by inserting <and standards>

5. Page 3, line 20, after <rules> by inserting <and standards>

6. Page 3, after line 21 by inserting:

<6. Rules adopted under this section shall not regulate religious education curricula at children's residential facilities.

7. Prior to establishing, proposing, adopting, or modifying a standard or rule under section 237C.3, this section, or section 282.34, the department of human services or the department of education, as applicable, shall, at a minimum, do all of the following:

a. Publish the entire text of the proposed standard, rule, or modification on its internet site.

b. Make every reasonable effort to notify the children's residential facilities in this state of the proposed standard, rule, or modification.

c. Allow and invite any and all persons interested in the proposed standard, rule, or modification to submit written data, facts, opinions, comments, and arguments, which information shall be made publicly available and shall be filed with and maintained by the applicable department for at least five years from the date of submission to the applicable department.>

7. Page 5, line 23, after <state.> by inserting <the department of education,>

8. Page 5, line 27, after <violation.> by inserting <A civil action brought by the department of education under this subsection shall be limited to seeking relief from conduct constituting a violation of section 282.34.>

9. Page 6, line 25, after <fees.> by inserting <This paragraph shall not apply to sponsorship by a children's residential facility of public radio or public television broadcasts.>

10. Page 6, after line 33 by inserting:

<2A. The department of education shall comply with the requirements of section 237C.4, subsection 7, regarding standards, rules, and modifications, and the responsibilities set forth for publication, notification, and receipt and maintenance of



information filed with the department.>

11. Page 7, after line 1 by inserting:

<4. Rules adopted under this section shall not regulate religious education curricula at children's residential facilities.>

12. Page 7, by striking lines 4 and 5 and inserting <department of human services and the department of education shall>

13. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

ROBERT M. HOGG, CHAIR  
JOE BOLKCOM  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

ON THE PART OF THE HOUSE:

BOBBY KAUFMANN, CHAIR  
RUTH ANN GAINES  
GREG HEARTSILL  
JAKE HIGHFILL  
VICKI LENSING

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 2320

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 2320, 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, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, respectfully make the following report:

1. That the House recedes from its amendment, S-5162.
2. That Senate File 2320, as passed by the Senate, is amended to read as follows:

1. By striking page 1, line 20, through page 2, line 5, and inserting:
  - <2. For salaries, support, maintenance, and miscellaneous purposes:

a. Operations:	\$ <del>3,279,911</del>
	<u>6,679,706</u>
b. Planning:	\$ <del>219,487</del>
	<u>446,789</u>
c. Motor vehicles:	\$ <del>17,962,673</del>
	<u>36,063,965</u>
d. Performance and technology:	\$ <del>254,520</del>
	<u>513,720</u> >

2. By striking page 3, line 26, through page 4, line 25, and inserting:
  - <1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

a. Operations:	\$ <del>20,148,023</del>
	<u>41,032,482</u>
	FTEs <del>267.00</del>
	<u>261.00</u>
b. Planning:	\$ <del>4,170,241</del>
	<u>8,488,981</u>
	FTEs <del>102.00</del>
	<u>98.00</u>
c. Highways:	\$ <del>119,414,428</del>
	<u>244,749,911</u>
	FTEs <del>2,056.00</del>
	<u>1,994.00</u>
d. Motor vehicles:	\$ <del>748,445</del>
	<u>1,502,665</u>
	FTEs <del>412.00</del>
	<u>402.00</u>

e. Performance and technology:

.....	\$	<del>1,563,480</del>
		<u>3,155,710</u>
.....	FTEs	<del>35.00</del>
		<u>34.00</u>

3. Page 6, line 32, by striking <1,500,000> and inserting <60,000>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

MATT McCOY, CHAIR  
TOD R. BOWMAN  
JANET PETERSEN

DAN HUSEMAN, CHAIR  
STEVE HOLT  
GUY VANDER LINDEN

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 2324

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2324, a bill for an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-5174.
2. That Senate File 2324, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, by striking lines 10 through 14 and inserting:

<For major maintenance projects:>

2. Page 1, by striking line 16 and inserting:

<..... \$ 9,489,237>

3. Page 1, by striking lines 23 through 30 and inserting:

<In addition, of the moneys appropriated in this subsection, the department should give priority to projects that address health and safety issues of Iowa law enforcement academy facilities.>

4. Page 2, by striking line 4 and inserting:

<..... \$ 5,200,000>

5. Page 2, line 17, by striking <\$450,000> and inserting <\$225,000>

6. Page 4, by striking lines 31 through 34.

7. Page 5, line 18, by striking <35,000> and inserting <28,000>

8. Page 6, by striking lines 14 through 33.

9. Page 7, by striking line 12 and inserting:

<..... \$ 1,000,000>

10. Page 7, by striking lines 16 through 20.

11. Page 8, by striking line 24 and inserting:

<..... \$ 2,500,000>

12. Page 8, by striking line 35 and inserting:

<..... \$ 1,500,000>

13. Page 9, before line 1 by inserting:

<d. For infrastructure improvements at the commercial service airports within the state:

FY 2016-2017:

..... \$ 1,440,000>

14. By striking page 11, line 31, through page 12, line 2.

15. Page 12, by striking line 30 and inserting:

<..... \$ 300,000>

16. Page 14, after line 1 by inserting:

<As a condition of receiving the appropriation provided in this subsection, the department shall not expend any moneys to pay an owners' representative fee related to the repair and renovation of the dome of the Iowa state capitol.

Of the moneys appropriated in this subsection, the department shall be authorized to expend such amount as is necessary for the costs of installing outdoor lighting at the Iowa state capitol.>

17. Page 14, by striking lines 2 through 19 and inserting:

<2. JUDICIAL BRANCH

For furniture and equipment for the Polk county justice center:

..... \$ 6,718,443>

18. Page 14, after line 31 by inserting:

<Sec. \_\_\_\_ 2011 Iowa Acts, chapter 133, section 4, as amended by 2015 Iowa Acts, chapter 139, section 8, is amended to read as follows:

SEC. 4. REVERSION.

1. Except as provided in ~~subsection~~ subsections 2 and 3, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unless specifically provided otherwise, moneys appropriated in section 3, subsection 8, paragraph “b”, of this division of this Act as amended by 2012 Iowa Acts, chapter 1140, section 18, that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2014, shall not revert but shall remain available for the purpose designated until the close of the fiscal year that begins July 1, 2016, or until the project for which the appropriation was made is completed, whichever is earlier.

3. Of the moneys appropriated in section 3, subsection 5, paragraph “a”, of this division of this 2011 Act as amended by 2012 Iowa Acts, chapter 1140, section 17, and 2013 Iowa Acts, chapter 142, section 47, on June 30, 2016, an amount equal to \$2,992,416 shall be transferred to the rebuild Iowa infrastructure fund created in section 8.57.>

19. Page 15, after line 31 by inserting:

<Sec. \_\_\_\_ 2014 Iowa Acts, chapter 1136, section 1, subsection 7, paragraph c, is amended to read as follows:

c. For the construction of a new facility and an addition, renovation, and modernization of current facilities and related improvements for biosciences at Iowa state university of science and technology:

FY 2015-2016:	.....	\$ 11,000,000
FY 2016-2017:	.....	\$ 19,500,000
		15,500,000
FY 2017-2018:	.....	\$ 19,500,000
		23,500,000>

20. By striking page 15, line 32, through page 16, line 6.

21. Page 16, by striking lines 27 through 35.

22. By striking page 19, line 32, through page 20, line 4.

23. By striking page 20, line 30, through page 21, line 6.

24. Page 21, by striking lines 21 through 26 and inserting:

<Sec. \_\_\_\_ REBUILD IOWA INFRASTRUCTURE FUND — FUTURE APPROPRIATIONS. It is the intent of the general assembly that future appropriations from the rebuild Iowa infrastructure fund should be used, to the greatest extent possible, for public vertical infrastructure projects that involve major

maintenance of state government facilities necessary for the proper functioning of state government.>

25. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

MATT McCOY, CHAIR  
TOD R. BOWMAN  
JANET PETERSEN

ON THE PART OF THE HOUSE:

DAN HUSEMAN, CHAIR  
DENNIS COHOON  
STEVE HOLT  
JIM LYKAM  
GUY VANDER LINDEN

**RESOLUTIONS ADOPTED**  
(Not otherwise printed in the House Journal)

HOUSE RESOLUTION 101  
BY UPMEYER and SMITH

1 A resolution commemorating the 50th anniversary of  
2 Iowa's community colleges.  
3 WHEREAS, in the year 1965, Senate File 550 was  
4 introduced before Iowa's 61st General Assembly to  
5 provide for the establishment and operation of area  
6 community colleges and area vocational schools; and  
7 WHEREAS, Senate File 550 was passed by the Senate by  
8 a vote of 47 to 11 on May 26, 1965, and was then passed  
9 by the House of Representatives by a vote of 80 to 24  
10 on May 28, 1965; and  
11 WHEREAS, Governor Harold Hughes signed Senate File  
12 550 into law on June 7, 1965, creating a new community  
13 college system in Iowa; and  
14 WHEREAS, the State Board of Education officially  
15 designated Iowa's community colleges on the following  
16 dates in 1966:

17	I	Northeast Iowa	February 18
18	II	North Iowa Area	February 18
19	III	Iowa Lakes	October 28
20	IV	Northwest Iowa	February 18
21	V	Iowa Central	February 18
22	VI	Iowa Valley	April 29
23	VII	Hawkeye	March 18
24	IX	Eastern Iowa	March 18
25	X	Kirkwood	March 18
26	XI	Des Moines Area	March 18
27	XII	Western Iowa Tech	August 19
28	XIII	Iowa Western	March 18

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1	XIV	Southwestern	February 18
2	XV	Indian Hills	February 18
3	XVI	Southeast Iowa	June 2; and

4 WHEREAS, 50 years later, Iowa's community  
5 colleges have grown to be the largest category of  
6 postsecondary institution in Iowa, providing accessible  
7 and affordable education to a diverse range of  
8 students; and  
9 WHEREAS, Iowa's community colleges deliver college  
10 parallel courses and career technical education  
11 programs to Iowa high school students; and  
12 WHEREAS, Iowa's community colleges provide  
13 under-skilled Iowans adult literacy and basic education  
14 opportunities; and  
15 WHEREAS, Iowa's workforce today embodies nearly 25

16 million credit hours and over 138 million contact hours  
 17 of past and present community college training; and  
 18 WHEREAS, Iowa's community colleges lead the response  
 19 to the specific workforce needs of Iowa's communities  
 20 when nearly 34 percent of open positions in Iowa  
 21 require an education level equal to an associate degree  
 22 or higher; and  
 23 WHEREAS, 50 years after their initial designation,  
 24 Iowa's community colleges are leaders in providing  
 25 skills training for high-demand, high-paying,  
 26 high-skilled occupations and career enhancement  
 27 opportunities for Iowa workers; NOW THEREFORE,  
 28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
 29 That the House of Representatives congratulates and  
 30 commends Iowa's community colleges for their 50 years

Page 3

1 of developing and sustaining accessible and quality  
 2 higher education opportunities for all Iowans and for  
 3 their 50 years of service to Iowa and its businesses,  
 4 communities, and citizens.

H.R. 101 filed February 2, 2016; adopted February 17, 2016.

#### HOUSE RESOLUTION 102

BY HANUSA and RUNNING-MARQUARDT

1 A resolution to recognize the Iowa Small Business  
 2 Development Centers and honor 2016 award winners.  
 3 WHEREAS, since 1981, the Iowa Small Business  
 4 Development Centers have provided expert and  
 5 confidential business counseling services and training  
 6 workshops to entrepreneurs in all 99 Iowa counties; and  
 7 WHEREAS, the Iowa Small Business Development Centers  
 8 provide a wide variety of services to foster the growth  
 9 of Iowa business, including one-to-one professional  
 10 business counseling, learning opportunities,  
 11 workshops, courses and classes, and a variety of other  
 12 services; and  
 13 WHEREAS, the Iowa Small Business Development Centers  
 14 have announced the 2016 award winners for the centers'  
 15 two special entrepreneur awards; and  
 16 WHEREAS, Sarah Novacek, the founder of Legacy  
 17 Logistics Freight, Inc. of Mason City, is the 2016 Deb  
 18 Dalziel Woman Entrepreneur Achievement Award winner,  
 19 an award which honors an Iowa woman entrepreneur who  
 20 has significantly changed or improved her life and the  
 21 lives of others; and  
 22 WHEREAS, Tony Halsted, owner of Hoover's Hatchery  
 23 Company, LLC of Rudd, has received the 2016 Neal Smith  
 24 Entrepreneur of the Year Award, an award named in honor  
 25 of the long-serving Iowa congressman, given to an Iowa



26 entrepreneur who has been in business a minimum of  
 27 three years and has been significantly assisted by an  
 28 Iowa Small Business Development Center; NOW THEREFORE,

Page 2

1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
 2 the House of Representatives honors award winners Sarah  
 3 Novacek and Tony Halsted, congratulates them on their  
 4 success, and recognizes and expresses its thanks to  
 5 the Iowa Small Business Development Centers for their  
 6 ongoing work in making Iowa a better place to live and  
 7 work.

H.R. 102 filed February 16, 2016; adopted February 16, 2016.

HOUSE RESOLUTION 103

BY MEYER, PAULSEN, WESSEL-KROESCHELL, OLSON,  
 WINDSCHITL, VANDER LINDEN, KELLEY, BEST, SALMON,  
 PETTENGILL, KOOIKER, BROWN-POWERS, MOMMSEN,  
 ABDUL-SAMAD, BENNETT, ISENHART, DOLECHECK, KEARNS,  
 FINKENAUER, HEARTSILL, LENSING, NUNN, RIZER, BYRNES,  
 JORGENSEN, HUSEMAN, SANDS, STAED, GASSMAN, MASCHER,  
 CARLSON, SIECK, HOLT, T. TAYLOR, SMITH, PRICHARD,  
 LYKAM, JACOBY, DAWSON, RUFF, HALL, KAUFMANN, HEDDENS,  
 WOLFE, GUSTAFSON, MAXWELL, JONES, KOESTER, FISHER,  
 BACON, UPMEYER, HIGHFILL, WATTS, BAUDLER, SEXTON,  
 R. TAYLOR, L. MILLER, FORRISTALL, HEATON, HAGENOW,  
 BAXTER, STANERSON, KLEIN, B. MOORE, PAUSTIAN, WILLS,  
 SHEETS, BRANHAGEN, WORTHAN, DEYOE, GRASSLEY, COWNIE,  
 LANDON, and HOLZ

1 A resolution commemorating the 25th anniversary of the  
 2 conclusion of Operation Desert Shield/Desert Storm.  
 3 WHEREAS, Operation Desert Shield/Desert Storm  
 4 occurred from August 2, 1990, to April 6, 1991, in the  
 5 Middle East; and  
 6 WHEREAS, Iowa-based National Guard and Reserve  
 7 units, and selected personnel, were deployed to  
 8 the Middle East in support of Operation Desert  
 9 Shield/Desert Storm; and  
 10 WHEREAS, active duty military personnel from Iowa,  
 11 stationed all over the world, served in Operation  
 12 Desert Shield/Desert Storm in all branches of the  
 13 United States Armed Forces; and  
 14 WHEREAS, six military veterans and one civilian

Page 2

1 contractor from Iowa gave their lives during Operation  
 2 Desert Shield/Desert Storm; and  
 3 WHEREAS, on December 19, 2014, the National Desert  
 4 Storm War Memorial Association received congressional

5 and executive approval to build a National Desert Storm  
6 War Memorial in Washington, D.C., to honor the veterans  
7 from Iowa and the nation who were killed in Operation  
8 Desert Shield/Desert Storm; and  
9 WHEREAS, February 28, 2016, marks the 25th  
10 anniversary of the date a cease-fire was declared  
11 concerning Operation Desert Shield/Desert Storm; and  
12 WHEREAS, April 6, 2016, marks the 25th anniversary  
13 of the date Iraq officially accepted cease-fire terms  
14 to conclude Operation Desert Shield/Desert Storm; NOW  
15 THEREFORE,  
16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
17 That the House of Representatives recognizes and  
18 shows support for the future National Desert Storm War  
19 Memorial in Washington, D.C.; and  
20 BE IT FURTHER RESOLVED, That the House of  
21 Representatives commemorates the 25th anniversary of  
22 the conclusion of Operation Desert Shield/Desert Storm,  
23 and urges the citizens of this State to honor those  
24 Iowa veterans who served their country during Operation  
25 Desert Shield/Desert Storm.

H.R. 103 filed February 24, 2016; adopted February 25, 2016.

HOUSE RESOLUTION 104

BY THEDE and JONES

1 A resolution designating March 2016 as Iowa Women's  
2 History Month.  
3 WHEREAS, Iowa women of every race, class, and  
4 ethnic background have made historic contributions  
5 to the growth and strength of our state and nation  
6 in countless recorded and unrecorded ways including  
7 through the struggle for women's rights; and  
8 WHEREAS, Iowa women have played and continued to  
9 play critical economic, cultural, and social roles in  
10 our state by constituting a significant portion of the  
11 labor force working inside and outside of the home  
12 despite being underpaid; and  
13 WHEREAS, Iowa women were particularly important in  
14 the establishment of early charitable, philanthropic,  
15 and cultural institutions in our state and nation; and  
16 WHEREAS, Iowa women and men amended the Iowa  
17 Constitution to provide that all men and women are, by  
18 nature, free and equal, and have certain inalienable  
19 rights; and  
20 WHEREAS, Iowa women have been leaders in business,  
21 industry, and academia, as well as in the abolitionist  
22 movement, the emancipation movement, the industrial  
23 labor movement, the civil rights movement, the peace  
24 movement, and the women's suffrage movement, helping to  
25 create a more fair and just society for all; and  
26 WHEREAS, despite these contributions, and those

27 of women throughout the world, the role of women  
 28 has been consistently overlooked and undervalued in

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1 the literature, teaching, and study of history; NOW  
 2 THEREFORE,  
 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
 4 the House of Representatives designates March 2016 as  
 5 Iowa Women's History Month and invites the citizens of  
 6 Iowa to continue to discover the roles that Iowa women  
 7 have played throughout the history of our state and  
 8 nation.

H.R. 104 filed March 9, 2016; adopted March 15, 2016.

HOUSE RESOLUTION 106

BY HEIN, H. MILLER, PAUSTIAN, BEARINGER, BEST,  
 BYRNES, COWNIE, DEYOE, GRASSLEY, HOLZ, KLEIN, MAXWELL,  
 MOMMSEN, B. MOORE, OURTH, STUTSMAN, WILLS, and WORTHAN  
 1 A resolution recognizing National Agriculture Day.  
 2 WHEREAS, Iowa has 88,500 farms and 129,644 farm  
 3 operators with more than 97 percent of Iowa farms owned  
 4 by families; and  
 5 WHEREAS, Iowa agriculture accounted for nearly \$30  
 6 billion in direct sales in recent years; and  
 7 WHEREAS, according to a report issued in May 2015  
 8 by the National Agricultural Statistics Service of the  
 9 United States Department of Agriculture (USDA), in  
 10 cooperation with the Iowa Department of Agriculture and  
 11 Land Stewardship, Iowa again ranks 1st in the nation in  
 12 corn for grain production, hog and pig inventory and  
 13 commercial hog slaughter, and egg production; and  
 14 WHEREAS, according to the USDA report, Iowa ranks  
 15 2nd in soybean production and red meat production, 6th  
 16 in the number of certified organic farms, 7th in all  
 17 cattle and calves inventory, 8th in cheese production  
 18 and number of turkeys raised, and 10th in all sheep and  
 19 lambs inventory and wool production; and  
 20 WHEREAS, Iowa ranks 2nd nationally in the number of  
 21 farmers markets per capita; and  
 22 WHEREAS, Iowa is the nation's top ethanol producer  
 23 with 42 ethanol refineries with the capacity to  
 24 produce nearly 3.8 billion gallons annually and 1st  
 25 in biodiesel production, with 13 biodiesel facilities

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1 and the capacity to produce 320 million gallons  
 2 annually; and  
 3 WHEREAS, March 15, 2016, is National Agriculture  
 4 Day, dedicated to increasing the public awareness of

5 agriculture's vital role in our society and recognizing  
 6 this nation's unique role in producing food and fiber  
 7 for a growing world population; and  
 8 WHEREAS, National Agriculture Day, first  
 9 celebrated in 1973, is a day set aside when producers,  
 10 agricultural associations, corporations, universities,  
 11 government agencies, and countless others across this  
 12 nation gather to recognize and celebrate the abundance  
 13 of food and fiber produced by American agriculture; and  
 14 WHEREAS, National Agriculture Day is an opportunity  
 15 to encourage persons to understand how food, fuel,  
 16 fiber, and pharmaceuticals are produced, to appreciate  
 17 the function of farmers and ranchers in producing  
 18 abundant and affordable supplies of food, fuel, fiber,  
 19 and pharmaceuticals, to acknowledge the essential  
 20 role of agriculture in maintaining a vibrant economy,  
 21 and to allow the next generation to consider career  
 22 opportunities in agriculture; and  
 23 WHEREAS, this year's theme for National Agriculture  
 24 Day is "Agriculture: Stewards of a Healthy  
 25 Planet"; and  
 26 WHEREAS, National Agriculture Day is associated  
 27 with a national essay contest and a number of  
 28 events, including events conducted on Capitol Hill in  
 29 Washington, D.C., including at the Senate Hart Office  
 30 Building; NOW THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
 2 That the House of Representatives recognizes March 15,  
 3 2016, as National Agriculture Day, and encourages all  
 4 Iowans as residents of one of the leading agricultural  
 5 states in the nation, to commemorate and celebrate that  
 6 day and the invaluable contributions made by Iowa's  
 7 farmers; and  
 8 BE IT FURTHER RESOLVED, That a copy of this  
 9 resolution be sent to the Agriculture Council of  
 10 America.

H.R. 106 filed March 14, 2016; adopted March 15, 2016.

#### HOUSE RESOLUTION 107

BY OURTH, HAGENOW, SMITH, BALTIMORE, and BAUDLER

1 A resolution honoring the Iowa State Patrol and  
 2 recognizing Iowa State Trooper Joseph William Long's  
 3 meritorious service.

4 WHEREAS, on February 18, 2016, Iowa State Trooper  
 5 Joseph Long was stationed at the west checkpoint of the  
 6 Iowa State Capitol Building when he was dispatched to  
 7 Room G02 to respond to a report of an individual who  
 8 had collapsed; and

9 WHEREAS, upon arriving on the scene at 10:06 a.m.  
 10 and noticing an adult male lying on the floor with  
 11 blood coming from the back of his head, Trooper Long  
 12 immediately called for rescue, determined the victim  
 13 had no pulse, and began performing cardiopulmonary  
 14 resuscitation (CPR); and  
 15 WHEREAS, as a trained and certified emergency  
 16 medical technician, Trooper Long followed through with  
 17 a series of chest compressions and related procedures  
 18 that revived the victim, who has since made a full  
 19 recovery; and  
 20 WHEREAS, the Iowa House of Representatives stands  
 21 in honor of the Iowa State Patrol and its commitment  
 22 to excellence, and its many brave public servants who,  
 23 like Trooper Long, exemplify everything for which the  
 24 Iowa State Patrol has proudly stood since 1935: honor,  
 25 integrity, courage, and undaunted service to the people  
 26 of Iowa; NOW THEREFORE,  
 27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
 28 That Iowa State Trooper Joseph William Long deserves

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1 commendation from the people of Iowa for meritorious  
 2 service in the line of duty resulting in the saving of  
 3 a human life.

H.R. 107 filed March 22, 2016; adopted March 22, 2016.

HOUSE RESOLUTION 108  
 BY GASSMAN

1 A resolution recognizing July 16, 2016, as Iowa Atomic  
 2 Veterans Day.  
 3 WHEREAS, as a result of the Manhattan Project, the  
 4 United States conducted the Trinity nuclear test, the  
 5 first detonation of a nuclear device, in New Mexico on  
 6 July 16, 1945; and  
 7 WHEREAS, over 200,000 American service members,  
 8 including Iowans, participated in aboveground nuclear  
 9 tests between 1945 and 1962, were part of the United  
 10 States military occupation forces in Japan in or around  
 11 Hiroshima and Nagasaki before 1946, or were held as a  
 12 prisoner of war in or near Hiroshima or Nagasaki; and  
 13 WHEREAS, Iowans have been exposed to radiation due  
 14 to their work at the Ames Laboratory at Iowa State  
 15 University as part of the Manhattan Project and at the  
 16 Burlington Atomic Energy Commission Plant at the Iowa  
 17 Army Ammunition Plant located in Des Moines County; and  
 18 WHEREAS, these atomic veterans, both military and  
 19 civilian, may have been exposed to radiation as a  
 20 result of their service and, due to that exposure, may  
 21 have developed cancer or other medical conditions; and

22 WHEREAS, many atomic military veterans were  
 23 prevented by secrecy laws or oaths from seeking medical  
 24 care or disability compensation from the United States  
 25 Department of Veterans Affairs (VA) for conditions  
 26 they may have developed as a result of radiation  
 27 exposure; and  
 28 WHEREAS, in 1996, the United States Congress

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1 repealed the Nuclear Radiation and Secrecy Agreements  
 2 Act, freeing atomic military veterans to describe their  
 3 military involvement in nuclear testing in order to  
 4 file for VA benefits; and  
 5 WHEREAS, atomic military veterans may be eligible  
 6 for free medical care from the VA and compensation  
 7 in the form of a partial or full service-connected  
 8 disability allowance, including potential payments to  
 9 a surviving spouse or children; and  
 10 WHEREAS, the National Association of Atomic Veterans  
 11 was formed in 1979 to help atomic military veterans  
 12 obtain medical care and assistance; and  
 13 WHEREAS, it is altogether fitting and proper that  
 14 atomic veterans be recognized for their service and  
 15 sacrifice to the nation; NOW THEREFORE,  
 16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
 17 the House of Representatives recognizes July 16, 2016,  
 18 as Iowa Atomic Veterans Day.

H.R. 108 filed March 22, 2016; adopted April 6, 2016.

#### HOUSE RESOLUTION 109

BY GAINES, T. MOORE, McCONKEY, MOMMSEN, GUSTAFSON,  
 KLEIN, BRANHAGEN, HEATON, ABDUL-SAMAD, BROWN-POWERS,  
 JACOBY, MEYER, HOLT, HUNTER, HUSEMAN, LENSING, KELLEY,  
 STUTSMAN, BERRY, FINKENAUER, STANERSON, BENNETT,  
 MAXWELL, BEST, THEDE, NUNN, RUFF, DUNKEL, and GASSMAN

1 A resolution recognizing and congratulating the Grand  
 2 View University Wrestling Team and program on its  
 3 outstanding athletic achievements.  
 4 WHEREAS, the 59th annual National Association of  
 5 Intercollegiate Athletics (NAIA) Wrestling National  
 6 Championships were held March 4-5, 2016, in Topeka,  
 7 Kansas; and  
 8 WHEREAS, the Grand View University Wrestling Team  
 9 (the Vikings) claimed three national champions, four  
 10 runners-up, and 10 All-America honors en route to 210  
 11 points for the championship title; and  
 12 WHEREAS, the national champion titles and  
 13 All-America honors were won by Jacob Colon at 133  
 14 pounds, Michael Pixley at 184 pounds, and Dean  
 15 Broghammer at 285 pounds; and

16 WHEREAS, national runners-up and All-America honors  
17 were bestowed on Grant Henderson at 157 pounds, Dallas  
18 Houchins at 165 pounds, Lawton Benna at 174 pounds, and  
19 Grant Harrill at 197 pounds; and  
20 WHEREAS, additional All-America honors were earned  
21 by Godwin Cutler at 133 pounds, Walker Marshall at 141  
22 pounds, and Tanner Werner at 157 pounds; and  
23 WHEREAS, the championship total of 210 points

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1 eclipsed the previous scoring record of 193 points; and  
2 WHEREAS, the Vikings are the first team in NAIA  
3 history to win five consecutive national titles and  
4 only the fifth program in collegiate wrestling history  
5 to win five or more consecutive championships; and  
6 WHEREAS, Head Coach Nick Mitchell has been voted  
7 NAIA 2016 National Wrestling Coach of the Year, the  
8 fourth such honor during his eight-year career at Grand  
9 View University; and  
10 WHEREAS, the Vikings won the divisional title at the  
11 National Wrestling Coaches Association Multi-Divisional  
12 National Duals conducted in honor of Cliff Keen, held  
13 on January 9, 2016, in Fort Wayne, Indiana, and were  
14 undefeated in dual action; and  
15 WHEREAS, the Vikings won the first-ever Heart of  
16 America Conference Dual Championships, held on January  
17 30, 2016, in Lamoni, Iowa, at which Michael Pixley was  
18 named the Heart Newcomer of the Year and Head Coach  
19 Mitchell was named the Heart Coach of the Year; and  
20 WHEREAS, the Vikings won their sixth consecutive  
21 Central National Qualifying Tournament team title, held  
22 on February 20, 2016, in Marshall, Missouri, at which  
23 Tanner Werner was named the tournament's outstanding  
24 wrestler and Head Coach Mitchell was named Coach of the  
25 Year for the sixth time in his career at Grand View  
26 University; NOW THEREFORE,  
27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
28 That the House of Representatives recognizes and  
29 congratulates the Grand View University Wrestling Team  
30 and program on its outstanding achievements; and

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1 BE IT FURTHER RESOLVED, That copies of this  
2 resolution be sent to Grand View University Wrestling  
3 Team Head Coach Nick Mitchell and Grand View University  
4 President Kent Henning.

H.R. 109 filed March 24, 2016; adopted April 5, 2016.

HOUSE RESOLUTION 110  
BY H. MILLER and SEXTON

1 A resolution recognizing and congratulating the  
2 Iowa Central Community College men's and women's  
3 track, women's soccer, and men's cross country  
4 teams and programs on their outstanding athletic  
5 accomplishments.  
6 WHEREAS, the Iowa Central Community College men's  
7 and women's indoor track and field teams won the  
8 National Junior College Athletic Association Indoor  
9 Track and Field Championships held on March 4-5, 2016,  
10 in Winston-Salem, North Carolina; and  
11 WHEREAS, the men's and women's track and field  
12 teams entered the championships ranked 1st and 2nd,  
13 respectively; and  
14 WHEREAS, the men's and women's track and field teams  
15 have each won the national title four times since  
16 2010; and  
17 WHEREAS, the Iowa Central Community College women's  
18 soccer team won the National Junior College Athletic  
19 Association Women's Soccer Championships on November  
20 21, 2015, on the Melbourne Campus of Eastern Florida  
21 State University in Brevard County, Florida; and  
22 WHEREAS, the women's soccer team entered the  
23 championship ranked 3rd with a 15-1 record; and  
24 WHEREAS, it was the women's soccer team's first  
25 national title; and  
26 WHEREAS, the Iowa Central Community College men's  
27 cross country team won the National Junior College  
28 Athletic Association Cross Country Championships held

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1 on November 14, 2015, in Fort Dodge, Iowa; and  
2 WHEREAS, the men's cross country team was ranked 1st  
3 for a majority of the season and won the national title  
4 for the second consecutive year; NOW THEREFORE,  
5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
6 That the House of Representatives recognizes and  
7 congratulates the Iowa Central Community College  
8 men's and women's track, women's soccer, and men's  
9 cross country teams and programs for their outstanding  
10 achievements in winning National Junior College  
11 Athletic Association Championships in late 2015 and  
12 early 2016; and  
13 BE IT FURTHER RESOLVED, That copies of this  
14 resolution be sent to Iowa Central Community College  
15 President Dr. Dan Kinney, Track and Field Head Coach  
16 Denny Myers, Women's Soccer Head Coach Christiane  
17 Lessa, and Men's Cross Country Head Coach Dee Brown.

H.R. 110 filed March 30, 2016; adopted April 7, 2016.



## HOUSE RESOLUTION 111

BY H. MILLER

1 A resolution recognizing the Hoover Uncommon Public  
 2 Service Award winner for 2016, Speaker of the House  
 3 of Representatives Linda Upmeyer.  
 4 WHEREAS, Herbert Hoover was both a visionary and  
 5 dedicated public servant and through his tireless  
 6 efforts millions of lives were saved in the years after  
 7 World War I; and  
 8 WHEREAS, to honor that spirit of public service the  
 9 Herbert Hoover Presidential Library Association has  
 10 created the Hoover Uncommon Public Service Award; and  
 11 WHEREAS, the association annually presents  
 12 the Hoover Uncommon Public Service Award to Iowa  
 13 legislators who exemplify President Hoover's  
 14 humanitarian efforts and have gone above and beyond  
 15 the call of duty to demonstrate uncommon service and  
 16 commitment to the people of Iowa; and  
 17 WHEREAS, in 2016, the association awarded the tenth  
 18 annual Hoover Uncommon Public Service Award to Speaker  
 19 of the House of Representatives Linda Upmeyer of Clear  
 20 Lake, Iowa; and  
 21 WHEREAS, Speaker Upmeyer is committed to the  
 22 constituents in her district and works for the best  
 23 interests of those she represents; NOW THEREFORE,  
 24 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
 25 That the House of Representatives thanks the Herbert  
 26 Hoover Presidential Library Association for the  
 27 creation of the Hoover Uncommon Public Service Award  
 28 and congratulates Speaker Upmeyer on receiving the 2016

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1 award.

H.R. 111 filed April 1, 2016; adopted April 5, 2016.

## SENATE CONCURRENT RESOLUTION 101

BY COMMITTEE ON RULES AND ADMINISTRATION

1 A concurrent resolution to provide for adjournment  
 2 sine die.  
 3 BE IT RESOLVED BY THE SENATE, THE HOUSE OF  
 4 REPRESENTATIVES CONCURRING, That when adjournment  
 5 is had on Friday, April 29, 2016, it shall be the  
 6 final adjournment of the 2016 Regular Session of the  
 7 Eighty-sixth General Assembly.

S.C.R. 101 filed April 29, 2016; adopted April 29, 2016.

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Special presentation—retiring members—817  
Study bill subcommittee assignments—88, 100, 140, 173, 181, 190, 191, 216  
Subcommittee assignments—76, 77, 87, 123, 139, 160, 180, 189, 225, 237, 329, 376, 377, 400, 436

**BROWN-POWERS, TIMI—Representative**

Amendments filed—625, 666, 724, 725, 753, 754  
Committee appointments/revisions—17, 18, 19, 22  
Committee to notify/escort—8  
Introduction of bills—80, 81, 119, 120, 165, 169, 177, 200, 207, 208, 231, 232, 264, 271, 320, 583  
Leave of absence—803  
Resolutions filed—330, 552, 751, 752, 753, 783  
Sponsor added—247, 759  
Study bill subcommittee assignments—75, 104, 140, 161, 203, 330  
Subcommittee assignments—75, 98, 102, 123, 160, 172, 189, 190, 248, 348, 376, 399, 523, 549

**BYRNES, JOSH—Representative**

Amendments filed—418, 429, 524, 687, 724, 753  
Amendments offered—421, 518, 538, 628, 735  
Committee appointments/revisions—16, 17, 19, 22  
Committee to notify/escort—125  
Introduction of bills—81, 91, 105, 168, 169, 233, 430  
Leave of absence—639  
Presided—601  
Reports—125  
Resolutions filed—330, 460, 752  
Rulings—602  
Special presentation—retiring members—817  
Study bill subcommittee assignments—140, 173, 226, 288, 549, 581  
Subcommittee assignments—74, 75, 98, 103, 139, 180, 203, 214, 248, 348, 490, 580

**CANVASS OF VOTES—**

Certificate of Election—3, 4  
Committee on credentials—2, 3

**CARLSON, GARY—Representative**

Committee appointments/revisions—16, 17, 18, 19, 20, 22  
Introduction of bills—78, 80, 105, 119, 120, 143, 207  
Resolutions filed—330  
Study bill subcommittee assignments—88, 161, 238, 248  
Subcommittee assignments—74, 139, 214, 215, 237, 375

**CHIEF CLERK OF THE HOUSE, Carmine Boal**

Administered oath—4-5, 6  
Report-engrossing/enrolling—700, 806

## COHOON, DENNIS M.—Representative

- Amendments filed—666, 724, 725, 726, 753, 754
- Committee appointments/revisions—17, 19, 20, 22
- Conference committee appointments and reports—748, 765
- Introduction of bills—93, 119, 168, 169, 177, 232
- Reports—44
- Resolutions filed—752, 783
- Study bill subcommittee assignments—88, 124, 140, 181
- Subcommittee assignments—75, 103, 237, 348, 400, 416

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- Appointments/revisions—15, 16
- Introduction of bills—220, 222, 284, 286, 287, 302, 315
- Recommendations—173-174, 239, 259-260, 447
- Study bill committee assignments—85, 86, 115, 146, 147, 170, 179, 188, 202, 225, 247
- Study bill subcommittee assignments—88, 116, 148, 173, 181, 191, 204, 227, 248
- Subcommittee assignments—115, 139, 171, 172, 202, 215, 417

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- Appropriations—204, 427, 491, 552, 596, 642, 652-653, 686, 701-702, 723-724, 759
- Commerce—173-174, 239, 259-260, 447
- Economic Growth—227, 249, 458
- Education—100, 174, 182, 217, 239-240, 260-261, 428, 447
- Environmental Protection—240
- Government Oversight—581, 586
- Human Resources—100, 124, 174, 192, 227, 240, 249-250, 288-289, 428, 447, 452, 458
- Judiciary—182-183, 204-205, 227-228, 240-242, 261-262, 269-270, 289, 401, 448
- Labor—205, 448
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- Natural Resources—174, 183, 228, 242, 262-263
- Public Safety—148, 174, 183, 205, 228-229, 242-243, 250, 428-429, 452, 458
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- Transportation—141, 243-244, 252, 263, 453, 504-505
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COWNIE, PETER—Representative

Committee appointments/revisions—15, 16, 19, 22  
Introduction of bills—178, 207  
Presided—292, 420, 421, 440, 473, 493, 510, 587, 589  
Resolutions filed—330, 460  
Rulings—294, 295, 443, 494  
Study bill subcommittee assignments—191, 549, 569  
Subcommittee assignments—171, 172, 523

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DAWSON, DAVID—Representative

Amendments filed—330, 460, 479, 666, 724, 725, 726, 753, 754  
Amendments offered—357, 473  
Committee appointments/revisions—16, 17, 18, 19, 20, 22  
Committee to notify/escort—61  
Introduction of bills—91, 92, 93, 119, 155, 165, 166, 169, 177, 185, 200, 207, 208, 583  
Point of order—110, 392  
Presided—600  
Reports—44  
Resolutions filed—330, 752  
Special presentation—retiring members—817  
Sponsor added—169  
Study bill subcommittee assignments—88, 99, 100, 161, 173, 204, 216, 248  
Subcommittee assignments—76, 77, 88, 98, 103, 139, 179, 202, 214, 225, 400, 417

DEYOE, DAVE—Representative

Amendments filed—753  
Amendments offered—736  
Committee appointments/revisions—16, 17, 20, 22  
Introduction of bills—73, 80, 176  
Point of order—579, 660, 740  
Resolutions filed—330, 460, 752  
Study bill subcommittee assignments—226  
Subcommittee assignments—179, 190, 436, 580, 642, 685

DOLECHECK, CECIL—Representative

Amendments filed—330  
Amendments offered—368  
Committee appointments/revisions—16, 17, 20, 23  
Committee to notify/escort—6  
Conference committee appointments and reports—136, 137, 522  
Introduction of bills—84, 85, 118, 119, 231  
Resolutions filed—330  
Study bill subcommittee assignments—180  
Subcommittee assignments—75, 123, 189, 190, 248, 313, 685, 701



**DUNKEL, NANCY A.—Representative**

- Amendments filed—666, 753, 754
- Committee appointments/revisions—16, 17, 19, 20, 23
- Introduction of bills—81, 93, 119, 155, 168, 169, 177, 206
- Leave of absence—721, 803
- Resolutions filed—552, 752, 783
- Special presentation—retiring members—817
- Sponsor withdrawn—121
- Study bill subcommittee assignments—140, 190, 238, 642
- Subcommittee assignments—237, 701, 722

**ECONOMIC GROWTH, COMMITTEE ON—**

- Amendments filed—459
- Appointments/revisions—15, 17
- Introduction of bills—231, 301
- Recommendations—227, 249, 458
- Study bill committee assignments—95, 212, 236
- Study bill subcommittee assignments—104, 216, 238
- Subcommittee assignments—179, 180, 237, 401, 436, 446

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- Amendments filed—101, 449
- Appointments/revisions—15, 17
- Introduction of bills—220, 221, 222, 235, 246, 254, 255, 256, 267, 286, 301, 331, 332
- Recommendations—100, 174, 182, 217, 239-240, 260-261, 428, 447
- Study bill committee assignments—137, 138, 169, 170, 201, 214, 236, 247
- Study bill subcommittee assignments—140, 180, 181, 203, 226, 238, 248
- Subcommittee assignments—74, 75, 98, 103, 122, 123, 139, 159, 160, 172, 173, 179, 180, 189, 190, 214, 225, 237, 248, 344, 345, 348, 376, 400, 416

**ENVIRONMENTAL PROTECTION, COMMITTEE ON—**

- Appointments/revisions—15, 17
- Introduction of bills—285
- Recommendations—240
- Study bill committee assignments—86, 179
- Study bill subcommittee assignments—98, 99, 191
- Subcommittee assignments—189

**ETHICS, COMMITTEE ON—**

- Appointments/revisions—17

**FINAL ADJOURNMENT—805****FINKENAUER, ABBY—Representative**

- Amendments filed—625, 665, 666
- Committee appointments/revisions—17, 18, 19, 20, 23
- Introduction of bills—164, 165, 166, 177, 208
- Leave of absence—596, 603, 721, 750, 758
- Reports—44
- Resolutions filed—330, 552, 752
- Study bill subcommittee assignments—401
- Subcommittee assignments—74, 139, 172, 400, 446, 490

## FISHER, DEAN C.—Representative

Amendments filed—345, 377, 429

Committee appointments/revisions—16, 18, 20, 23

Explanation of vote—804

Introduction of bills—80, 84, 85, 93, 94, 105, 118, 155, 156, 167, 169, 178, 185, 232

Resolutions filed—330, 751, 752

Study bill subcommittee assignments—204, 226

Subcommittee assignments—122, 123, 172, 376, 508, 701

## FORBES, JOHN—Representative

Amendments filed—625, 653, 666, 724, 725, 753, 754, 759, 760, 775

Committee appointments/revisions—16, 18, 20, 23

Introduction of bills—80, 92, 93, 119, 168, 169, 177, 200

Resolutions filed—752, 783

Sponsor withdrawn—121

Study bill subcommittee assignments—116, 173, 204, 216

Subcommittee assignments—172, 313, 685

## FORRISTALL, GREG—Representative

Amendments filed—492, 665, 666, 687

Amendments offered—497, 675

Committee appointments/revisions—17, 18, 19, 23

Introduction of bills—207

Leave of absence—632

Point of order—110

Reports—2-3, 3-4

Resolutions filed—330

Study bill subcommittee assignments—140, 180, 203, 549

Subcommittee assignments—98, 102, 103, 104, 140, 160, 172, 189, 190, 225, 237, 248, 313, 344, 376, 399, 400, 490

## FRY, JOEL—Representative, Majority Whip

Amendments offered—473

Committee appointments/revisions—16, 17, 18, 23

Conference committee appointments and reports—747, 790

Introduction of bills—80, 118, 120, 155

Leadership revision—1

Resolutions filed—752

Study bill subcommittee assignments—75, 88, 204, 216

Subcommittee assignments—60, 98, 102, 103, 104, 122, 123, 139, 160, 172, 179, 180, 189, 214, 225, 237, 345, 348, 376, 400, 417, 427

## GAINES, RUTH ANN—Representative

Amendments filed—314, 349, 608, 626, 643, 666, 724, 725, 753

Amendments offered—369, 635, 636

Committee appointments/revisions—17, 18, 19, 23

Conference committee appointments and reports—696, 780

Introduction of bills—80, 119, 155, 163, 165, 169, 177, 200, 208, 218, 231, 232, 583

Leave of absence—803

Resolutions filed—552, 752, 753, 783

Study bill subcommittee assignments—140, 161, 191, 203, 248, 552

Subcommittee assignments—76, 103, 139, 160, 189, 190, 225, 237, 376

## GASKILL, MARY—Representative, Assistant Minority Leader

- Amendments filed—625, 653, 666, 724, 725, 726, 753, 754

- Committee appointments/revisions—16, 17, 18, 19, 24

- Introduction of bills—92, 93, 119, 142, 155, 165, 166, 168, 169, 177, 178, 200, 206, 208, 234, 264, 320

- Leave of absence—639, 651

- Resolutions filed—752, 783

- Sponsor added—247

- Sponsor withdrawn—137

- Study bill subcommittee assignments—509

- Subcommittee assignments—115, 375, 436

## GASSMAN, TEDD—Representative

- Amendments filed—193, 330

- Amendments offered—198, 340

- Committee appointments/revisions—17, 18, 19, 24

- Explanation of vote—804

- Introduction of bills—71, 80, 81, 84, 85, 94, 105, 118, 119, 120, 143, 155, 156, 167, 169, 176, 178, 185, 219, 232

- Leave of absence—803

- Resolutions filed—330, 524, 552, 751

- Study bill subcommittee assignments—180, 181, 203, 238

- Subcommittee assignments—75, 115, 123, 140, 172, 237, 248, 345

## GOVERNMENT OVERSIGHT, COMMITTEE ON—

- Amendments filed—586

- Appointments/revisions—15, 17

- Introduction of bills—583-584

- Recommendations—581, 586

- Study bill committee assignments—399, 548

- Study bill subcommittee assignments—436, 552, 563

## GOVERNOR BRANSTAD, TERRY E.—

- Bills signed—347, 446, 451, 457, 522-523, 546-547, 551, 584-585, 587, 606-608, 625, 641, 652, 722, 804, 807-810

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- Joint Convention—49-59

## GRASSLEY, PAT—Representative

- Amendments filed—625, 665, 753

- Amendments offered—615, 621, 623, 731

- Committee appointments/revisions—14, 15, 16, 24

- Committee to notify/escort—50

- Conference committee appointments and reports—761, 794

- Introduction of bills—74, 119

- Resolutions filed—330, 453, 460, 752

- Subcommittee assignments—171, 172, 591

## GUSTAFSON, STANLEY R.—Representative

- Amendments offered—468, 600

- Committee appointments/revisions—17, 18, 19, 20, 24

- Committee to notify/escort—126

Introduction of bills—80, 84, 85, 105, 119, 120, 155, 231, 232  
Resolutions filed—330, 552, 752  
Study bill subcommittee assignments—99, 140, 161, 181, 190, 191, 216  
Subcommittee assignments—76, 88, 139, 180, 190, 225, 329, 345, 376, 400, 417, 436

HAGENOW, CHRIS—Representative, Majority Leader

Committee appointments/revisions—15, 16, 24  
Conference committee appointments and reports—761, 794  
Leadership revision—1  
Point of order—593  
Presided—78, 264, 506  
Remarks—13-14, 796-797  
Resolutions filed—330  
Special presentation—House Pages—627, leaders—817

HALL, CHRIS—Representative

Amendments filed—665, 666, 687, 724, 725, 753  
Amendments offered—669, 683  
Committee appointments/revisions—16, 18, 24  
Conference committee appointments and reports—761  
Introduction of bills—119, 142, 165, 166, 177, 186, 200, 201, 207, 208, 232, 455  
Point of order—443  
Resolutions filed—330, 752  
Study bill subcommittee assignments—227  
Subcommittee assignments—139, 172, 215, 399, 642

HANSON, CURT—Representative

Amendments filed—625, 653, 666, 724, 725, 726  
Committee appointments/revisions—16, 17, 18, 20, 24  
Introduction of bills—92, 93, 119, 155, 163, 165, 166, 168, 169, 177, 178, 208, 231, 232, 245, 264, 320, 525, 583  
Leave of absence—283, 312, 328, 343, 374, 397, 435, 478, 521, 546, 562, 568, 580, 603, 639, 663, 685, 699, 721, 750, 758  
Resolutions filed—752  
Sponsor withdrawn—121  
Subcommittee assignments—75, 123, 160, 172, 189, 190, 203, 215, 226, 248, 345

HANUSA, MARY ANN—Representative

Amendments filed—401, 418, 550  
Amendments offered—404, 555  
Committee appointments/revisions—17, 18, 19, 20, 24  
Committee to notify/escort—8  
Introduction of bills—119, 143  
Leave of absence—502, 603, 750  
Point of order—404  
Reports—12  
Study bill subcommittee assignments—104, 226, 238  
Subcommittee assignments—98, 180, 348

HEARTSILL, GREG T.—Representative

Amendments filed—314, 377, 417, 436, 550, 702  
Amendments offered—425, 565  
Committee appointments/revisions—17, 18, 24

Conference committee appointments and reports—696, 780  
Introduction of bills—80, 84, 85, 90, 105, 119, 120, 150, 155, 156, 164, 165, 166, 168,  
176, 178, 185, 207, 210, 232  
Point of order—443  
Reports—44  
Resolutions filed—330, 751, 752  
Study bill subcommittee assignments—100, 104, 148, 226, 552  
Subcommittee assignments—87, 103, 147, 160, 172, 180, 189, 214, 225, 376, 446

HEATON, DAVID E.—Representative

Amendments filed—377, 401, 666  
Amendments offered—410, 678  
Committee appointments/revisions—16, 17, 18, 20, 25  
Conference committee appointments and reports—747, 790  
Introduction of bills—79, 118, 119, 151, 166, 200  
Resolutions filed—330, 552  
Study bill subcommittee assignments—75, 104, 161  
Subcommittee assignments—76, 98, 116, 139, 140, 172, 179, 180, 400, 685

HEDDENS, LISA K.—Representative

Amendments filed—550, 608, 653, 666, 687, 724, 725, 753  
Amendments offered—576, 613, 672, 679  
Committee appointments/revisions—16, 17, 18, 20, 25  
Conference committee appointments and reports—747  
Explanation of vote—344, 426-427  
Introduction of bills—73, 119, 177, 200, 208, 209, 525, 583  
Leave of absence—328, 397, 414  
Resolutions filed—330, 752, 783  
Study bill subcommittee assignments—75, 104, 203  
Subcommittee assignments—76, 116, 123, 172, 237, 400, 427, 508

HEIN, LEE—Representative

Committee appointments/revisions—14, 16, 19, 25  
Introduction of bills—80, 120, 210  
Leadership revision—1  
Resolutions filed—453, 460, 752  
Study bill subcommittee assignments—88, 123, 191, 226, 549, 569  
Subcommittee assignments—160, 400, 580

HIGHFILL, JAKE—Representative

Committee appointments/revisions—15, 17, 18, 19, 20, 25  
Conference committee appointments and reports—696, 780  
Introduction of bills—143, 206, 207, 208, 230-231  
Presided—654  
Resolutions filed—330  
Special presentation—Ken Shimanouchi and the Walk in U.S., Talk on Japan delegation—645  
Study bill subcommittee assignments—88, 124, 147, 173, 181, 203, 226  
Subcommittee assignments—74, 75, 98, 103, 123, 139, 147, 159, 160, 172, 179, 180,  
189, 225, 237, 248, 344, 348, 375, 400, 401

HOLT, STEVEN—Representative

Committee appointments/revisions—16, 18, 19, 20, 25  
Committee to notify/escort—61

Conference committee appointments and reports—748, 765, 797  
Introduction of bills—80, 84, 85, 105, 120, 143, 155, 156, 176, 178, 185, 210, 232  
Resolutions filed—330, 552, 751, 752  
Study bill subcommittee assignments—140, 148, 191, 226  
Subcommittee assignments—103, 140, 147, 173, 202, 376, 435, 446

#### HOLZ, CHUCK—Representative

Committee appointments/revisions—14, 15, 16, 17, 19, 20, 25  
Committee to notify/escort—126  
Introduction of bills—120, 143, 164  
Leave of absence—651, 663  
Resolutions filed—330, 460, 752, 782  
Study bill subcommittee assignments—88, 140, 173, 191, 227  
Subcommittee assignments—75, 103, 139, 179, 214, 215, 226, 348, 416, 436, 446

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## HUMAN RESOURCES, COMMITTEE ON—

Amendments filed—244, 449, 454

Appointments/revisions—15, 17

Introduction of bills—94, 142, 231, 255, 256, 257, 267, 271, 285, 331

Recommendations—100, 124, 174, 192, 227, 240, 249-250, 288-289, 428, 447, 452, 458

Study bill committee assignments—60, 74, 86, 96, 97, 158, 159, 187, 202, 214

Study bill subcommittee assignments—75, 88, 104, 161, 180, 203, 204, 216

Subcommittee assignments—76, 98, 102, 103, 104, 139, 140, 159, 160, 172, 225, 237, 345, 348, 376, 400, 417, 427

## HUNTER, BRUCE L.—Representative

Amendments filed—401, 418, 563, 653, 666, 702, 725, 726, 753

Amendments offered—406, 575, 698

Committee appointments/revisions—18, 19, 25

Introduction of bills—80, 92, 93, 106, 142, 155, 163, 164, 165, 166, 168, 169, 177, 200, 208, 219, 264, 271, 320

Leave of absence—426

Point of order—443, 658, 749

Resolutions filed—552, 752

Sponsor added—247, 782

Study bill subcommittee assignments—88, 124, 226

Subcommittee assignments—103, 123, 160, 171, 172, 215, 225, 313

## HUSEMAN, DANIEL ADAIR—Representative

Amendments filed—753

Amendments offered—709, 730, 731

Committee appointments/revisions—16, 18, 19, 20, 25

Conference committee appointments and reports—748, 765, 797

Introduction of bills—85, 120, 143

Resolutions filed—330, 552, 752

Subcommittee assignments—123, 160, 203, 313, 399, 701, 722

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Condition of the Iowa National Guard Message—127-135

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## ISENHART, CHARLES—Representative

Amendments filed—313, 625, 626, 653, 665, 666, 687, 726, 753, 754

Amendments offered—382, 615, 617, 621, 646, 649, 660, 680, 740

Committee appointments/revisions—17, 19, 20, 26

Explanation of vote—806

Introduction of bills—90, 91, 92, 119, 142, 143, 155, 168, 177, 208, 210, 234, 264, 271, 320, 667, 690, 695

Leave of absence—145, 803

Point of order—602

Reports—2-3, 3-4  
Resolutions filed—330, 752, 783  
Study bill subcommittee assignments—98, 99, 140, 549, 569  
Subcommittee assignments—399

JACOBY, DAVE J.—Representative

Amendments filed—653, 666, 725, 726, 753  
Committee appointments/revisions—16, 19, 26  
Explanation of vote—329, 751  
Introduction of bills—119, 165, 169, 177, 207, 208, 583  
Leave of absence—312, 328, 546, 750, 803  
Resolutions filed—330, 552, 752, 783  
Study bill subcommittee assignments—479, 723  
Subcommittee assignments—214, 288, 436, 490

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JONES, MEGAN—Representative

Amendments filed—330, 563, 608, 687  
Amendments offered—357, 599  
Committee appointments/revisions—17, 18, 20, 26  
Committee to notify/escort—8  
Explanation of vote—751  
Introduction of bills—71, 72, 73, 135, 164, 176, 209, 301  
Resolutions filed—330, 449  
Rule 76—595, 758, 795, 802  
Special presentation—St. Patrick's Association of Emmetsburg members and Irish  
Parliament member John Deasy—493  
Study bill subcommittee assignments—98, 99, 100, 161, 181, 191, 216, 226  
Subcommittee assignments—76, 180, 215, 377, 436

JORGENSEN, RON—Representative

Amendments filed—702  
Amendments offered—110, 112, 712  
Committee appointments/revisions—17, 18, 26  
Committee to notify/escort—125  
Conference committee appointments and reports—136, 137, 522  
Introduction of bills—81, 118, 119, 120, 143, 164, 200  
Resolutions filed—330  
Special presentation—retiring members—817  
Study bill subcommittee assignments—140, 238  
Subcommittee assignments—103, 190, 214, 237, 248, 401

JUDICIARY, COMMITTEE ON—

Amendments filed—229, 270, 289, 314, 449  
Appointments/revisions—15, 18  
Introduction of bills—221, 222, 223, 235, 255, 256, 265, 266, 268, 272, 285, 287, 293, 379  
Recommendations—182-183, 204-205, 227-228, 240-242, 261-262, 269-270, 289, 401, 448  
Study bill committee assignments—95, 96, 170, 171, 188, 201, 202, 213, 224



Study bill subcommittee assignments—99, 100, 181, 191, 204, 216, 226  
 Subcommittee assignments—76, 77, 87, 88, 103, 139, 159, 160, 179, 180, 189, 190,  
 214, 215, 225, 329, 376, 436

**KAUFMANN, BOBBY**—Representative

Amendments filed—591, 597, 608, 643, 753  
 Amendments offered—594, 635  
 Committee appointments/revisions—16, 17, 18, 19, 26  
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 Amendments offered—698  
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## MILLER, LINDA J.—Representative

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Amendments offered—558, 682, 745

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 Presided—596  
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MOORE, BRIAN—Representative

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 Amendments offered—532  
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MOORE, TOM—Representative

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Amendments offered—465, 483  
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Committee to notify/escort—6  
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Resolutions filed—330, 752, 782  
Sponsor added—247  
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- OURTH, SCOTT—Representative  
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STUTSMAN, SALLY—Representative  
Amendments filed—625, 666, 725, 726, 754  
Committee appointments/revisions—16, 19, 20, 31  
Committee to notify/escort—8  
Introduction of bills—93, 119, 155, 163, 165, 166, 169, 177, 200, 207, 208, 320, 583  
Leave of absence—426, 435, 445, 651, 782, 803  
Resolutions filed—460, 552, 752, 783  
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TAYLOR, ROB—Representative  
Amendments filed—609  
Committee appointments/revisions—15, 16, 17, 20, 31  
Committee to notify/escort—61  
Introduction of bills—118, 121, 143, 156, 165, 176, 207  
Leave of absence—478, 488, 502  
Reports—61  
Resolutions filed—330, 751, 752, 782  
Study bill subcommittee assignments—75, 104, 161, 203, 216  
Subcommittee assignments—98, 159, 160, 348, 399, 685

TAYLOR, TODD E.—Representative  
Amendments filed—289, 313, 665, 666, 725, 726, 754  
Amendments offered—303, 655, 657  
Committee appointments/revisions—16, 18, 19, 20, 31  
Introduction of bills—142, 155, 163, 165, 169, 177, 208, 264  
Point of order—494  
Resolutions filed—330, 752, 783

Study bill subcommittee assignments—60, 88  
 Subcommittee assignments—116, 147, 180, 215, 313, 348, 399

THEDE, PHYLLIS—Representative

Amendments filed—666, 687, 725, 726, 754  
 Committee appointments/revisions—16, 17, 18, 31  
 Introduction of bills—93, 119, 155, 163, 164, 165, 166, 169, 177, 208, 218, 264, 271,  
 320, 583  
 Leave of absence—114  
 Resolutions filed—449, 552, 783  
 Sponsor added—782  
 Subcommittee assignments—122, 203

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Amendments filed—454, 505  
 Appointments/revisions—15, 19  
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 Hoover Uncommon Public Service Award winner—570, 592-593  
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 Leave of absence—199  
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 Resolutions filed—9, 10, 157, 330  
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VANDER LINDEN, GUY—Representative

Amendments filed—345, 401, 429, 449, 479, 702, 726  
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 Committee appointments/revisions—16, 19, 32  
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- Appointments/revisions—19
- Introduction of bills—220, 221, 266, 267, 302
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## WATTS, RALPH C.—Representative

- Committee appointments/revisions—16, 18, 19, 32
- Introduction of bills—80, 84, 85, 105, 119, 120, 143, 155, 156, 176, 178, 185, 232
- Resolutions filed—330, 751, 752, 782
- Study bill subcommittee assignments—88, 191, 216, 226, 248
- Subcommittee assignments—87, 115, 116, 147, 172, 214, 215, 225, 313, 348, 400, 417

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- Amendments filed—418
- Appointments/revisions—15, 19
- Introduction of bills—114, 402, 437, 451, 455, 493, 503, 506, 527, 529, 554, 574, 584, 596, 645, 674, 717, 763
- Recommendations—116, 377, 417, 429, 449, 453, 491, 523-524, 549-550, 581-582, 586, 597, 653, 686, 724, 775
- Study bill committee assignments—97, 138, 213, 329, 399, 446, 460, 504, 548, 549, 569, 580, 685, 722
- Study bill subcommittee assignments—100, 140, 288, 330, 401, 479, 509, 549, 569, 581, 685, 723
- Subcommittee assignments—203, 288, 399, 400, 451, 490, 523, 580

## WESSEL-KROESCHELL, BETH—Representative

- Amendments filed—314, 330, 349, 449, 625, 653, 666, 687, 725, 726, 754
- Amendments offered—440, 441, 678
- Committee appointments/revisions—17, 18, 20, 32
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- Explanation of vote—329
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## WILLS, JOHN—Representative, Assistant Majority Leader

- Amendments filed—597, 609, 611
- Committee appointments/revisions—14, 15, 16, 17, 18, 19, 20, 32
- Committee to notify/escort—48
- Explanation of vote—546
- Introduction of bills—69, 70, 71, 74, 79, 80, 85, 93, 121, 150, 151, 155, 156, 163, 164, 165, 166, 169, 175, 177, 185, 186, 187, 207
- Leadership revision—1
- Point of order—756
- Presided—729
- Reports—2-3, 3-4, 49
- Resolutions filed—330, 460, 752

Study bill subcommittee assignments—60, 88, 98, 99, 191  
 Subcommittee assignments—87, 160, 189, 190, 348, 400

WINCKLER, CINDY L.—Representative

Amendments filed—418, 625, 653, 666, 687, 725, 726, 754  
 Amendments offered—404  
 Committee appointments/revisions—17, 19, 20, 32  
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 Resolutions filed—752, 783  
 Sponsor added—782  
 Study bill subcommittee assignments—161, 173, 181, 191, 203  
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WINDSCHITL, MATT W.—Representative, Speaker Pro Tempore

Amendments filed—436, 775, 805  
 Amendments offered—443, 770, 771, 785  
 Committee appointments/revisions—16, 18, 19, 32  
 Introduction of bills—79, 80, 120, 150, 155,  
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 746, 756, 758, 766, 786  
 Resolutions filed—330  
 Rulings—392, 404, 528, 575, 576, 578, 579, 593, 740, 756  
 Study bill subcommittee assignments—140, 181, 191, 216, 401, 723  
 Subcommittee assignments—87, 160, 179, 180, 189, 225, 376, 399

WOLFE, MARY—Representative

Amendments filed—401, 418, 625, 666, 725, 726, 754  
 Amendments offered—409  
 Committee appointments/revisions—17, 18, 19, 32  
 Explanation of vote—399  
 Introduction of bills—72, 73, 80, 92, 93, 118, 119, 155, 165, 166, 167, 168, 169, 177,  
 208, 210, 234, 583  
 Leave of absence—651, 803  
 Resolutions filed—330, 752, 753, 783  
 Sponsor added—247  
 Study bill subcommittee assignments—99, 173, 181, 191, 216, 248  
 Subcommittee assignments—74, 103, 159, 172, 189, 215, 348, 376, 436

WORTHAN, GARY—Representative

Amendments filed—509, 524, 805  
 Amendments offered—536, 786, 787  
 Committee appointments/revisions—16, 18, 19, 20, 32  
 Introduction of bills—80, 117, 119, 143  
 Motion to reconsider—786-787  
 Resolutions filed—330, 460, 752  
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