

State of Iowa

**JOURNAL
OF THE SENATE**

**EIGHTY-SEVENTH
GENERAL ASSEMBLY**

2018 REGULAR SESSION

**JACK WHITVER, President of the Senate
(1/9/2017 – 3/15/2018)**
**CHARLES SCHNEIDER, President of the Senate
(3/15/2018 – present)**
W. CHARLES SMITHSON, Secretary of the Senate

Published by the
STATE OF IOWA
Des Moines

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EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 Regular Session

OFFICERS OF THE SENATE

CHARLES SCHNEIDER	<i>President of the Senate (3/15/2018 – present)</i> <i>Majority Whip (1/9/2017 – 3/15/2018)</i>
JERRY BEHN	<i>President Pro Tempore</i>
JACK WHITVER	<i>Majority Leader (3/15/2018 – present)</i> <i>President of the Senate (1/9/2017 – 3/15/2018)</i>
BILL DIX	<i>Majority Leader (Resigned 3/12/2018)</i>
AMY SINCLAIR	<i>Majority Whip</i>
MICHAEL BREITBACH	<i>Assistant Majority Leader</i>
JAKE CHAPMAN	<i>Assistant Majority Leader</i>
RANDY FEENSTRA	<i>Assistant Majority Leader</i>
DAN ZUMBACH	<i>Assistant Majority Leader</i>
JANET PETERSEN	<i>Minority Leader</i>
AMANDA RAGAN	<i>Minority Whip</i>
JOE BOLKCOM	<i>Assistant Minority Leader</i>
WILLIAM A. DOTZLER, JR.	<i>Assistant Minority Leader</i>
RITA HART	<i>Assistant Minority Leader</i>
LIZ MATHIS	<i>Assistant Minority Leader</i>
MATT McCOY	<i>Assistant Minority Leader</i>
HERMAN C. QUIRMBACH	<i>Assistant Minority Leader</i>
W. CHARLES SMITHSON	<i>Secretary of the Senate</i>
TOM ASHWORTH	<i>Majority Caucus Senior Research Analyst</i>
ERIC BAKKER	<i>Senior Administrative Assistant to Minority Leader II</i>
MICHELLE BAUER	<i>Administrative Services Officer I</i>

KRIS BELL	<i>Minority Caucus Senior Research Analyst</i>
JENNIFER BEMINIO	<i>Administrative Services Officer I</i>
BOB BIRD	<i>Majority Caucus Research Analyst II</i>
KAY BRANDT	<i>Administrative Services Officer III</i>
JOSHUA BRONSINK	<i>Majority Caucus Research Analyst III</i>
LOIS BROWNELL	<i>Senior Finance Officer III</i>
JERRY CARLSON.....	<i>Sergeant-at-Arms</i>
JILLIAN CARLSON.....	<i>Majority Caucus Research Analyst</i>
LEILA CARLSON.....	<i>Postmistress</i>
ANDY CONLIN	<i>Senior Administrative Assistant to Senate President</i>
ANGIE COX.....	<i>Administrative Services Officer II</i>
DONNIS CRANK.....	<i>Doorkeeper</i>
CHRIS DORSEY.....	<i>Administrative Assistant to Senate President II</i>
PAMELA DUGDALE	<i>Majority Caucus Senior Research Analyst</i>
CATHERINE ENGEL	<i>Minority Caucus Senior Research Analyst</i>
MARY EARNHARDT	<i>Senior Administrative Assistant to Majority Leader II</i>
SUE FOCKE.....	<i>Minority Caucus Senior Research Analyst</i>
BRIDGET GODES.....	<i>Minority Caucus Senior Research Analyst</i>
JANET HAWKINS	<i>Assistant Secretary of the Senate III</i>
JAKE HEARD.....	<i>Majority Caucus Research Analyst</i>
GANNON HENDRICK	<i>Majority Caucus Staff Director</i>
CALEB HUNTER	<i>Senior Administrative Assistant to Majority Leader</i>
DEBBIE KATTENHORN.....	<i>Senior Administrative Assistant to Minority Leader II</i>
SHARON KIMBERLIN.....	<i>Doorkeeper</i>

WILLIAM KRIEG	<i>Doorkeeper</i>
JO ANN LARSON	<i>Switchboard Operator</i>
FRANK LOEFFEL	<i>Doorkeeper</i>
RUSTY MARTIN	<i>Minority Caucus Communications Director</i>
CINDY MEYERDIRK.....	<i>Administrative Services Officer I</i>
JACE MIKELS.....	<i>Minority Caucus Senior Research Analyst</i>
JAY MOSHER	<i>Bill Clerk</i>
KATHY OLAH	<i>Administrative Services Officer III</i>
RON PARKER	<i>Minority Caucus Senior Staff Director</i>
CHRISTINE PORTER.....	<i>Switchboard Operator</i>
MEGAN SCHLESKY	<i>Majority Caucus Research Analyst</i>
KERRY SCOTT.....	<i>Minority Caucus Senior Research Analyst</i>
BETTY SHEA	<i>Administrative Services Officer I</i>
ERICA SHORKEY.....	<i>Minority Caucus Senior Research Analyst</i>
JULIE SIMON	<i>Minority Caucus Senior Research Analyst</i>
KATHY STACHON	<i>Lobbyist Clerk</i>
MAUREEN TAYLOR	<i>Administrative Services Officer II</i>
RUSS TRIMBLE.....	<i>Majority Caucus Senior Research Analyst</i>
NIK WASIK	<i>Executive Secretary to Majority Leader</i>
LARISSA WURM SKIPWORTH	<i>Majority Caucus Communications Director</i>

JOINT EMPLOYEES OF THE SENATE AND HOUSE

KATE MURPHY	<i>Human Resources Director</i>
MARK L. WILLEMSSEN.....	<i>Senior Facilities Manager</i>
ZACHARY L. BUNKERS	<i>Facilities Manager I</i>
MAC McBRIDE.....	<i>Conservation/Restoration Specialist II</i>
SHAWNA S. FERGUSON.....	<i>Legislative Security Coordinator</i>
KATHLEEN BACUS	<i>Security Officer I</i>
JODY ELLIOTT.....	<i>Security Officer I</i>
JAMES EYBERG.....	<i>Security Officer I</i>
DAVID GARRISON	<i>Security Officer II</i>
CURTIS HENDERSON	<i>Security Officer I</i>
TIMOTHY KNAPP	<i>Security Officer I</i>
RANDY MARCHANT.....	<i>Security Officer I</i>
GERALD McCURDY, JR.	<i>Security Officer I</i>
DAVID PETTENGILL.....	<i>Security Officer I</i>
KERT SCHNELL.....	<i>Security Officer I</i>
CURTIS SCOTT.....	<i>Security Officer I</i>
LEO SKEFFINGTON.....	<i>Security Officer I</i>
RICHARD TAYLOR	<i>Security Officer I</i>
BRANDIE GARDINER	<i>Copy Center Operator</i>

ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

KIM REYNOLDS, <i>Governor</i>	Des Moines
ADAM GREGG, <i>Lieutenant Governor</i>	Johnston
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 (Resigned 3/5/2018)</i>	Spirit Lake
MIKE NAIG, <i>Secretary of Agriculture (3/5/2018–present)</i>	Urbandale
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>	Sloan
EDWARD M. MANSFIELD, <i>Justice</i>	Des Moines
THOMAS D. WATERMAN, <i>Justice</i>	Pleasant Valley
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>	Pleasant Hill
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 SENATE

EIGHTY-SEVENTH GENERAL ASSEMBLY 2018 Regular Session

(Underlined county indicates the county of residence.)

CHAZ ALLEN

Address Newton
Age 47
Occupation Exec. Director, Jasper Co. Economic Development Corp.
Political Party Democratic
Previous Legislative Service Senate: 2015–2017
Senatorial District 15–Jasper, Polk

JERRY BEHN

Address Boone
Age 64
Occupation Farmer/Agribusiness
Political Party Republican
Previous Legislative Service Senate: 1997–2017
Senatorial District 24–Boone, Greene, Hamilton, Story, Webster

RICK BERTRAND

Address Sioux City
Age 48
Political Party Republican
Previous Legislative Service Senate: 2011–2017
Senatorial District 7–Woodbury

TONY BISIGNANO

Address Des Moines
Age 65
Occupation Retired
Political Party Democratic
Previous Legislative Service House: 1987–1992; Senate: 1993–1996, 2015–2017
Senatorial District 17–Polk

JOE BOLKCOM

Address Iowa City
Age 61
Occupation Outreach Dir., UI Ctr. for Global and Regional
Environmental Research and Iowa Flood Center
Political Party Democratic
Previous Legislative Service Senate: 1999–2017
Senatorial District 43–Johnson

NATE BOULTON

Address Des Moines
 Age 37
 Occupation Attorney/College Professor
 Political Party Democratic
 Previous Legislative Service Senate: 2017
 Senatorial District 19—Polk

TOD BOWMAN

Address Maquoketa
 Age 52
 Occupation Educator
 Political Party Democratic
 Previous Legislative Service Senate: 2011–2017
 Senatorial District 29—Dubuque, Jackson, Jones

MICHAEL BREITBACH

Address Strawberry Point
 Age 61
 Occupation Business Owner
 Political Party Republican
 Previous Legislative Service Senate: 2013–2017
 Senatorial District 28—Allamakee, Clayton, Fayette, Winneshiek

WAYLON BROWN

Address St. Ansgar
 Age 38
 Political Party Republican
 Previous Legislative Service Senate: 2017
 Senatorial District 26—Cerro Gordo, Chickasaw, Floyd, Howard,
Mitchell, Winneshiek, Worth

JIM CARLIN

Address Sioux City
 Age 55
 Occupation Attorney
 Political Party Republican
 Previous Legislative Service House: 2017; Senate: *
 Senatorial District 3—Plymouth, Woodbury

*Elected in special election held on December 12, 2017.

JAKE CHAPMAN

Address Adel
Age 33
Occupation Businessman/EMT
Political Party Republican
Previous Legislative Service Senate: 2013–2017
Senatorial District 10–Adair, Cass, Dallas, Guthrie, Polk

MARK CHELGREN

Address Ottumwa
Age 49
Occupation Entrepreneur
Political Party Republican
Previous Legislative Service Senate: 2011–2017
Senatorial District 41–Davis, Jefferson, Van Buren, Wapello

MARK COSTELLO

Address Imogene
Age 56
Occupation Farmer
Political Party Republican
Previous Legislative Service Senate: 2005–2017
Senatorial District 12–Fremont, Mills, Montgomery, Page, Ringgold, Taylor

JEFF DANIELSON

Address Cedar Falls
Age 47
Occupation Career Firefighter, City of Cedar Falls
Political Party Democratic
Previous Legislative Service Senate: 2005–2017
Senatorial District 30–Black Hawk

DAN DAWSON

Address Council Bluffs
Age 39
Occupation Peace Officer
Political Party Republican
Previous Legislative Service Senate: 2017
Senatorial District 8–Pottawattamie

BILL DIX

Address Shell Rock
Age 55
Occupation Farmer
Political Party Republican
Previous Legislative Service House: 1997–2007; Senate: 2011–2017*
Senatorial District 25–Butler, Grundy Hardin, Story

*Resigned March 12, 2018.

WILLIAM A. DOTZLER, JR.

Address Waterloo
 Age 70
 Occupation Retired—John Deere
 Political Party Democratic
 Previous Legislative Service House: 1997–2002; Senate: 2003–2017
 Senatorial District 31—Black Hawk

ROBERT E. DVORSKY

Address Coralville
 Age 69
 Occupation Retired Executive Officer—Community Based Corrections
 Political Party Democratic
 Previous Legislative Service House: 1987–1993; Senate: 1994*–2017
 Senatorial District 37—Cedar, Johnson, Muscatine
 *Elected in special election held on February 22, 1994.

JEFF EDLER

Address State Center
 Age 41
 Political Party Republican
 Previous Legislative Service Senate: 2017
 Senatorial District 36—Black Hawk, Marshall, Tama

RANDY FEENSTRA

Address Hull
 Age 49
 Occupation Dordt College Professor
 Political Party Republican
 Previous Legislative Service Senate: 2009–2017
 Senatorial District 2—Cherokee, O'Brien, Plymouth, Sioux

JULIAN B. GARRETT

Address Indianola
 Age 77
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service House: 2011–2013; Senate: 2013*–2017
 Senatorial District 13—Madison, Warren
 *Elected in special election held on November 19, 2013.

THOMAS A. GREENE

Address Burlington
 Age 68
 Political Party Republican
 Previous Legislative Service Senate: 2017
 Senatorial District 44—Des Moines, Louisa, Muscatine

DENNIS GUTH

Address Klemme
 Age 62
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service Senate: 2013–2017
 Senatorial District 4—Emmet, Hancock, Kossuth, Winnebago, Wright

RITA HART

Address Wheatland
 Age 61
 Occupation Farmer
 Political Party Democratic
 Previous Legislative Service Senate: 2013–2017
 Senatorial District 49—Clinton, Scott

ROBERT M. HOGG

Address Cedar Rapids
 Age 51
 Occupation Attorney
 Political Party Democratic
 Previous Legislative Service House: 2003–2006; Senate: 2007–2017
 Senatorial District 33—Linn

WALLY E. HORN

Address Cedar Rapids
 Age 84
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1973–1982; Senate: 1983–2017
 Senatorial District 35—Linn

PAM JOCHUM

Address Dubuque
 Age 63
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1993–2008; Senate: 2009–2017
 Senatorial District 50—Dubuque

CRAIG JOHNSON

Address Independence
 Age 54
 Occupation Executive Director-Heartland Acres
 Political Party Republican
 Previous Legislative Service Senate: 2017
 Senatorial District 32-Black Hawk, Bremer, Buchanan, Fayette

DAVID JOHNSON

Address Ocheyedan
 Age 67
 Occupation Former Dairyman / Newspaper Owner-Editor/
 Polar Research/Agribusiness
 Political Party No Party
 Previous Legislative Service House: 1999-2002; Senate: 2003-2017
 Senatorial District 1-Clay, Dickinson, Lyon, Osceola, Palo Alto

TIM L. KAPUCIAN

Address Keystone
 Age 61
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service Senate: 2009-2017
 Senatorial District 38-Benton, Iowa, Poweshiek

KEVIN KINNEY

Address Oxford
 Age 54
 Occupation Farmer/Retired Deputy Sheriff
 Political Party Democratic
 Previous Legislative Service Senate: 2015-2017
 Senatorial District 39-Johnson, Keokuk, Washington

TIM KRAAYENBRINK

Address Fort Dodge
 Age 58
 Occupation Investment Advisor
 Political Party Republican
 Previous Legislative Service Senate: 2015-2017
 Senatorial District 5-Calhoun, Humboldt, Pocahontas, Webster

MARK S. LOFGREN

Address Muscatine
 Age 56
 Occupation Real Estate Sales Associate
 Political Party Republican
 Previous Legislative Service Senate: 2017
 Senatorial District 46-Muscatine, Scott

JIM LYKAM

Address Davenport
 Age 68
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1989-1990, 2003-2016; Senate: 2017
 Senatorial District 45-Scott

LIZ MATHIS

Address Cedar Rapids
 Age 60
 Occupation Non-profit Executive
 Political Party Democratic
 Previous Legislative Service Senate: 2012*-2017
 Senatorial District 34-Linn

*Elected in special election held on November 8, 2011.

MATT McCOY

Address Des Moines
 Age 52
 Occupation Owner of Resource Development Consultants (RDC)
 Political Party Democratic
 Previous Legislative Service House: 1993-1996; Senate: 1997-2017
 Senatorial District 21-Polk, Warren

JANET PETERSEN

Address Des Moines
 Age 47
 Occupation Marketing Communications Consultant
 Political Party Democratic
 Previous Legislative Service House: 2001-2012; Senate: 2013-2017
 Senatorial District 18-Polk

HERMAN C. QUIRMBACH

Address Ames
 Age 67
 Occupation Associate Professor of Economics—Iowa State University
 Political Party Democratic
 Previous Legislative Service Senate: 2003–2017
 Senatorial District 23—Story

AMANDA RAGAN

Address Mason City
 Age 63
 Occupation Executive Dir. of Community Kitchen N Iowa/
 Executive Dir. of Meals on Wheels
 Political Party Democratic
 Previous Legislative Service Senate: 2002*–2017
 Senatorial District 27—Butler, Cerro Gordo, Franklin
 *Elected in special election held on March 12, 2002.

KEN ROZENBOOM

Address Oskaloosa
 Age 66
 Occupation Farming/Ag Business
 Political Party Republican
 Previous Legislative Service Senate: 2013–2017
 Senatorial District 40—Appanoose, Mahaska, Marion, Monroe, Wapello

CHARLES SCHNEIDER

Address West Des Moines
 Age 44
 Occupation Counsel—Principal Financial Group
 Political Party Republican
 Previous Legislative Service Senate: 2013*–2017
 Senatorial District 22—Dallas, Polk
 *Elected in special election held on December 11, 2012.

JASON SCHULTZ

Address Schleswig
 Age 45
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service House: 2009–2013; Senate: 2015–2017
 Senatorial District 9—Crawford, Harrison, Ida, Monona, Shelby, Woodbury

MARK SEGEBART

Address Vail
Age 67
Occupation Farmer
Political Party Republican
Previous Legislative Service Senate: 2013–2017
Senatorial District 6–Audubon, Buena Vista, Carroll, Crawford, Sac

TOM SHIPLEY

Address Nodaway
Age 64
Occupation Farmer/Legislator
Political Party Republican
Previous Legislative Service Senate: 2015–2017
Senatorial District 11–Adams, Cass, Pottawattamie, Union

AMY SINCLAIR

Address Allerton
Age 42
Political Party Republican
Previous Legislative Service Senate: 2013–2017
Senatorial District 14–Clarke, Decatur, Jasper, Lucas
Marion, Wayne

ROBY SMITH

Address Davenport
Age 40
Occupation Small Business Owner
Political Party Republican
Previous Legislative Service Senate: 2011–2017
Senatorial District 47–Scott

ANNETTE SWEENEY

Address Alden
Age 60
Occupation Farmer
Political Party Republican
Previous Legislative Service House: 2009–2011; Senate:*
Senatorial District 25–Butler, Grundy, Harden, Story

*Elected to the Senate in special election held on April 10, 2018.

RICH TAYLOR

Address Mt. Pleasant
 Age 63
 Occupation Master HVAC/R Technician/Master Electrician
 Political Party Democratic
 Previous Legislative Service Senate: 2013–2017
 Senatorial District 42–Henry, Jefferson, Lee, Washington

JACK WHITVER

Address Ankeny
 Age 37
 Occupation Business Owner/Attorney
 Political Party Republican
 Previous Legislative Service Senate: 2011*–2017
 Senatorial District 19–Polk

*Elected in special election held on January 18, 2011.

BRAD ZAUN

Address Urbandale
 Age 56
 Occupation Director–Master Dowel/Director–Grapnel Tech Services
 Political Party Republican
 Previous Legislative Service Senate: 2005–2017
 Senatorial District 20–Polk

DAN ZUMBACH

Address Ryan
 Age 57
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service Senate: 2013–2017
 Senatorial District 48–Buchanan, Delaware, Jones, Linn

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 8, 2018

The Senate met in regular session at 10:00 a.m., President Whitver presiding.

Prayer was offered by Pastor Scott Rains from Lutheran Church of Hope in Ankeny, Iowa. He was the guest of Senator Whitver.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kemble Rains, son of Pastor Scott Rains, of Ankeny, Iowa.

COMMITTEE ON CREDENTIALS

Senator Dix moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Smith, Chair; Dawson, Edler, Ragan, and Jochum.

The Senate stood at ease at 10:04 a.m. until the fall of the gavel.

The Senate resumed session at 10:06 a.m., President Whitver presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copies of certification of the Secretary of State duly elected to and entitled to seats in the Senate for the Eighty-seventh General Assembly.

ROBY SMITH, Chair
 DAN DAWSON
 JEFF EDLER
 PAM JOCHUM
 AMANDA RAGAN

STATE OF IOWA

Office of the
Secretary Of State
 CERTIFICATION

To the Honorable Secretary of the Senate:

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 the General Election held on December 12, 2017, the following named person was duly elected to the office of State Senate for residue of the term ending January 2, 2019:

Third Jim Carlin

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines, this eighteenth day of December, 2017.

PAUL D. PATE
 Secretary of State

State of Iowa Abstract of Votes

We, the undersigned members of the State Board of Canvassers, hereby certify the following to be a true and correct abstract of the votes cast at the Special Election held on Tuesday, December 12, 2017, for the office of State Senator District 3 as shown by the county abstract returns.

State Senator District 3

Jim Carlin,
 Republican Party

Received three thousand seven hundred and seven (3,707) votes

Todd Wendt,
 Democratic Party

Received three thousand eighty-three (3,083) votes

Scattering Received eleven (11) votes

Total Six thousand eight hundred and one (6,801)

We therefore declare:

Jim Carlin duly elected to fill a vacancy for the office of the State Senate District 3 for the residue of the term ending January 2, 2019.

IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the Great Seal of the State of Iowa at Des Moines, this Monday, December 18, 2017.

BOARD OF STATE CANVASSERS

KIM REYNOLDS
PAUL D. PATE
MARY MOSIMAN
MICHAEL L. FITZGERALD
BILL NORTHEY

On motion of Senator Dix, the report was duly adopted by a voice vote, and the duly elected senator appeared before the bar of the Senate, was duly sworn, and subscribed their name to the oath of office.

OATH OF OFFICE

Senator Carlin was administered the oath of office by the President of the Senate, Jack Whitver.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Whitver addressed the Senate with the following remarks:

Good morning! Majority Leader Dix, Minority Leader Petersen, Senators, staff, family and friends welcome to the Iowa Senate as we begin the 2018 Legislative Session of the 87th General Assembly. Colleagues, thank you again for the honor to serve as president of the Iowa Senate!

The first day of the legislative session is one of my favorites as a legislator. Optimism runs high, and there are smiles and laughter heard throughout the Chamber as we reconnect with friends and colleagues.

More importantly, 50 senators unite in this Chamber with promising new ideas on how we will shape the future of Iowa. I have never been more optimistic about what lies ahead for our state. People around the country are taking notice of Iowa.

In just the last year, Iowa has been recognized for our great job climate—being named the BEST state in the country for the middle class. Our schools have also been

recognized as we were named the #1 state in America in high school graduation rates and #4 in increased education funding. Our state has been recognized as the 3rd best managed state in America. There are so many reasons to be excited about the future. I have no doubt that our best days lie ahead of us!

As we embark on the 2018 session, I look forward to building on what many have said was the most historic session this body has ever seen. I am proud this legislature has maintained a great vision for the future, working on issues which will have a profound impact on our state for years to come.

One of my personal highlights last year was bringing my children to spend a day at the Capitol.

They joined us in the pledge of allegiance, watched debate, and enjoyed meeting many of you. I know they had a blast as they often ask when they can come back to visit this session.

However, as much fun as they had and the lessons they took away from the Capitol, it pales in comparison to what I gained from it. When things get hectic at the Capitol, big picture thinking can become blurred.

It is imperative we do not lose sight of why we are here.

My children remind me why I serve; and, I am guessing it is the same reason all of you serve.

We inherited a great state from our parents. It is our job to ensure our kids and our grandkids inherit an even better state from us. We must work diligently on behalf of the next generation so they have opportunities and experiences even greater than our own.

We want all Iowans to live in safe communities. Each one of us strives for Iowa children to receive a world class education and prepare them for work in a global economy. We want our young adults to stay in Iowa—not only for our great career opportunities, but for our outstanding quality of life. And just as important, we want our retirees to stay in Iowa to be close to their families and remain active members in their communities.

While my optimism for our future is great, the challenges of today still exist.

We need to work together to ensure Iowans have access to affordable healthcare, enhance our mental health system, improve our water quality, develop a skilled workforce and continue to revitalize rural Iowa.

In order to accomplish these goals and fund any initiatives, we must always continue to strive for growth in the state of Iowa. This requires more than reducing regulations or adjusting the language in the Iowa Code. It is being open-minded to bold ideas; and having the courage to lead to make that vision a reality.

Two courageous leaders of this nation earned the respect of their fellow Americans during their presidency—John F. Kennedy and Ronald Reagan. Both were visionaries, who shared a common belief that growth resulted from reducing taxes.

I share this belief and challenge the body to act bold in passing tax reform in the state of Iowa for the first time in over 20 years!

The question we must ask ourselves is do we want to succeed and remain in the top run states in the nation, or be complacent and let down the three million Iowans who are looking to us to lead?

We have a choice on which path we forge: One that moves us forward and focuses on economic growth and security for our future generations, or the other which takes us a step backward—slowing economic prosperity and progress.

Progress to me is measurable: low unemployment rates, job creation, revenue growth, more disposable income and lower tax rates. I am confident we all want to see this kind of progress for Iowa, and this can be achieved if we have the courage to act boldly.

Allowing people to keep more of their hard-earned money is not a new idea. JFK discussed this decades before I was even born. He said, "It is a paradoxical truth that tax rates are too high and tax revenues are too low and the soundest way to raise the revenues in the long run is to cut the rates now...Cutting taxes now is not to incur a budget deficit, but to achieve the more prosperous, expanding economy which can bring a budget surplus."

Reagan spent his two terms in the White House also fighting to ease the tax burden on hard-working Americans. "Death and taxes may be inevitable," Reagan said, "but unjust taxes are not."

Like Kennedy and Reagan, let us choose a path of growth and prosperity. Let's continue to look beyond the next election, and look to the next generation as we ensure the 2018 session is even more historic than 2017.

Thank you and welcome back.

REMARKS BY THE MINORITY LEADER

Senator Petersen addressed the Senate with the following remarks:

Good morning!

Welcome everyone. A special welcome to the pages, new clerks and staff. Welcome to Iowa's newest senator, Jim Carlin from Sioux City.

I also want to recognize two of our colleagues who have announced they are retiring from the Senate after this session.

Senator Bob Dvorsky of Coralville was first elected to the Iowa House in 1986 and to the Senate in a special election in 1994. Senator Dvorsky still has plenty of work to do this session but I want to take this opportunity to thank him for his service to the people of Johnson County and surrounding counties.

Second, I want to acknowledge, Senator Wally Horn of Cedar Rapids, who is returning to the Capitol today for his 46th and final year in the Iowa Legislature. Congratulations, Wally, on making history as Iowa's longest continuously serving state legislator ever!

I love being part of Iowa's part-time, citizen legislature. We are fortunate to spend most of the year in our districts—close to the people we represent.

Senate Democrats have been meeting with Iowans. We've heard what's on their minds and weighing on their hearts. And we're ready to get to work on their behalf. Iowans want their leaders to work together, to lead with civility, and to make good things happen for the people of our state.

Governor Reynolds, Senate Republicans, House Republicans and House Democrats: Senate Democrats look forward to working with you on real solutions to real problems. Last session, the Legislature did a lot of bad things to good people.

That was a mistake, but it has been a wakeup call for Iowans.

As I travel this state, I see more energy than I've ever seen before.

Iowans are paying close attention to what their legislators are saying back home...and how they are voting at the statehouse.

It's great to see so many Iowans engaged in what we are doing at the capitol and holding us accountable for our votes.

Iowans—I hope you will continue reaching out to your legislators, attending meetings at the Capitol, signing up for our newsletters, following us on Facebook and Twitter, and attending our local legislative forums this session.

Let us know what you think about what's going on here. When you do, it makes a difference!

I am proud to be part of the Senate Democratic team. Our priorities are focused on helping Iowans get ahead in life.

We believe that no matter where you live, you should have access to:

Better-paying jobs with decent benefits;

Strong public schools;

Great cultural and recreational opportunities; and

Affordable and accessible health care

Iowans want us to focus on issues that matter to their everyday lives—and ditch the extreme policy agenda items that give our state a bad reputation.

Let's focus on helping Iowans increase their pay.

Senate Democrats know that earning a decent paycheck means more than just money to Iowa families.

It means financial stability and family stability.

A good paycheck with decent benefits helps keep families together.

It puts food on the table.

It produces opportunities for our children and for our future.

Iowans working full-time hours deserve paychecks that can support their families.

We can't afford policies that make Iowa just another low-wage state.

Senate Democrats will work to increase family incomes and help more Iowans get better-paying jobs.

Iowa can do that if we:

Invest in our community colleges

Support apprenticeship and job-training programs that help Iowans get ahead

Invest in safe roads, water and other important community infrastructure

Make sure Iowa families have affordable and safe housing

Help Iowa companies succeed—especially employers providing good-paying jobs in our small communities.

Our state has a growing number of older Iowans, many of whom live alone.

Let's make Iowa the state that's known for taking great care of its older population—helping them stay connected to their communities and helping them live happy, healthy and safe lives in their homes for as long as possible.

That starts by protecting Iowans' retirement accounts.

Senate Democrats believe every Iowan should be able to retire with dignity. We will oppose any effort to dismantle or weaken the retirement security of Iowans.

We must also do everything possible to protect seniors from financial exploitation, neglect and abuse.

Senate Democrats know Iowans want safe drinking water and waterways where we can swim, fish and go boating.

We don't have 10,000 lakes, but we certainly could make Iowa the "Clean Water State" if we open our minds and open the doors to allow all Iowans to come to the table.

Let's start the conversation with a message that unifies us instead of tearing us apart. No matter where you live in Iowa, the water coming out of your faucet must be safe to drink.

Safe drinking water is a public health issue. It's an economic issue. It is an issue affecting all of us. And the solution should involve all of us too.

That means it is time to stop the Republican closed-door "working group" meetings that shut out health officials, shut out environmental experts, and block bipartisan dialogue.

This summer, Senator Rita Hart held a water quality summit in DeWitt. Senator Hart's meeting included Republicans and Democrats, farmers and city folks, everyone who was interested, including members of the media. Senator Hart and other Democratic legislators have good ideas. We are ready to help craft a bipartisan solution.

Let's work together to bring both clean water and new job opportunities to Iowans. Let's make the first bill the governor signs meaningful, not a waste of ink.

Senate Democrats believe in investing in our children and grandchildren. They are Iowa's future.

It's time to make Iowa's public schools #1 again. That means responsibly investing in them. It means backing our teachers and all the professionals who show up for our children in Iowa classrooms every school day, teaching and preparing our kids for the future.

Let's help young families send their kids to safe, quality childcare settings they can afford. With strong early childhood and preschool programs, we can get those kids off to a great start in school and in life.

Iowa children deserve a mental health system that will take care of them when they need it. Fifty percent of mental illnesses begin before a child reaches adulthood, yet Iowa still has no children's mental health system in place.

No parent in this state should have to bury their child because we failed to make mental health services a priority.

And let's recognize that brain health conditions need treatment just like other health conditions. A prison sentence is not treatment. We can and must do better by all Iowans living with mental health conditions.

Speaking of health—this Legislature should act immediately to let Congress know that Iowa's children, our future, deserve health insurance.

What does it say about our country when Congress can't even come together to pay for our children's health insurance program?

Finally, to the babies and children in our state who are not living in safe home environments—we must fix our child welfare system. Iowans were appalled when state leaders remained silent as they saw story after story of abuse unfold around our state.

Not only do we need to protect our children, but we also need to invest in Iowans to grow our economy.

You can't cut your way to prosperity.

The best ideas for our state come from the people we represent. Let's push for home-grown ideas—not failed ideas from Kansas and other states.

Let's start by spreading the sunshine with more homegrown energy—solar, wind, and biofuels.

Local energy means more local jobs and money. Local energy means energy independence and doing our part to stop climate change.

Wind and solar energy support more than 7,000 Iowa jobs and nearly 300 Iowa businesses. Ethanol and biodiesel support thousands more jobs and generate wealth for Iowa farmers.

Let's give all Iowans access to high-speed internet so they can connect to each other, to the world and have tools at their fingertips to create entrepreneurial ventures in towns across our state.

Let's build more home-grown talent: We can create an Iowa where more of our children and grandchildren will CHOOSE to live, work and raise their families close to home. Too many of the Legislature's decisions last year told younger Iowans that they just don't have a future in our state.

Let's put more resources into our small towns and rural areas: Imagine if the state had taken the \$20 million it used to lure Apple—a multi-billion dollar company—to the Des Moines Metro area and instead invested it in Main Street companies and job-creation initiatives in our smaller counties and communities.

Funding our priorities will take work and discipline. Our state budget is in a mess. Iowa taxpayers deserve smarter budgeting practices from Republican leaders.

Too many Iowa families are now paying the price for a state government that is failing to provide essential services and safety net programs for its citizens.

Republicans call the budget cuts “belt tightening” and “finding efficiencies.”

But, in reality, these budget cuts are painful and irresponsible. Not only are they hurting Iowans, they will end up costing Iowa taxpayers more.

Iowans didn't vote to stop providing Iowa children with hearing aids. Iowans didn't vote to take away the specialized food and formula program to help babies born with genetic disorders, but these programs were cut back to zero under the Republican budget. Millions of dollars were cut from autism services and mental health services for our children. And we know more painful cuts are being proposed by the Reynolds Administration as “COST CONTAINMENTS”—like cutting new moms off of health insurance and cutting in-home and group care for Iowans with disabilities.

These cuts are bad for Iowa. Iowans don't want our state to be like Kansas.

In Kansas, Republican legislators were forced to abandon their reckless tax cuts because they failed to deliver the promised increases in jobs and income. It would be irresponsible for Iowa to go down that road. Iowans want us to make wise choices to improve our state. We can't afford to repeat the mistakes of others.

Senate Democrats believe making smart decisions with Iowa taxpayer dollars will save money in the long-run.

Senate Democrats believe any efforts to reform and cuts taxes must follow these guiding principles:

Iowa's tax code should be more transparent so everyone can see Iowa's true competitiveness.

Taxes should be fair for all Iowans.

Any changes should take into account our current budget situation.

Corporate tax credits should be examined.

Changes should be developed with everyone's input.

Some of the biggest mistakes of the 2017 session—anti-worker legislation, voter suppression and other extreme changes—were cooked up behind closed doors without any input from hard-working Iowans.

Iowans expect legislators to stand up for them. When we know things are not going right, we need to have the backbone and courage to change course.

It's time to call for an end to Governor Reynolds' Medicaid privatization mess. Too many Iowans have suffered under it.

We must protect Iowans, our hospitals and our health care providers from the damage caused by Medicaid privatization, especially in smaller towns.

Iowa's small towns, communities fighting for survival, cannot afford to lose more local doctors, nurse practitioners and health care providers.

Speaking of courage, I'm grateful to Kirstin Anderson and others who spoke out against the sexual harassment in the Iowa Senate Republican caucus. Kirsten is one of the many women across our country who had the courage to stand up and demand respect and fairness in the workplace.

It is disgraceful that Kirsten endured sexual harassment and a toxic work environment by her Republican colleagues in this very chamber. It is also disgraceful that Iowa taxpayers were forced to pay \$1.75 million for the bad behavior of the Senate Republican Caucus.

The internal investigation that was conducted following the verdict revealed that many staffers are still afraid to report harassment at the Capitol. That is unacceptable.

But it's not surprising when the only person fired in this whole scandal was the victim.

Retaliation against a whistle blower is grounds for termination in the Senate's handbook, but it is clear that rule is being ignored.

There is a reckoning in our country on the issue of harassment in the workplace. The Iowa Senate has the choice: Do something serious to address this problem or be on the wrong side of history.

The Iowa Senate can no longer be a sanctuary for predatory behavior.

We are committed to making the Iowa Senate a safe and healthy work environment.

That's why I reached out to Ambassador Mary Kramer to offer ideas for better protecting everyone at the Capitol.

I offer my cooperation because we all have a legal, moral and business imperative to address this serious problem.

Finally, as we kick off the 2018 legislative session, let's stay focused on helping Iowans and leading with civility.

Thank you to my Iowa Senate Democratic colleagues and staff for their support. It is an honor to be part of a team of people who have such a heart for public service. As a new leader, I promise to listen, to learn and to fight for bluer skies in Iowa's future.

REMARKS BY THE MAJORITY LEADER

Senator Dix addressed the Senate with the following remarks:

For years, Senate Republicans had been calling for change in the Iowa Senate, and for legislation and reforms to improve career opportunities for Iowans and create an environment for stronger economic growth.

The people of Iowa responded, and we were given the chance to lead, a chance to show our citizens we are more than just talking the talk. We're here to walk the walk. Or, as many of you remember, we're here to kick the door in.

And we kept our promises.

One year ago, we started our journey. We passed legislation on the Second Amendment and voter ID, a joint resolution to let the citizens of Iowa vote on putting a 99 percent expenditure limit amendment in the state's constitution, changes to reward our state's best teachers, and give our school districts more control and flexibility. We passed legislation reducing the regulatory burden on Iowa's job creators and eliminated hurdles to growth for other industries, improving career opportunities for every Iowan while ensuring our state remains a beacon of enterprise and ingenuity.

Here we are today, ready to write chapter two.

Our state is full of motivated, ambitious and hard-working individuals—everyday Iowans who get up before the sun rises and go to bed long after the sun goes down. They are single parents who work multiple jobs to make ends meet and still find the time to help their kids with homework. They are students who work hard to learn a trade so they can find a stable career, start a family, buy a house, and join Iowa's healthy and growing middle class. They are aspiring small business-owners who are working to turn a hobby into something a little bigger.

Our goal is simple. We want our local businesses—our coffee shops, tire stores, and family diners—to grow and prosper, our communities to grow and thrive, and our children to grow up prepared to tackle the world. We want to relieve the tax burden on the people who make our state what it is, and ensure that every Iowan has the opportunity to thrive here at home.

The objective has always been the same—for more money to be kept by those who earned it.

Tax relief is about emboldening our middle class and encouraging our citizens to invest in themselves, their local businesses, and our state. It is about giving Iowans a little more cushion in their family budget, a little extra to put towards their student loans, or a little more towards that big family vacation. It is about growth and opportunity.

As I've stated before, our priorities are no different than they have been in the past. We were sent here to do a job—we were elected to balance the state's budget, foster an environment of job growth and prosperity, and enact policies that will allow teachers to give our children the education they deserve.

But growth and opportunity don't just apply to our state's families. We are also giving our schools and school districts the tools and control to adapt, to innovate, and to spend taxpayer dollars doing what's right for the students in their community.

While we will again tackle a difficult budget, we will keep our promises to create a better environment for job growth in our state, provide our children with an education that ensures competitiveness both at home and abroad, and ensure every day, hard-working Iowans get to keep more money in their pocket.

In 2017 our agenda was big and bold. In 2018, Senate Republicans will move an agenda that will again be big and bold because this state deserves big and bold. The changes we make will move our state forward in a positive direction, felt for many generations to come.

The success of our time here should not be measured in how many dollars were spent, or how many dollars saved. Success is determined by how many opportunities that can be created, businesses that can start, and families that stay here in Iowa and continue to call it home for generations to come.

Let's make it happen!

COMMITTEE TO NOTIFY THE HOUSE

Senator Dix moved that a committee of three be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Brown, Chair; Garrett and Dvorsky.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Dix moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Shipley, Chair; Carlin and Horn.

RECESS

On motion of Senator Dix, the Senate recessed at 10:40 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:58 a.m., President Whitver presiding.

SPECIAL GUEST

President Whitver introduced to the Senate chamber the Honorable Pat Deluhery, former member of the Senate from Scott County, Davenport, Iowa.

The Senate rose and expressed its welcome.

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Brown reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Shipley reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

SUPPLEMENTAL REPORT OF OFFICERS AND EMPLOYEES OF THE SENATE

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as permanent officers and employees of the Senate for the 2018 Session of the Eighty-seventh General Assembly:

Republican Leader's Office

Secretary to Leader Nik Wasik

President of the Senate's Office

Legislative Secretary Conner Greene

Republican Caucus

Legislative Research Analyst II..... Bob Bird

Legislative Research Analyst..... Jillian Carlson

Secretary of the Senate’s Office

Administrative Services Officer I Cindy Meyerdirk

Sergeant-at Arms

Doorkeeper Ada Cassell
Doorkeeper Donniss Crank

Secretaries to Senators

Legislative Committee Secretary..... Chris Blythe
Legislative Committee Secretary..... Brooke Boden
Legislative Committee Secretary..... Katie Decker
Legislative Committee Secretary..... Emily Johnson
Legislative Committee Secretary..... Brody Larson
Legislative Committee Secretary..... Trevor Lynn
Legislative Committee Secretary..... Gina Ten Pas
Legislative Secretary John Altendorf
Legislative Secretary Ashton Ayers
Legislative Secretary Bobby Bailey
Legislative Secretary Deana Carfrae
Legislative Secretary Jake Dagal
Legislative Secretary Victoria Daniels
Legislative Secretary Kyle Day
Legislative Secretary Bobbi Fogle
Legislative Secretary Olivia Habinck
Legislative Secretary Tanner Halleran
Legislative Secretary Isabelle Herrmann
Legislative Secretary Westhenry Ioerger
Legislative Secretary Samuel Meyer
Legislative Secretary Emily Peters
Legislative Secretary Ruth Thompson

BILL DIX, Chair

Senator Dix moved the adoption of the report and appointment of the permanent officers and employees of the Senate.

The motion prevailed by a voice vote, and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Section 2.10, Code 2018, the following has been determined to be the mileage to which Senators are entitled for the Eighty-seventh General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
CARLIN, Jim	400
DANIELSON, Jeff	252
MATHIS, Elizabeth	264

MARK LOFGREN, Chair
JOE BOLKCOM
JASON SCHULTZ

APPOINTMENT OF PAGES

Senator Dix asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as Pages for the Senate for the 2018 Session of the Eighty-seventh General Assembly:

- Eric Chelgren, Ottumwa
- Isabela Gallegos, Grinnell
- Ciara Gallen, Waterloo
- Armaan Kumar, Clive
- Haley Ledford, Fort Dodge
- Jaelyn Lentz, Waverly
- Isabella O'Connor, Des Moines
- Jakem Ostrander, Madrid
- Landra Reece, Boone
- Spencer Short, Colo
- Greer Simmons, Des Moines
- Madeleine Smith, Des Moines
- Talise Tesar, Clear Lake
- Nicholas Zaugg, Watkins

BILL DIX, Chair

Senator Dix moved the adoption of the report and appointment of the Senate pages.

The motion prevailed by a voice vote, and the foregoing Senate pages appeared before the bar of the Senate and were duly sworn to their oaths of office.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 8, 2018, **adopted** the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 101, a concurrent resolution providing for a joint convention for the Condition of the State Address.

Read first time and **placed on calendar**.

House Concurrent Resolution 102, a concurrent resolution providing for a joint convention for the Condition of the Judiciary Address.

Read first time and **placed on calendar**.

House Concurrent Resolution 103, a concurrent resolution to provide for a joint convention for the Condition of the Iowa National Guard.

Read first time and **placed on calendar**.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration House Concurrent Resolutions 101, 102, and 103.

House Concurrent Resolution 101

On motion of Senator Dix, **House Concurrent Resolution 101**, a concurrent resolution providing for a joint convention for the Condition of the State Address, with report of committee recommending passage, was taken up for consideration.

Senator Dix moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote.

House Concurrent Resolution 102

On motion of Senator Dix, **House Concurrent Resolution 102**, a concurrent resolution providing for a joint convention for the Condition of the Judiciary Address, with report of committee recommending passage, was taken up for consideration.

Senator Dix moved the adoption of House Concurrent Resolution 102, which motion prevailed by a voice vote.

House Concurrent Resolution 103

On motion of Senator Dix, **House Concurrent Resolution 103**, a concurrent resolution to provide for a joint convention for the Condition of the Iowa National Guard, with report of committee recommending passage, was taken up for consideration.

Senator Dix moved the adoption of House Concurrent Resolution 103, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **House Concurrent Resolutions 101, 102, and 103** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 11:24 a.m. until 9:00 a.m., Tuesday, January 9, 2018.

APPENDIX

RESIGNATION OF GOVERNOR

May 24, 2017

The Honorable Paul D. Pate
Secretary of State of Iowa
State Capitol Des Moines Iowa

Dear Mr. Secretary:

I love Iowa. For more than 22 years, I have been honored and privileged to serve the people of Iowa as their governor. My family and I will always be grateful to Iowans for trusting me to lead and putting their faith in me to serve.

It is tremendous amount of gratitude that I resign as Governor of the State of Iowa, effective immediately, in order to serve our country as U.S. Ambassador to the People's Republic of China. Iowa's future is bright under the leadership of Kim Reynolds.

Sincerely,

Terry E. Branstad
Governor

OATH OF OFFICE

On May 24, 2017 at 10:06 a.m., Kim Reynolds took the oath of office in the Capitol Rotunda to become Iowa's forty-third governor. Iowa Supreme Court Justice Mark Cady administered the oath.

RESIGNATION OF SENATOR

October 16, 2017

The Honorable Kim Reynolds
Governor of Iowa
1007 East Grand Ave.
Des Moines, Iowa 50319

Dear Governor Reynolds,

I would like to thank the citizens of Senate District 3 for giving me the opportunity to represent them for the past 7 years in the Iowa Senate. It has been a privilege and an honor Angie and I and our children will never forget.

Pursuant to Iowa Code section 69.4(2), I hereby resign my position as State Senator for District 3 effective November 1, 2017.

May God continue to bless you and the people of Iowa.

Sincerely,

Bill Anderson
State Senator
District 3

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, your committee on rules and administration submits the following names of officers and employees of the Senate for the Eighty-seventh General Assembly, 2018 Session, and their respective classifications, grades and steps:

		<u>CLASS</u>	<u>GRADE</u>	<u>STEP</u>
Secretary to Leader	Nik Wasik	P-FT	19	4
Legislative Research Analyst II	Bob Bird	P-FT	32	3
Legislative Research Analyst	Jillian Carlson	P-FT	27	1
Admin. Services Officer I	Cindy Meyerdirk	P-FT	26	7
Legislative Committee Secretary	Chris Blythe	S-O	18	1
Legislative Committee Secretary	Brooke Boden	S-O(1/2)18		1
Legislative Committee Secretary	Katie Decker	S-O(1/2)18		1
Legislative Committee Secretary	Emily Johnson	S-O(1/2)18		1
Legislative Committee Secretary	Brody Larson	S-O	17	1
Legislative Committee Secretary	Trevor Lynn	S-O	17	1
Legislative Committee Secretary	Gina Ten Pas	S-O	18	1
Legislative Secretary	John Altendorf	S-O	15	1
Legislative Secretary	Ashton Ayers	S-O	16	1
Legislative Secretary	Bobby Bailey	S-O	18	1
Legislative Secretary	Deana Carfrae	S-O	15	2
Legislative Secretary	Jake Dagle	S-O	17	1
Legislative Secretary	Victoria Daniels	S-O	16	1
Legislative Secretary	Kyle Day	S-O	16	1
Legislative Secretary	Bobbi Fogle	S-O	17	1
Legislative Secretary	Conner Greene	S-O	18	1
Legislative Secretary	Olivia Habinck	S-O	16	1
Legislative Secretary	Tanner Halleran	S-O	16	1
Legislative Secretary	Isabelle Herrmann	S-O	17	1

Legislative Secretary	Westhenry Ioerger	S-O	16	1
Legislative Secretary	Samuel Meyer	S-O	16	1
Legislative Secretary	Emily Peters	S-O	18	1
Legislative Secretary	Ruth Thompson	S-O	18	1
Doorkeeper	Ada Cassell	S-O	11	1
Doorkeeper	Donnis Crank	S-O	11	1
Page	Eric Chelgren	S-O	9	1
Page	Isabela Gallegos	S-O	9	1
Page	Ciara Gallen	S-O	9	1
Page	Armaan Kumar	S-O	9	1
Page	Haley Ledford	S-O	9	1
Page	Jaelyn Lentz	S-O	9	1
Page	Isabella O'Connor	S-O	9	1
Page	Jakem Ostrander	S-O	9	1
Page	Landra Reece	S-O	9	1
Page	Spencer Short	S-O	9	1
Page	Greer Simmons	S-O	9	1
Page	Madeleine Smith	S-O	9	1
Page	Talise Tesar	S-O	9	1
Page	Nicholas Zaugg	S-O	9	1

BILL DIX, Chair

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, the committee on Rules and Administration submits the following increases, reclassifications and the effective dates of Senate employees:

Secretary of the Senate	W. Charles Smithson	Step 3 to Step 4 Effective 6/17
Sr. Admin. Assistant to the Leader II	Ed Failor	Step 7 to Step 8 Effective 5/17
Sr. Admin. Assist. to the Leader	Caleb Hunter	Step 6 to Step 7 Effective 9/17
Executive Secretary to the Leader	Dylan Keller	Step 5 to Step 6 Effective 9/16 Step 2 to Step 3 Effective 7/17 Resigned
Sr. Admin. Assistant to the President	Mary Earnhardt	Effective 9/17 Step 6 to Step 7 Effective 6/17 Step 7 to Step 8
Admin. Assistant to the President II	Chris Dorsey	Effective 12/17 Step 7 to Step 8 Effective 6/17

Sr. Caucus Staff Director	Eric Johansen	Step 2 to Step 6 Effective 1/17 Resigned
Research Analyst II	Gannon Hendrick	Effective 12/17 Step 2 to Step 3 Effective 6/17
Research Analyst II to Caucus Staff Director		Grade 32 Step 3 to Grade 38 Step 6 Effective 12/17
Sr. Research Analyst	Tom Ashworth	Step 7 to Step 8 Effective 12/17
Sr. Research Analyst	James Friedrich	Resigned Effective 9/17
Research Analyst III	Josh Bronsink	Step 3 to Step 4 Effective 6/17
Research Analyst II	Andy Conlin	Step 6 to Step 7 Effective 6/17
Research Analyst	Jacob Heard	Step 2 to Step 3 Effective 6/17
Research Analyst	Megan Schlesky	Step 1 to Step 2 Effective 6/17
Research Analyst	Larissa Wurm Skipworth	Step 4 to Step 5 Effective 12/17
Sr. Research Analyst	Cathy Engel	Step 4 to Step 5 Effective 12/17
Sr. Research Analyst	Sue Foecke	Step 4 to Step 5 Effective 12/17
Sr. Research Analyst	Theresa Kehoe	Resigned Effective 2/17
Sr. Research Analyst	Jace Mikels	Step 3 to Step 4 Effective 12/17
Sr. Research Analyst	Kerry Scott	Step 6 to Step 7 Effective 12/17
Sr. Research Analyst	Erica Shorkey	Step 5 to Step 6 Effective 12/17
Assist. Secretary of the Senate III	Janet Hawkins	Step 6 to Step 7 Effective 12/17
Admin. Services Officer II	Angie Cox	Step 4 to Step 5 Effective 12/17
Admin. Services Officer II	Maureen Taylor	Resigned Effective 6/17 Rehired E-FT Grade 29 Step 5 Effective 12/17
Admin. Services Officer I	Michelle Bauer	Step 4 to Step 5 Effective 6/17
Admin. Services Officer I	Jennifer Beminio	Step 4 to Step 5 Effective 12/17
Admin. Services Officer I	Jesse Hughes	Resigned Effective 8/17
Admin. Services Officer I	Cindy Meyerdirk	Step 7 to Step 8 Effective 12/17

Admin. Services Officer I	Betty Shea	Step 5 to Step 6 Effective 7/17
Admin. Services Assist.	Kathy Stachon	Step 5 to Step 6 Effective 1/18
Switchboard Operator	JoAnn Larson	Step 4 to Step 5 Effective 2/18
Switchboard Operator	Christine Porter	Step 3 to Step 4 Effective 3/18
Postmistress	Leila Carlson	Step 4 to Step 5 Effective 3/18
Doorkeeper	Linda Flaherty	Resigned Effective 4/17
Doorkeeper	Frank Loeffel	Step 6 to Step 7 Effective 2/18
Doorkeeper	Jack Miller	Resigned Effective 4/17
Legislative Committee Secretary	Nancy Garrett	Step 2 to Step 3 Effective 3/18
Legislative Committee Secretary	Marce Huhn	Step 6 to Step 7 Effective 2/18
Legislative Committee Secretary	Dede Zaun	Step 3 to Step 4 Effective 1/18
Legislative Committee Secretary	Kathy Ellett	Step 4 to Step 5 Effective 3/18

BILL DIX, Chair

ASSIGNMENT OF SEATS IN THE PRESS GALLERY 2018 SESSION

Seat No.

51. Staff
52. Des Moines Register—WILLIAM PETROSKI, JASON NOBLE, TONY LEYS, BRIANNE PFANNENSTIEL, KATHIE OBRADOVICH, MACKENZIE RYAN
53. The Associated Press—CATHERINE LUCEY, BARBARA RODRIGUEZ
54. Radio Iowa News Network—O. KAY HENDERSON, DAR DANIELSON, PAT CURTIS
55. Sinclair Broadcast Group—CAROLINE CUMMINGS
56. Dubuque Telegraph Herald—NICKI KOHL, DAVE KETTERING, TOMAS BARTON, JESSICA REILLY
57. Iowa Public Radio—JOYCE RUSSELL, KATRINA SOSTARIC
58. The Cedar Rapids Gazette—ROD BOSHART, JAMES LYNCH, MICHAELA RAMM
59. Single Day—Visitor
60. Lee Enterprises—ERIN MURPHY

- 61. Staff
- 62. Single Day—Visitor
- 63. Iowa Legislative News Service—JACK HUNT, BARBARA HUNT
- 64. WHO—DAVE PRICE, JANNAY TOWNE, ANDY FALES, SONYA HEITSHUSEN, ERIN KIERNAN

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Comprehensive Annual Financial Report (CAFR), pursuant to Iowa Code section 8A.502. Report received on December 22, 2017.

Condition of Affirmative Action, Diversity, and Multicultural Programs Report, pursuant to Iowa Code 19B.5(2). Report received on September 19, 2017.

Experimental Research Report, pursuant to Iowa Code section 8A.414. Report received on September 22, 2017.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 15, 2017.

Internal Service Fund Expenditure FY 2017 Report, pursuant to Iowa Code section 8A.123. Report received on September 25, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on August 9, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 29, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on July 12, 2016.

Solicitations for Capitol Complex Report, pursuant to Iowa Code section 8A.108. Report received on August 30, 2017.

DEPARTMENT ON AGING

Access to Dementia—Specific Care Report, pursuant to 2017 Iowa Acts, Chapter 174, section 97 and HF 653. Report received on December 15, 2017.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 4, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 4, 2018.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 30, 2017.

State Substitute Decision Maker’s Report, pursuant to Iowa Code section 231E.4. Report received on December 15, 2017.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 16, 2017.

APPEAL BOARD

Claims Report filed January 2017–December 2017. Report received on January 4, 2018.

General Tort Claims, Highway Tort Claims and Settlements and Judgements Paid During 2017, pursuant to Iowa Code section 669.12. Report received on January 4, 2018.

AUDITOR OF STATE

County Attorney Collections Report, pursuant to 2016 Iowa Acts, SF 2316, Chapter 1119, section 7. Report received on December 28, 2017.

CHIEF INFORMATION OFFICER

Annual Report, pursuant to Iowa Code section 8B.6. Report received on July 3, 2017.

Donations, Grants, Gifts, and Contributions Report, pursuant to Iowa Code section 8B.6. Report received on July 3, 2017.

Information Technology Services Financial Report, pursuant to Iowa Code section 8B.21. Report received on August 30, 2017.

IowAccess Revolving Fund Report, pursuant to Iowa Code section 8B.33. Report received on July 3, 2017.

Salary Report, pursuant to Iowa Code section 8A.341. Report received on July 3, 2017.

COLLEGE STUDENT AID COMMISSION

Annual Report, pursuant to 2017 Iowa Acts, Chapter 172, section 14. Report received on December 19, 2017.

Barber and Cosmetology Arts and Sciences Tuition Grant Program Report, pursuant to Iowa Code section 261.61. Report received on December 11, 2017.

College Student Aid Commission Tuition Grant Report, pursuant to Iowa Code section 261.15. Report received on December 7, 2017.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 261.9. Report received on December 7, 2017.

Iowa Minority Academic Grants for Economic Success Program Report, pursuant to Iowa Code section 261.104. Report received on July 5, 2017.

Iowa Vocational–Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17. Report received on December 11, 2017.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on July 5, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 12, 2017.

Registered Nurse and Nurse Educator Loan Forgiveness Program Report, pursuant to Iowa Code section 261.116. Report received on December 12, 2017.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 2, 2017.

Scholarship and Tuition Grant Reserve Fund Report, pursuant to Iowa Code section 261.20. Report received on December 11, 2017.

Skilled Workforce Shortage Tuition Grant Program Report, pursuant to Iowa Code section 261.130. Report received on December 11, 2017.

Teacher Shortage Loan Forgiveness Program Report, pursuant to Iowa Code section 261.112. Report received on December 11, 2017.

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral Qtr 2 2017 Report, pursuant to Iowa Code section 12C.20. Report received on December 20, 2017.

Bank Required Collateral Qtr 3 2017 Report, pursuant to Iowa Code section 12C.20. Report received on December 20, 2017.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 20, 2017.

Home Base Iowa–Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 8, 2017.

Superintendent of Banking Annual Report, pursuant to Iowa Code section 524.216. Report received on December 20, 2017.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Cemetery and Funeral Report, pursuant to Iowa Code section 523A.801. Report received on September 28, 2017.

Health Spending Costs Report, pursuant to Iowa Code section 505.18. Report received on January 4, 2018.

Iowa Cemetery Act Report, pursuant to Iowa Code section 523I.201. Report received on September 28, 2017.

Iowa Insurance Information Exchange Report, pursuant to Iowa Code section 505.32. Report received on January 8, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 8, 2018.

Medical Malpractice Insurance Annual Report, pursuant to Iowa Code section 505.27. Report received on December 4, 2017.

DEPARTMENT OF CORRECTIONS

Annual Report, pursuant to Iowa Code section 904.115. Report received on January 3, 2018.

Interstate Compact for Adult Offender Supervision Report, pursuant to Iowa Code section 907B.2. Report received on October 3, 2017.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 13, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 14, 2017.

OFFICE OF DRUG CONTROL POLICY

2018 Iowa Drug Control Strategy Report, pursuant to Iowa Code section 80E.1(2)(b). Report received on November 1, 2017.

Iowa's Application to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FFY 2017. Report received on July 31, 2017.

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services 4/1/17–6/30/17 Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on July 20, 2017.

Iowa Commission on Volunteer Services 7/1/17–9/30/17 Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on November 8, 2017.

DEPARTMENT OF EDUCATION

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10. Report received on December 1, 2017.

Child Development Coordination Council Annual Report, pursuant to Iowa Code section 256A.3. Report received on December 5, 2017.

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on December 15, 2017.

Computer Science Education Work Group Report, pursuant to 2017 Iowa Acts, SF 274, section 4. Report received on November 1, 2017.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code sections 260C.14, 261.9, and 262.9. Report received on November 6, 2017.

English Language Learner Legislative Report, pursuant to Iowa Code section 256.9. Report received on December 28, 2017.

Home Base Iowa Postsecondary Education Report, pursuant to Iowa Code sections 260C.14, 261.9, and 262.9. Report received on December 5, 2017.

Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256.H.1(10)(o). Report received on October 10, 2017.

Iowa Autism Council Report, pursuant to Iowa Code section 256.35A. Report received on December 5, 2017.

Special Education Federal Reports, pursuant to Iowa Code section 256B.3. Report received on August 29, 2017.

Student Achievement, Accountability, and Professional Development Annual Report, pursuant to Iowa Code section 284.12. Report received on January 2, 2018.

BOARD OF EDUCATIONAL EXAMINERS

Detailed Financial Report—Licensing Fees, pursuant to Iowa Code section 272.10. Report received on December 21, 2017.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 21, 2017.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 28, 2017.

OFFICE OF THE GOVERNOR

Reversion Report—Training and Technology Expenditures Report FY 2017, pursuant to Iowa Code section 8.62. Report received on June 29, 2017.

HIGHER EDUCATION LOAN AUTHORITY

Annual Report, pursuant to Iowa Code section 261A.21. Report received on December 20, 2017.

HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 3, 2018.

DEPARTMENT OF HUMAN RIGHTS

Annual Report FY 2017, pursuant to Iowa Code section 216A.2. Report received on November 1, 2017.

Community Action Agencies Report, pursuant to Iowa Code section 216A.92(2)(d). Report received on August 1, 2017.

Correctional Policy Project Plans and Findings, pursuant to Iowa Code section 216A.137. Report received on November 30, 2017.

Criminal and Juvenile Justice Planning Advisory Council—Legislation Monitoring Report, pursuant to Iowa Code section 476.66. Report received on November 27, 2017.

Family Development and Self-Sufficiency Grant Program Report, pursuant to Iowa Code section 216A.107(4)(e). Report received on December 1, 2017.

Individual Development Accounts Report, pursuant to 2013 Iowa Acts, Chapter 143, section 9. Report received on November 1, 2017.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on November 1, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on November 1, 2017.

Public Safety Advisory Board Report, pursuant to Iowa Code section 216A.133A. Report received on November 27, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 30, 2017.

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139(5). Report received on November 27, 2017.

Twenty-year and Five-year Criminal and Juvenile Justice Plan, pursuant to Iowa Code section 216A.135. Report received on November 27, 2017.

DEPARTMENT OF HUMAN SERVICES

Access to Dementia-Specific Care Report, pursuant to 2017 Iowa Acts, Chapter 174, section 97. Report received on December 19, 2017.

Autism Support Program Fund Report, pursuant to Iowa Code section 225D.2. Report received on December 22, 2017.

Child Abuse Registry Report, pursuant to Iowa Code section 235A.23. Report received on December 29, 2017.

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13. Report received on January 3, 2018.

Direct Care Worker in Nursing Facilities Turnover Report, pursuant to 2008 Iowa Acts, Chapter 1188, section 71. Report received on November 22, 2017.

Drug Utilization Report, pursuant to Iowa Code section 249A.24. Report received on September 28, 2017.

Family Support Subsidy and Children at Home Program Report, pursuant to Iowa Code section 225C.42. Report received on October 20, 2017.

HAWK-I Board Report, pursuant to Iowa Code section 514I.5. Report received on December 22, 2017.

Iowa Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A. Report received on December 14, 2017.

Medicaid Managed Care Oversight SFY 2017 7/1/16–6/30/17 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on January 3, 2018.

Medicaid Managed Care Oversight SFY 2017 1/1/17–3/30/17 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on December 5, 2017.

Medicaid Managed Care Oversight SFY 2017 4/1/17–6/30/17 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on December 5, 2017.

Medicaid Managed Care Oversight SFY 2017 10/1/17–12/30/17 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on September 14, 2017.

Medicaid Managed Care Oversight SFY 2018 7/1/17–9/30/17 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on December 20, 2017.

Medicaid Managed Care Oversight January 11, 2017 Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on September 14, 2017.

Medicaid Managed Care Oversight April 12, 2017 Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on September 14, 2017.

Medicaid Managed Care Oversight July 12, 2017 Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on December 29, 2017.

Mental Health, Disability, and Substance Use Disorder Services Workgroup Report, pursuant to 2017 Iowa Acts, SF 504, section 17. Report received on December 15, 2017.

Mental Health Services Annual Report, pursuant to Iowa Code section 249N.8. Report received on December 29, 2017.

Mental Health Services for Children and Youth Report, pursuant to Iowa Code section 225C.54. Report received on December 29, 2017.

Mercy Autism Center–Autism Spectrum Disorder Report, pursuant to 2017 Iowa Acts, Chapter 174, sections 13 and 52. Report received on December 22, 2017.

Non-State Government-Owned Nursing Facility Upper Payment Limit Supplemental Payment Program Report, pursuant to 2017 Iowa Acts, HF 653, section 113. Report received on November 22, 2017.

Pilot Programs Review Process Report, pursuant to 2017 Iowa Acts, HF 531, section 2. Report received on December 15, 2017.

Progress on Contracting with a Third-Party Vendor, pursuant to 2017 Iowa Acts, HF 531, section 1. Report received on December 15, 2017.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on August 3, 2017.

Review of Private Sector Alternatives to Perform Criminal Background Checks, pursuant to 2017 Iowa Acts, HF 653, section 86. Report received on December 15, 2017.

Step Therapy Protocol and Application Review Report, pursuant to 2017 Iowa Acts, HF 653, section 12.25. Report received on November 16, 2017.

DEPARTMENT OF INSPECTIONS AND APPEALS

Access to Dementia–Specific Care Report, pursuant to 2017 Iowa Acts, Chapter 174, section 97. Report received on December 19, 2017.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 19, 2017.

Fraud in Public Assistance Programs Report, pursuant to 2017 Iowa Acts, Chapter 171 sections 12 and 39. Report received on December 19, 2017.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on June 27, 2017.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 27, 2017.

IOWA ASSOCIATION OF SCHOOL BOARDS

Annual Financial Report for Year Ended June 30, 2017, pursuant to Iowa Code section 12B.10A(7). Report received on November 13, 2017.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Comprehensive Annual Financial Report (CAFR), pursuant to Iowa Code section 97B.4. Report received on December 19, 2017.

Public Fund Iran Divestment Report for Year Ended June 30, 2017, pursuant to Iowa Code section 12H.5(2). Report received on October 3, 2017.

Public Fund Israel Divestment Report for Year Ended June 30, 2017, pursuant to Iowa Code section 12J.5(2). Report received on October 3, 2017.

Public Fund Sudan Divestment Report for Year Ended June 30, 2017, pursuant to Iowa Code section 12F.5(2). Report received on October 3, 2017.

JUDICIAL BRANCH

Court Debt Report, pursuant to Iowa Code section 602.8107(7). Report received on August 11, 2017.

Court Technology and Modernization Fund Report, pursuant to 2017 Iowa Acts, Chapter 166, sections 1 and 9. Report received on December 29, 2017.

Enhanced Court Collections Fund Report, pursuant to 2017 Iowa Acts, Chapter 166, sections 1 and 9. Report received on December 29, 2017.

Judicial Retirement Fund Valuation Report, pursuant to Iowa Code section 602.9116. Report received on October 20, 2017.

New Policies and Procedures for Court Administration Report, pursuant to 2017 Iowa Acts, SF 508, section 14. Report received on October 20, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on July 28, 2017.

LAW ENFORCEMENT ACADEMY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 4, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 4, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 4, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on July 3, 2017.

IOWA LOTTERY AUTHORITY

2017 Annual Report, pursuant to Iowa Code section 99G.7. Report received on December 15, 2017.

Government Oversight Report, pursuant to Iowa Code section 99G.7. Report received on June 30, 2017.

Quarter Ended June 30, 2017 Final Report, pursuant to Iowa Code section 99G.7. Report received on September 15, 2017.

Quarter Ended September 30, 2017 Final Report, pursuant to Iowa Code section 99G.7. Report received on October 13, 2017.

Report on Operations, pursuant to Iowa Code section 99G.7. Report received on January 3, 2018.

DEPARTMENT OF MANAGEMENT

FY 2013 Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 11, 2017.

FY 2014 Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 11, 2017.

FY 2015 Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 11, 2017.

FY 2016 Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 11, 2017.

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on December 11, 2017.

Standing Appropriations Report, pursuant to Iowa Code section 8.6. Report received on December 8, 2017.

State Tort Claims Report, pursuant to Iowa Code section 669.12. Report received on December 11, 2017.

DEPARTMENT OF NATURAL RESOURCES

2016 Iowa Statewide Greenhouse Gas Emission Inventory Report and Technical Support Documents, pursuant to Iowa Code 455B.104. Report received on December 7, 2017.

Annual Report on Hazardous Waste/Substance Disposal, pursuant to Iowa Code section 455B.427. Report received on January 2, 2018.

Aquatic Invasive Species Report, pursuant to Iowa Code section 462A.52. Report received on January 5, 2018.

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134. Report received on October 9, 2017.

Environmental Protection Commission Annual Report, pursuant to Iowa Code section 455B.105. Report received on January 2, 2018.

Groundwater Protection Report, pursuant to Iowa Code section 455B.263. Report received on January 2, 2018.

Hazardous Substance Remedial Fund, pursuant to Iowa Code section 455B.425. Report received on January 2, 2018.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 12, 2017.

Household Hazardous Waste Account Report, pursuant to Iowa Code section 455E.11. Report received on January 2, 2018.

Lake Restoration Report, pursuant to Iowa Code section 456A.33B. Report received on December 21, 2017.

IOWA BOARD OF PAROLE

FY 2017 Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 15, 2017.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

FY 2017 Quarter 4 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on July 27, 2017.

FY 2018 Quarter 1 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on December 7, 2017.

IOWA PROPANE EDUCATION AND RESEARCH COUNCIL

2016 IowaPERC Programs and Projects Report, pursuant to Iowa Code section 101C.11. Report received on August 16, 2017.

Auditor's Report for December 31, 2016 and 2015, pursuant to Iowa Code section 101C.3. Report received on August 16, 2017.

STATE PUBLIC DEFENDER

Indigent Defense System Report, pursuant to Iowa Code section 13B.2A. Report received on January 3, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on August 8, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on August 8, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on August 1, 2017.

DEPARTMENT OF PUBLIC DEFENSE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 15, 2017.

Projects Funded by the Department of Public Defense Report, pursuant to 2017 Iowa Acts, HF 643, section 1.9.d. Report received on December 15, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on July 24, 2017.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual Report for FY 2017 7/1/16–6/30/17, pursuant to Iowa Code section 7E.3. Report received on November 30, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on June 29, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 29, 2017.

DEPARTMENT OF PUBLIC HEALTH

Access to Dementia-Specific Care Report, pursuant to 2017 Iowa Acts, Chapter 174, section 97. Report received on December 19, 2017.

Activities of the Medical Cannabidiol Board Report, pursuant to 2017 Iowa Acts, HF 524, section 8.5. Report received on December 29, 2017.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17. Report received on January 3, 2018.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 21, 2017.

Behavior Analyst and Assistant Behavior Analyst Grants Program Report, pursuant to Iowa Code section 135.181. Report received on December 21, 2017.

Funds Transfer FY 2018 Report, pursuant to 2017 Iowa Acts, Chapter 174, sections 3 and 42. Report received on January 2, 2018.

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2). Report received on November 6, 2017.

Home Base Iowa—Licensed Professions and Occupations Annual Report—Iowa Board of Medicine, pursuant to Iowa Code section 272C.4. Report received on December 18, 2017.

Iowa Child Death Review Team 2013 Annual Report, pursuant to Iowa Code section 135.43. Report received on November 1, 2017.

Iowa Child Death Review Team 2014 Annual Report, pursuant to Iowa Code section 135.43. Report received on November 8, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 26, 2017.

Obstetrical Care in Iowa Report, pursuant to Iowa Code section 135.11. Report received on January 2, 2018.

Patient-Centered Health Advisory Council Report, pursuant to 2017 Iowa Acts, HF 393, section 10. Report received on December 1, 2017.

Plumbing and Mechanical Systems Board Report, pursuant to Iowa Code section 105.9. Report received on January 8, 2018.

Recommendations from the Medical Cannabidiol Board Report, pursuant to 2017 Iowa Acts, Chapter 162, section 8. Report received on December 29, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on December 26, 2017.

Tobacco Use Prevention and Control Report, pursuant to Iowa Code section 142A.4. Report received on December 18, 2017.

PUBLIC INFORMATION BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on June 1, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 1, 2017.

DEPARTMENT OF PUBLIC SAFETY

DCI Report of Activities at Racetrack Enclosures, pursuant to Iowa Code section 99D.14. Report received on December 27, 2017.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 13, 2017.

Human Trafficking Report, pursuant to Iowa Code section 80.45. Report received on October 31, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 30, 2017.

Review of Private Sector Alternatives to Perform Criminal Background Checks, pursuant to 2017 Iowa Acts, HF 653, section 86. Report received on December 18, 2017.

Statewide Interoperable Communications System Board Report, pursuant to Iowa Code section 80.29. Report received on December 22, 2017.

IOWA PUBLIC TELEVISION

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on November 27, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on November 27, 2017.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on November 27, 2017.

BOARD OF REGENTS

Annual Articulation Report, pursuant to Iowa Code section 262.9. Report received on January 4, 2018.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 5, 2017.

Beginner Farmer Center Report, pursuant to Iowa Code section 266.39E. Report received on January 8, 2018.

Center for Health Effects of Environmental Contamination Annual Report, pursuant to Iowa Code section 263.17. Report received on January 4, 2018.

College Bound and IMAGES Annual Report, pursuant to Iowa Code section 262.93. Report received on January 4, 2018.

Continuous Improvement Plan, pursuant to Iowa Code section 262.9. Report received on October 10, 2017.

Cooperative Purchasing Plan report, pursuant to Iowa Code section 262.9B. Report received on October 26, 2017.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 262.9. Report received on December 1, 2017.

Grow Iowa Values Fund Report, pursuant to 2013 Iowa Acts, Chapter 141, section 54. Report received on January 5, 2018.

Leopold Center for Sustainable Agriculture Report, pursuant to 2017 Iowa Acts, Chapter 168, section 33 SF 510. Report received on January 8, 2018.

Local Food and Farm Program Report, pursuant to Iowa Code section 267A.7. Report received on September 11, 2017.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3. Report received on January 5, 2018.

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9(35). Report received on November 8, 2017.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5. Report received on September 14, 2017.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 14, 2017.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 14, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on July 24, 2017.

Technology Commercialization, Entrepreneurship, Regional Development, and Market Research Report, pursuant to 2017 Iowa Acts, Chapter 169, sections 17 and 32. Report received on January 5, 2018.

Transfer of Funds—Regional Study Centers, pursuant to Iowa Code section 262.28. Report received on August 18, 2017.

UIHC Audited Financial Report, pursuant to Iowa Code section 263A.13. Report received on January 8, 2018.

Use of Medical Cannabidiol—UI Carver College of Medicine and UI College of Pharmacy, pursuant to 2014 Iowa Acts, Chapter 1125, section 10. Report received on July 20, 2017.

DEPARTMENT OF REVENUE

Assessor Continuing Education Study Report, pursuant to 2017 Iowa Acts, HF 478, section 27.2. Report received on December 13, 2017.

Central Collections Unit Quarterly Debt Collection Report Ending March 31, 2017, pursuant to Iowa Code section 421.17(27)(h). Report received on May 22, 2017.

Central Collections Unit Quarterly Debt Collection Report Ending June 30, 2017, pursuant to Iowa Code section 421.17(27)(h). Report received on October 3, 2017.

Central Collections Unit Quarterly Debt Collection Report Ending September 30, 2017, pursuant to Iowa Code section 421.17(27)(h). Report received on October 30, 2017.

Debt Collection Report for FY 2016 and 2017, pursuant to Iowa Code section 421.17. Report received on November 10, 2017.

Iowa Collection Enterprise (ICE) Report, pursuant to Iowa Code section 421.17. Report received on November 13, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on October 30, 2017.

Nonfilers of Returns, Nonpayers of Taxes, and Refund Fraud Report, pursuant to Iowa Code section 421.17. Report received on October 27, 2017.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 16, 2017.

Solar Energy System Tax Credits, pursuant to Iowa Code section 422.11L. Report received on January 3, 2018.

SECRETARY OF STATE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 29, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on May 31, 2017.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 28, 2017.

STATE FAIR BOARD

Association of Iowa Fairs–Economic Impact and Statistic Report, pursuant to Iowa Code section 174.10. Report received on December 29, 2017.

STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES

Annual Report, pursuant to Iowa Code section 411.5. Report received on December 19, 2017.

Public Fund Iran-Related Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 20, 2017.

Public Fund Israel-Related Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 20, 2017.

Public Fund Sudan-Related Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 20, 2017.

DEPARTMENT OF TRANSPORTATION

Annual Report, pursuant to Iowa Code section 7A.9. Report received on June 14, 2017.

Highway Improvement Program and Sufficiency Rating Report, pursuant to Iowa Code section 307A.2. Report received on June 14, 2017.

Integrated Roadside Vegetation Management Committee Report, pursuant to Iowa Code section 314.22. Report received on June 14, 2017.

Living Roadway Trust Fund Report, pursuant to 2017 Iowa Acts, SF 405, section 89. Report received on June 14, 2017.

Nature and Scope of Enforcement Activities by Peace Officers Report, pursuant to 2017 Iowa Acts, HF 463, section 3. Report received on December 1, 2017.

Rail/Highway Grade Crossing Warning Devices, Signals and Signs Report, pursuant to Iowa Code section 307.26(5)(c). Report received on June 14, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on October 3, 2017.

Road Use Tax Fund Efficiency Measures, pursuant to 2014 Iowa Acts, Chapter 1123, section 21. Report received on December 29, 2017.

TREASURER OF STATE

ABLE Savings Trust Financial Report, pursuant to Iowa Code section 12I.7. Report received on December 5, 2017.

Iowa Educational Savings Plan Trust Report, pursuant to Iowa Code section 12D.8(1)(a). Report received on December 5, 2017.

Public Fund Iran-Related Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on October 16, 2017.

Public Fund Israel-Related Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on October 16, 2017.

Public Fund Sudan-Related Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on October 16, 2017.

Tobacco Settlement Authority Annual Report, pursuant to Iowa Code section 12E.15. Report received on December 5, 2017.

UTILITIES BOARD

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 2, 2018.

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66. Report received on January 3, 2018.

Small Wind Innovation Zone Report, pursuant to Iowa Code section 476.48. Report received on January 2, 2018.

VETERANS AFFAIRS

County Allocation Fund Report, pursuant to Iowa Code section 35A.5. Report received on September 18, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 9, 2017.

IOWA VETERANS HOME

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on July 5, 2017.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on July 5, 2017.

CERTIFICATES OF RECOGNITION

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

Advocate news, Wilton—For celebrating 150 years of service. Senator Dvorsky.

Lt. Robert L. Brietzke, Council Bluffs—For 4 years of service to the City of Council Bluffs and the State of Iowa. Senator Dawson.

Devita Harden—For her many contributions to the Ames community and for her leadership of the League of Women Voters of Ames and Story County. Senator Quirmbach.

Marge Hoffert—For celebrating her 100th birthday. Senator Kraayenbrink.

Iowa Valley Habitat for Humanity—For celebrating its 25th anniversary. Senator Dvorsky.

Gary Jedlicka, Tipton—For celebrating 37 years of service as Cedar County Treasurer. Senator Dvorsky.

William Laubengayer, Coralville—For being named a member of the 2017 Iowa Volunteer Hall of Fame. Senator Dvorsky.

Barb Malone, Pleasant Hill—For her 36 years of service to the State of Iowa. Senator Whitver.

Sgt. David L. Rosenburg, Council Bluffs—For his dedicated years of service to the State of Iowa. Senator Dawson.

Robert A. Steen, Mechanicsville—For receiving the Community Bankers of Iowa Robert D. Dixon Founders Award. Senator Dvorsky.

University of Iowa International Writing Program—For celebrating its 50th anniversary. Senator Dvorsky.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, January 8, 2018, 10:45 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Petersen, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Reviewed and approved committee reports.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

Senate File 2001, by Chapman, a bill for an act relating to youth deer hunting license seasonal use restrictions.

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

Senate File 2002, by Chapman, a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable.

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

Senate File 2003, by Zaun, a bill for an act allowing the display of one registration plate on the rear of certain older, reconstructed, and specially constructed motor vehicles.

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

Senate File 2004, by Zaun, a bill for an act providing for school employee training relating to suicide awareness and prevention.

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

Senate File 2005, by D. Johnson, a bill for an act authorizing the waiver of the subject and performance-based assessment requirements for teacher licensure.

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

Senate File 2006, by D. Johnson, a bill for an act authorizing counties to adopt county legislation relating to the siting of confinement feeding operations.

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

Senate File 2007, by D. Johnson, a bill for an act relating to a tax credit for pollution-control and recycling property connected to property used for the care and feeding of livestock, and including effective date and applicability provisions.

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

Senate File 2008, by D. Johnson, a bill for an act establishing a moratorium relating to the construction, including expansion, of structures that are part of certain confinement feeding operations where swine are kept, requesting an interim study committee, and including effective date provisions.

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

Senate File 2009, by D. Johnson, a bill for an act establishing an advisory committee to evaluate the use and value of the master matrix when approving a permit to construct a confinement feeding operation structure, and including effective date provisions.

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

Senate File 2010, by Kinney, a bill for an act relating to peace officers, reserve peace officers, and federal officers going armed with, carrying, or transporting a firearm on school grounds.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 38
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Carlin

Senate File 153
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Carlin and McCoy

Senate File 191
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Carlin and Jochum

Senate File 192
(Reassigned)

STATE GOVERNMENT: Dawson, Chair; Bowman and Schultz

Senate File 382
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Carlin and Dotzler

SSB 1055
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Carlin and Hogg

SSB 1169
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Jochum and Schultz

SSB 1180
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Carlin and Jochum

STANDING COMMITTEES

*Vice Chair
**Ranking Member

AGRICULTURE—13 Members

Zumbach, Chair	Costello	Kapucian	Segebart
Brown*	Eidler	Ragan	Shiple
Kinney**	Hart	Rozenboom	Taylor
Bowman			

APPROPRIATIONS—21 Members

Schneider, Chair	Danielson	Johnson, C.	Shiple
Kraayenbrink*	Dotzler	Lofgren	Whitver
Bolkcom**	Garrett	Mathis	Zumbach
Boulton	Greene	McCoy	
Chelgren	Guth	Ragan	
Costello	Hart	Rozenboom	

COMMERCE—15 Members

Chapman, Chair	Boulton	Lykam	Sinclair
Breitbach*	Feenstra	Mathis	Zaun
Allen**	Guth	McCoy	Zumbach
Bertrand	Johnson, C.	Petersen	

EDUCATION—15 Members

Sinclair, Chair	Bowman	Greene	Kraayenbrink
Eidler*	Chelgren	Hart	Lofgren
Quirnbach**	Danielson	Hogg	Rozenboom
Behn	Dvorsky	Johnson, C.	

ETHICS—6 Members

Behn, Chair	Horn**	Jochum	Kinney
Guth*	Costello		

GOVERNMENT OVERSIGHT—5 Members

Breitbach, Chair	McCoy**	Hogg	Lofgren
Sinclair*			

HUMAN RESOURCES—13 Members

Segebart, Chair	Chapman	Greene	Quirnbach
Costello*	Chelgren	Jochum	Ragan
Mathis**	Garrett	Johnson, C.	Shiple
Bolkcom			

JUDICIARY—13 Members

Zaun, Chair	Boulton	Kinney	Schultz
Dawson*	Edler	Petersen	Shipley
Taylor**	Garrett	Schneider	Sinclair
Bisignano			

LABOR AND BUSINESS RELATIONS—11 Members

Schultz, Chair	Bisignano	Chapman	Guth
Zaun*	Breitbach	Costello	Taylor
Boulton**	Brown	Dotzler	

LOCAL GOVERNMENT—11 Members

Garrett, Chair	Allen	Guth	Quirnbach
Lofgren*	Chelgren	Kraayenbrink	Segebart
Hogg**	Greene	McCoy	

NATURAL RESOURCES AND ENVIRONMENT—13 Members

Rozenboom, Chair	Bertrand	Hart	Kinney
Shipley*	Carlin	Johnson, D.	Kraayenbrink
Dvorsky**	Greene	Kapucian	Lykam
Behn			

RULES AND ADMINISTRATION—11 Members

Dix, Chair	Behn	Jochum	Sinclair
Whitver*	Dvorsky	Ragan	Smith
Petersen**	Feenstra	Schneider	

STATE GOVERNMENT—15 Members

Smith, Chair	Brown	Dvorsky	Schneider
Chapman*	Carlin	Feenstra	Schultz
Bisignano**	Danielson	Horn	Zaun
Bowman	Dawson	Jochum	

TRANSPORTATION—13 Members

Kapucian, Chair	Bisignano	Danielson	Lykam
Breitbach*	Brown	Horn	Smith
Bowman**	Carlin	Kraayenbrink	Zumbach
Bertrand			

VETERANS AFFAIRS—11 Members

Costello, Chair	Allen	Dawson	Ragan
Rozenboom*	Bertrand	Edler	Segebart
Horn**	Bowman	Lofgren	

WAYS AND MEANS—15 Members

Feenstra, Chair	Breitbach	Dotzler	Quirnbach
Behn*	Brown	Edler	Schultz
Jochum**	Carlin	Hogg	Smith
Bolkcom	Dawson	McCoy	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

Guth, Chair	Mathis**	Zumbach
Chapman*	Lykam	

AGRICULTURE AND NATURAL RESOURCES

Shipley, Chair	Hart**	Rozenboom
Brown*	Kinney	

ECONOMIC DEVELOPMENT

Lofgren, Chair	Dotzler**	Greene
Breitbach*	Allen	

EDUCATION

Kraayenbrink, Chair	Danielson**	Schultz
Carlin*	Quirnbach	

HEALTH AND HUMAN SERVICES

Costello, Chair	Ragan**	Edler
Segebart*	Bolkcom	

JUSTICE SYSTEM

Chelgren, Chair	Dvorsky**	Hogg
Dawson*	Garrett	

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Johnson, C., Chair	McCoy**	Smith
Kapucian*	Bowman	

SENATORS AND THEIR RESPECTIVE COMMITTEES

ALLEN, Chaz	Commerce, Ranking Member Local Government Veterans Affairs Economic Development Appropriations Subcommittee
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BEHN, Jerry	Education Ethics, Chair Natural Resources and Environment Rules and Administration Ways and Means, Vice Chair
BERTRAND, Rick	Commerce Natural Resources and Environment Transportation Veterans Affairs
BISIGNANO, Tony	Judiciary Labor and Business Relations State Government, Ranking Member Transportation
BOLKCOM, Joe	Appropriations, Ranking Member Human Resources Ways and Means Health and Human Services Appropriations Subcommittee
BOULTON, Nate	Appropriations Commerce Judiciary Labor and Business Relations, Ranking Member
BOWMAN, Tod R.	Agriculture Education State Government Transportation, Ranking Member Veterans Affairs Transportation, Infrastructure, and Capitals Appropriations Subcommittee
BREITBACH, Michael	Commerce, Vice Chair Government Oversight, Chair Labor and Business Relations Transportation, Vice Chair Ways and Means Economic Development Appropriations Subcommittee, Vice Chair
BROWN, Waylon	Agriculture, Vice Chair Labor and Business Relations State Government Transportation Ways and Means Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair

CARLIN, Jim	Natural Resources and Environment State Government Transportation Ways and Means Education Appropriations Subcommittee, Vice Chair
CHAPMAN, Jake	Commerce Human Resources Labor and Business Relations State Government, Vice Chair Administration and Regulation Appropriations Subcommittee, Vice Chair
CHELGREN, Mark	Appropriations Education Human Resources Local Government Justice System Appropriations Subcommittee, Chair
COSTELLO, Mark	Agriculture Appropriations Ethics Human Resources, Vice Chair Labor and Business Relations Veterans Affairs, Chair Health and Human Services Appropriations Subcommittee, Chair
DANIELSON, Jeff	Appropriations Education State Government Transportation Education Appropriations Subcommittee, Ranking Member
DAWSON, Dan	Judiciary, Vice Chair State Government Veterans Affairs Ways and Means Justice System Appropriations Subcommittee, Vice Chair
DIX, Bill	Rules and Administration, Chair
DOTZLER, William A., Jr.	Appropriations Labor and Business Relations Ways and Means Economic Development Appropriations Subcommittee, Ranking Member

DVORSKY, Robert E.	Education Natural Resources and Environment, Ranking Member Rules and Administration State Government Justice System Appropriations Subcommittee, Ranking Member
EDLER, Jeff	Agriculture Education, Vice Chair Judiciary Veterans Affairs Ways and Means Health and Human Services Appropriations Subcommittee
FEENSTRA, Randy	Commerce Rules and Administration State Government Ways and Means, Chair
GARRETT, Julian B.	Appropriations Human Resources Judiciary Local Government, Chair Justice System Appropriations, Subcommittee
GREENE, Thomas A.	Appropriations Education Human Resources Local Government Natural Resources and Environment Economic Development Appropriations Subcommittee
GUTH, Dennis	Appropriations Commerce Ethics, Vice Chair Labor and Business Relations Local Government Administration and Regulation Appropriations Subcommittee, Chair
HART, Rita	Agriculture Appropriations Education Natural Resources and Environment Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member

HOGG, Robert	Education Government Oversight Local Government, Ranking Member Ways and Means Justice System Appropriations Subcommittee
HORN, Wally E.	Ethics, Ranking Member State Government Transportation Veterans Affairs, Ranking Member
JOCHUM, Pam	Ethics Human Resources Rules and Administration State Government Ways and Means, Ranking Member
JOHNSON, Craig	Appropriations Commerce Education Human Resources Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair
JOHNSON, David	Natural Resources and Environment
KAPUCIAN, Tim L.	Agriculture Natural Resources and Environment Transportation, Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair
KINNEY, Kevin	Agriculture, Ranking Member Ethics Judiciary Natural Resources and Environment Agriculture and Natural Resources Appropriations Subcommittee
KRAAYENBRINK, Tim	Appropriations, Vice Chair Education Local Government Natural Resources and Environment Transportation Education Appropriations Subcommittee, Chair

LOFGREN, Mark S.	Appropriations Education Government Oversight Local Government, Vice Chair Veterans Affairs Economic Development Appropriations Subcommittee, Chair
LYKAM, Jim	Commerce Natural Resources and Environment Transportation Administration and Regulation Appropriations Subcommittee
MATHIS, Liz	Appropriations Commerce Human Resources, Ranking Member Administration and Regulation Appropriations Subcommittee, Ranking Member
McCOY, Matt	Appropriations Commerce Government Oversight, Ranking Member Local Government Ways and Means Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member
PETERSEN, Janet	Commerce Judiciary Rules and Administration, Ranking Member
QUIRMBACH, Herman C.	Education, Ranking Member Human Resources Local Government Ways and Means Education Appropriations Subcommittee
RAGAN, Amanda	Agriculture Appropriations Human Resources Rules and Administration Veterans Affairs Health and Human Services Appropriations Subcommittee, Ranking Member

ROZENBOOM, Ken	Agriculture Appropriations Education Natural Resources and Environment, Chair Veterans Affairs, Vice Chair Agriculture and Natural Resources Appropriations Subcommittee
SCHNEIDER, Charles	Appropriations, Chair Judiciary Rules and Administration State Government
SCHULTZ, Jason	Judiciary Labor and Business Relations, Chair State Government Ways and Means Education Appropriations Subcommittee
SEGBART, Mark	Agriculture Human Resources, Chair Local Government Veterans Affairs Health and Human Services Appropriations Subcommittee, Vice Chair
SHIPLEY, Tom	Agriculture Appropriations Human Resources Judiciary Natural Resources and Environment, Vice Chair Agriculture and Natural Resources Appropriations Subcommittee, Chair
SINCLAIR, Amy	Commerce Education, Chair Government Oversight, Vice Chair Judiciary Rules and Administration
SMITH, Roby	Rules and Administration State Government, Chair Transportation Ways and Means Transportation, Infrastructure, and Capitals Appropriations Subcommittee
TAYLOR, Rich	Agriculture Judiciary, Ranking Member Labor and Business Relations

WHITVER, Jack	Appropriations Rules and Administration, Vice Chair
ZAUN, Brad	Commerce Judiciary, Chair Labor and Business Relations, Vice Chair State Government
ZUMBACH, Dan	Agriculture, Chair Appropriations Commerce Transportation Administration and Regulation Appropriations Subcommittee

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 9, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Pastor Dave Dahlke from Shepherd of the Valley Lutheran Church in West Des Moines, Iowa. He was the guest of Senator Dix.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Monday, January 8, 2018, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 101, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:50 a.m., President Whitver presiding.

JOINT CONVENTION

The joint convention convened at 9:55 a.m., President Whitver presiding.

Senator Dix 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 by a voice vote.

President Whitver declared a quorum present and the joint convention duly organized.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor Kim Reynolds that the joint convention was ready to receive her.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Schneider, C. Johnson, and Allen on the part of the Senate, and Representatives Hinson, Lundgren, and Miller on the part of the House.

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

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

Lieutenant Governor Adam Gregg, his wife Cari, son Jackson, daughter Lauren, and parents Larry and Carol were escorted into the House chamber.

First Gentleman Kevin Reynolds, daughter Jen, Jason and Averie Fagan, daughter Nicole Springer, brother Doug Strawn, and parents Charles and Audrey Strawn were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her to the Speaker's station.

President Whitver presented Governor Kim Reynolds, who delivered the following Condition of the State Address:

Lieutenant Governor, Mr. President, Madam Speaker, legislative leaders, Senators and Representatives, justices and judges, elected officials, distinguished guests, family, friends, and my fellow Iowans.

It is an honor to be here today, as your 43rd governor and to deliver my first Condition of the State Address.

What a country and state we live in, where a small town girl from rural Iowa can become governor and have the opportunity to serve Iowans at the highest level.

I hope that can be an inspiration to every waitress, every grocery checker, every overworked and stressed out mom, and the little girls who dare to dream: In Iowa, if you're willing to work for it, those dreams can come true.

I want to begin by taking a moment to recognize the heroes among us, the brave men and women serving in the military, law enforcement, and as first responders, on behalf of Iowans we extend our deepest gratitude for your sacrifice and service.

I also want to recognize with shared sadness, those who are not with us this year: Representative Greg Foristall, Representative Curt Hanson, former Senate Majority Leader Cal Hultman, former Speaker of the House Don Avenson, and former Lieutenant Governor Joy Corning. These were dedicated public servants and effective leaders who cared about their constituents and made a difference for the people of Iowa.

Today, I'm proud to report to the people of Iowa and their Representatives, that, because our ability to dream is infinite and the will of our people is great, the condition of our state is strong.

Iowa is ranked 3rd best-managed state in America, and the number one state for middle class families.

Our graduation rate is the highest in the nation, while unemployment is one of the lowest.

These successes are not by accident. Thanks to the strong leadership of this legislature, last year was the most pro-jobs session in decades!

But mostly, the success of our state has come from our people: hard-working and disciplined; innovative and driven.

The condition of our state is strong because Iowans are discovering and unleashing opportunities in our schools, on factory floors, on main streets, and around kitchen tables.

In 2017, I was proud to work with this Legislature to move our state forward. So let me take a moment to highlight what we have accomplished together.

We balanced the state budget, protecting taxpayers while safeguarding important priorities like education.

We invested in our kids at a record level, committing \$735 million more for education since 2011.

We prepared our students for the jobs of tomorrow, through work-based learning, pre-apprenticeship and computer science programs.

We reformed collective bargaining and worker's compensation laws, putting more power in the hands of local governments and school districts, small businesses, and taxpayers.

We protected the ballot box with new voter ID laws.

We protected life, standing up for the most vulnerable by prohibiting late-term abortions. And we will never stop working to protect the unborn.

We restored liberties, by strengthening our 2nd amendment rights, and defended taxpayers against costly project labor agreements

We fought for Iowa farmers and a robust Renewable Fuel Standard, and we won!

And, I'm proud to report the Iowa Energy Plan is delivering action, by continuing to lead the nation in innovative energy ideas.

But, there is still unfinished business.

Improving water quality is a shared goal of Iowans. Urban and rural stakeholders have worked collaboratively making great strides.

My hope is that a water quality bill is the first piece of legislation I sign as Governor.

Let me assure you, passage of this monumental legislation does not mean the water quality discussion is over; rather it ignites the conversation to implement and scale practices that will continue to make an impact on water quality.

As we look back at 2017, it's clear we have much to be proud of. But now is the time to look forward.

My vision for the future is an Iowa overflowing with opportunity—opportunity for our working families, young people, and our communities, both rural and urban.

A place where it doesn't matter if you're rich or poor, young or old, male or female.

Where your last name and zip code aren't nearly as important as your ability to dream and willingness to reach for it.

A place where, if life got in the way of those dreams, you can find a second start.

And if you've made mistakes, you can find a second chance.

Because opportunity means everyone has a chance to succeed.

It doesn't mean government picking winners and losers, or waiting for government to fix every problem.

It means, when we face challenges, we do what Iowans have always done: roll up our sleeves and get to work.

While there are many issues to discuss today, I want to pause for a moment and talk about something that has captured the attention of the entire nation.

Throughout history, sexual harassment has been a stain on our culture, a destructive force—in politics, media and entertainment, in workplaces large and small—in all facets of life. And it must stop.

I commend the number of women who have found the courage to speak out.

As a woman, a mother of three girls, a grandmother, wife, sister, and daughter, I understand we're at an unprecedented moment in time.

I also understand that this is not a partisan issue. It can't be fixed by legislation or rule-making alone.

You cannot legislate kindness or respect or morality. They must be taught. And that means the solution starts with every individual, man or woman. It's about showing respect to others. It's about character and decency. And it's about changing the culture once and for all.

All of us in public office must ensure not only a safe workplace but serve as a model for the public and private sector.

What we do here matters. Iowans are watching. We can't change behavior everywhere, but we have an obligation to lead and, as long as I am Governor, we're going to.

Iowans are good people. They're humble people. And no matter our differences on policy and politics, we must always strive to reflect the goodness of those we represent.

It is the people of Iowa who make this job what it is, and I love waking up every day with the opportunity to make a difference.

And while I love our capital city and everything it offers, I believe the heart, soul, and spirit of Iowa will always remain in our small towns and rural communities.

From Decorah to Manning, LeMars to Mt. Pleasant and everywhere in between, we are defined as Iowans who dream big in these small places.

Like many of you, I grew up in one of those small towns and when I go home, I hear the disappointment and I share the frustration when another storefront closes. I appreciate the hard work taking place by community leaders to keep our main streets alive and vibrant.

Our downtowns are the backdrop for memories and the foundation for future success stories. Their buildings, businesses and people have character, and they are the hubs for economic growth.

Our work ethic is our currency and people all over Iowa are ready to invest this valuable resource in their communities.

So today I'm announcing a new initiative that focuses on rural Iowa, which I have asked Lieutenant Governor Gregg to lead.

We will bring together leaders from across Iowa with different backgrounds to be part of this effort.

Iowans who have lived in rural communities all of their lives, those who recently moved there, young professionals, successful business owners, and those just starting out.

This new initiative will promote investment and connect rural Iowa by expanding broadband capabilities in every corner of our state. Our goal: to keep and bring home Iowa's sons and daughters and grow the next generation of community leaders.

Last month, Congress passed historic tax reform—legislation that gives significant tax cuts to working-class Iowans, and gives even greater relief for families who are raising children. Across the board, in virtually every income bracket, Iowans will see relief.

For that, I want to thank Congress and the President. Because every day, I meet Iowans who tell me that, no matter how hard they work, they're still treading water and struggling to make ends meet.

But here's the thing: Because of an outdated provision in Iowa's tax code, Iowans will see a tax increase if we don't pass tax reform at the state level.

Iowa is one of only three states that allow taxpayers to deduct their federal taxes. While that might sound like a good thing, right now it's not.

It creates complexity, and worse—it means that when your federal taxes go down, your Iowa taxes go up. And it often punishes those who we want to help the most.

With federal deductibility in place, when the federal government cuts taxes for working-class families, Iowa raises taxes on those same families.

When the federal government cuts taxes for farmers and small businesses, Iowa raises taxes on farmers and small businesses.

That's not just a hypothetical. It's what will happen if we don't act.

Therefore, I will be proposing a tax reform package that significantly reduces rates, modernizes our tax code, eliminates federal deductibility, and provides real tax relief for middle class families, farmers, and small businesses.

This is an opportunity to free us from decisions made in Washington, D.C. and simplify our tax code. And, more important, Iowans will keep more of their hard-earned money.

Like many Iowans, Kevin and I lived on a tight budget while raising our girls. We had to focus on priorities, making tough decisions on what we could and couldn't afford.

It's no secret we are working through difficult times with our state budget. So we have to focus on what we can afford. While I want to reduce our uncompetitive corporate taxes, this is not the year.

But in the meantime, I will be creating a bipartisan task force to analyze every tax credit and come back with recommendations before the next legislative session. This will provide the opportunity to address our corporate tax rate with a better understanding of the larger picture.

It may take a multi-year effort, but we are going to completely reform our tax code. We're going to make Iowa more competitive, and we're going to continue to be a place where businesses—big and small—want to grow and expand.

Nearly everything that is important to our future—schools, jobs, energy, growth—depends on the health of our people. If Iowans aren't healthy, they can't learn, they can't work, they can't take care of their families, and they can't succeed.

Before the Affordable Care Act, Iowa had an individual insurance market with relatively low cost and high participation.

Now, our healthcare market is collapsing.

It's unaffordable. It's unsustainable. And it's unacceptable.

I continue to call on Congress to repeal and replace the Affordable Care Act.

But we can't wait for Congress to fix it.

This session, we must work together to pass legislation that gives Iowa farmers, small business owners and their workers access to affordable insurance.

To meet the needs of our most vulnerable Iowans, to ensure we have affordable healthcare coverage for working families, to provide compassionate mental health care, and to fight the plague of opioid addiction, we must address these complex issues in a coordinated and strategic approach that builds on the progress we've made together.

Almost two years ago, we modernized our Medicaid system to an individualized, patient-centered approach that was already in place in 39 other states. It was a change that needed to be made.

Under the old system, costs soared, fraud occurred, it was unsustainable, and we weren't focused on patient outcomes.

I still believe managed care is the right decision for Iowa, but it has become very clear that mistakes were made in how it was done. Shortly after being sworn in as Governor, I took deliberate action to make a change. I hired a new director for the Department of Human Services, who has the passion, and—most importantly—the compassion to make this work. And he has hired a new Medicaid director with the experience to get things turned around.

With this new team in place, we are working with our caregivers to resolve issues in a timely manner and ensure on-time payments.

We are continuing to work with our Managed Care-Organizations to ensure Iowans are getting the best possible outcomes. And we are reaching patients in new and innovative ways to individualize their care.

This is something I think about and work on every day, because it is so important to so many Iowans. We will make this right.

We must also continue to provide compassionate mental health care.

In 2013, we redesigned Iowa's mental health system with bipartisan input and support. We moved from a county-by-county system to a regional network, ensuring the same core services for all Iowans, regardless of where they live.

150,000 more Iowans have mental health coverage today and have access to more local and modern services.

We've invested \$2 billion in mental health services. And in 2016 we invested \$4 million in a new psychiatric medical residency program to recruit and retain more psychiatrists.

But we must do more, and I know we can.

That's why I look forward to partnering with Des Moines University and the National Alliance on Mental Illness on their exciting new initiative, where every new doctor will receive the training and skills to identify and treat a patient with a mental health challenge.

I have included money in my budget for this innovative program. It will be the first-of-its-kind, and since Des Moines University trains more primary-care physicians than any medical school in the country, it's a significant step forward.

We have students and faculty from Des Moines University with us today. Please join in me thanking them for the leadership they have shown in mental health education and awareness.

To improve our mental health system, we can't just focus on the sheer number of beds; we must identify the gaps in our system.

In many cases, Iowans suffering from mental illness don't need hospitalization. But they also can't get the care they need at home.

They need a safe place to stay that offers professional services and a watchful eye.

We need to establish residential access centers that will provide short-term care for those in crisis. A place with the resources necessary to get these Iowans stabilized and back home to their families.

To help make that happen, I am asking the legislature to remove the cap on sub-acute beds.

And I am asking the mental health regions and our stakeholders to work with me to create a long-term and sustainable funding structure to establish these much-needed crisis access centers.

Creating a mental health system is complex and it won't be solved overnight. But no parent, child, friend or neighbor should suffer in silence when it comes to mental health.

Addiction can be just as anguishing for Iowa families and many of you know someone who has suffered from the wave of heroin and opioid addiction that is making its way through Iowa.

This issue is very personal to me. To the thousands of Iowans impacted by addiction, I've been there; I understand your struggles. My family understands your struggles. I know that life can be so much better.

Like it is for Caleb, a recovering opioid addict from Dubuque.

His life was saved after an overdose that nearly left him dead. Through the help of medicated-assisted treatment and a recovery program, he's turned his life around. Caleb's kept a job for over a year, received promotions and raises. And he's happier than he's ever been. While courageously sharing his story at our recent Opioid summit, Caleb said, "Even though I'm a high school drop-out, I feel like I'm very wealthy!"

Caleb, we're all richer for hearing your story.

In the past decade, opioid-related deaths have more than doubled, and will continue to rise unless we take action to reverse this heart-wrenching trend.

My plan to address this epidemic includes, increase use of the Prescription Monitoring Program, supporting enhanced intervention for Iowans addicted to opioids, and expanding medicated assisted treatment, the very program that helped Caleb.

And today I am calling on the legislature to pass legislation to reduce the number of opioids prescribed in Iowa.

This is a big step in the right direction. It will change lives and provide opportunities for a brighter future.

The foundation for a bright future starts early. So when we talk about unleashing opportunity and prioritizing our budget, nothing is more important to me than investing in our children.

In today's changing economy, whether our kids are bound for a four-year college, a community college, trade school, apprenticeship, military service, or headed into the workforce, we must prepare them for a productive and successful life.

That's why we have invested over \$37 million in STEM through public private partnerships. One school district and community that has embraced STEM education from the very beginning is Harlan. From being the first school to participate in National Guard STEM Day to Pint-Size Science, the Harlan School District is a perfect example of how schools, businesses, and communities are preparing their students for the jobs of tomorrow. We have students from Harland here today; please join me in welcoming them!

Since taking office seven years ago, we have added \$735 million in new money to our preK-12 education systems.

At \$3.3 billion, funding is at an all-time high.

In fact, a recent study by the Center on Budget and Policy Priorities found that over the last 10 years, only three states increased education funding at a higher rate than Iowa.

Education is a priority, and we will continue to back that up with real money.

In my budget I am proposing \$54 Million in new money for our schools.

We have also maintained our commitment to school choice, which offers families the option to teach their values, beliefs, and viewpoints to their children.

That's why my tax reform plan will expand 529 plans to include K-12 education.

But we also can't fall into the trap of measuring the quality of our education system by the sheer number of dollars we put into it. If we're not focused on preparing our young people for the future, then we are failing.

The economy is changing, the demand of the workforce is changing, and our education system must change with it.

On that front, Iowa is ahead of the game.

Last fall, Mike Rowe, the host of Dirty Jobs, visited Central Campus in Des Moines and called its pre-apprenticeship program a model for high schools all over the country. He talked about how welding, carpentry, nursing, drywall, automotive—all the major trades—were represented.

We are fortunate to have students with us today from Central Campus!

When talking about your school, Mike said that you have a pre-apprenticeship program that rivals the best he's ever seen; that you, the kids in this program, are given real-world experience. So real, that your high-school classes are translating into college credits.

We can and should emulate your program around our state.

And the initiative to help us do that is Future Ready Iowa.

Future Ready Iowa will create an environment where opportunity is unleashed. A place where high-paying new jobs are seamlessly linked with a motivated and highly-skilled workforce.

In Iowa, the careers of tomorrow are being created today, with starting salaries of \$40,000, even \$50,000 a year just waiting to be filled.

In fact, right now, there are more than 55,000 job openings on the Iowa Workforce Development website, many in high-demand, high-paying fields.

At the same time, we all have friends, relatives, and neighbors who are ambitious and hard-working but lacking the skills or self-confidence they need to reach out and seize one of those careers.

But, this morning, I'd like to introduce you to one Iowan, Amy Boozell, who chased her dream and earned the career she always wanted.

Amy's college story began more than 20 years ago, when she was a new mother. At the age of 19, she put her dreams on hold so she could put her child first. Later, she attended community college off and on, but it never resulted in a degree. But Amy had the courage and initiative to keep trying.

In 2016, after two and a half years of study, sleepless nights, and sacrifice, Amy crossed the stage at the age of 42, receiving her hard-earned diploma from Iowa State University.

I know Amy's story, because that day, I walked across the very same stage.

We sat next to each other at graduation, at ages 42 and 57, a mother of 5 and a mother of 3, aware that just because life got in the way didn't mean that opportunity had to be forever out of reach.

To every Iowan wanting to do more, to make that dream a reality, if Amy and I can do it, so can you. Amy, please stand so we can congratulate you!

Today, just over half of our workforce has training or education beyond high school. We're going to change that.

By 2025, our goal is for 70% of Iowa workers to have the skills they need to land a great job.

To reach that goal, we will partner with the private sector to rapidly expand education and training opportunities for more than 127,000 working men and women.

It's a big challenge, but we're going to get there. And we're starting now.

Today I am calling on the legislature to pass the Future Ready Iowa Act. It's a bill that creates opportunities for Iowans of all ages and experiences. Opportunities to get the skills they need for a rewarding career.

It starts with K-12 system. I want children to know, from the earliest age, that they have options. I want them to know that trade programs and community colleges can prepare them for high-paying careers.

In Manchester, a company called Henderson Products, needed skilled welders. So they partnered with West Delaware High School and Northeast Iowa Community College to establish a program that gives students a head start on learning the valuable skilled trade of welding while still in high school. It gave Henderson the workforce they needed.

Through the success of this partnership, Henderson has hired nearly 30 new welders. For a town of 5,000 people, that has a real impact.

That's why I've included \$500,000 in my budget to expand this type of work-based learning.

We have students from West Delaware High here today, please join me in recognizing them for their outstanding work!

We must do everything we can to steer Iowans—young and old—to training programs that lead to great careers. To do that, we'll create a new scholarship for Iowans who decide to pursue up to a two-year degree in a high-demand field, like nursing, advanced manufacturing, or computer science. These scholarships will pay for the students' remaining tuition and will be available to Iowans of any age, whether they just graduated from high school or are looking to change careers.

We'll also create a new grant program for people who started a four-year degree but never finished. So people like Amy know it's never too late. If this is your dream, now is the time to chase it.

I also want to increase our support for apprenticeships, that's why I have included an additional \$1 million in my budget to expand Iowa's current apprenticeship program to help more small- and mid-sized employers offer these life-changing opportunities.

Finally, working with the private sector, we will create the Iowa Employer Innovation Fund, which will revolutionize the way we think about workforce training.

Instead of government deciding which programs are needed, decisions will be made at the local level by the businesses and job creators. They'll invest their money, in the training programs that best fit their needs, and the State innovation fund will provide matching dollars.

Iowa's businesses are already stepping up. And I want to thank the Iowa Business Council for leading the way, by committing to hire 30,000 interns, externs, and apprentices by 2025.

Future Ready Iowa will have a real impact on Iowans. People like Georges Seakor, who is with us here today. He became an Iowan at the age of five, when his family moved here to escape violence in Liberia. While at Lincoln High School, through the IJAG program, Georges took advantage of an internship at Principal Financial which opened the door to a full-time job after graduation. Now Georges is studying at DMACC, while working at Principal—an opportunity that he never thought possible.

This is what happens when our young people see, at an early age, the opportunities that are available right here in Iowa. It's what happens when our businesses work with our schools. And it's what happens when our young people make the connection between an education and a career. George please stand so we can recognize your outstanding accomplishments!

As I said at the start, I believe that Iowa is—and ought to be—a place where, if you're willing to work for it, you can make your dreams come true.

My vision is to give the people of Iowa a place to call home that unleashes opportunity at every turn.

For all Iowans—for people like Caleb, Amy, and Georges—let us build a future where our ability to dream is infinite and the will of our people remains eternally unbroken.

From the cities and suburbs, to our smallest towns and rural communities, together, we are greater than the sum of our parts.

Together, the condition of our state is strong.

And together, we can pass on to our children an Iowa even greater than the one we inherited.

May God bless you, and continue to bless the great state of Iowa.

Governor Reynolds was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:53 a.m. until 9:00 a.m., Wednesday, January 10, 2018.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

Municipal Oversight Report, pursuant to Iowa Code section 11.6. Report received on January 9, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on January 9, 2018.

Targeted Small Business Compliance Report, pursuant to Iowa Code section 11.26. Report received on January 9, 2018.

OFFICE OF THE GOVERNOR

Report on Reprieves, Commutations, Pardons, and Remission of Fines, pursuant to Iowa Code section 7A.5. Report received on January 9, 2018.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 9, 2018.

DEPARTMENT OF HUMAN SERVICES

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13. Report received on January 9, 2018.

DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures and Contractual Obligations, pursuant to Iowa Code section 307.12. Report received on January 9, 2018.

UTILITIES DIVISION

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66. Report received on January 9, 2018.

DEPARTMENT OF VETERANS AFFAIRS

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13. Report received on January 9, 2018.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, January 9, 2018, 2:30 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand, McCoy, and Petersen (all excused).

Committee Business: Organizational meeting.

Adjourned: 2:35 p.m.

HUMAN RESOURCES

Convened: Tuesday, January 9, 2018, 1:35 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:50 p.m.

JUDICIARY

Convened: Tuesday, January 9, 2018, 3:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: Petersen (excused).

Committee Business: Introductions.

Adjourned: 3:15 p.m.

INTRODUCTION OF BILLS

Senate File 2011, by D. Johnson, a bill for an act relating to applications to construct confinement feeding operation structures, including by requiring a notice be delivered to certain persons regarding the construction, and including effective date provisions.

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

Senate File 2012, by Hogg, a bill for an act relating to child care assistance provider reimbursement rates and the care of children in licensed get-well centers.

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

Senate File 2013, by Ragan and Mathis, a bill for an act relating to the transition of the Medicaid program long-term services and supports population from managed care to fee-for-service administration, and including effective date provisions.

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

Senate File 2014, by Lofgren, a bill for an act providing an individual income tax credit to parents of stillborn children, and including retroactive applicability provisions.

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

Senate File 2015, by Zaun, a bill for an act relating to the treatment of adoptive parent employees and making penalties provisions.

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

Senate File 2016, by Zaun, a bill for an act relating to special interest motor vehicle registration plates, and providing penalties.

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

Senate File 2017, by Zaun, a bill for an act relating to education by modifying the duties and authority of certain state and local governmental entities, and including effective date provisions.

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

Senate File 2018, by D. Johnson, a bill for an act requiring an application for a permit to construct certain confinement feeding operation structures to include information regarding any production contracts in which the applicant is or may be a party, and including effective date provisions.

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

Senate File 2019, by D. Johnson, a bill for an act relating to animal agriculture, by providing for a public hearing conducted by the board of supervisors in a county where a structure associated with a confinement feeding operation is proposed to be constructed, including expanded, and including effective date provisions.

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

Senate File 2020, by Dawson, a bill for an act relating to the percentage of campsites in a state park or preserve that may be reserved through a centralized reservation system.

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

Senate File 2021, by Zaun, a bill for an act relating to the elimination of the certificate of need process relating to the development of a new or changed institutional health service.

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

STUDY BILLS RECEIVED

SSB 3001 Education

Requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

SSB 3002 Education

Relating to school bus route ride time limitations.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 8

STATE GOVERNMENT: Schultz, Chair; Jochum and Schneider

Senate File 57
(Reassigned)

TRANSPORTATION: Breitbach, Chair; Lykam and Smith

Senate File 111
(Reassigned)

TRANSPORTATION: Smith, Chair; Bisignano and Brown

Senate File 125
(Reassigned)

TRANSPORTATION: Kraayenbrink, Chair; Brown and Lykam

Senate File 194
(Reassigned)

TRANSPORTATION: Smith, Chair; Bertrand and Danielson

Senate File 297
(Reassigned)

TRANSPORTATION: Brown, Chair; Lykam and Smith

Senate File 306
(Reassigned)

TRANSPORTATION: Zumbach, Chair; Bisignano and Breitbach

Senate File 352

STATE GOVERNMENT: Brown, Chair; Chapman and Jochum

Senate File 372

EDUCATION: Sinclair, Chair; Chelgren and Danielson

Senate File 388

STATE GOVERNMENT: Smith, Chair; Chapman and Danielson

Senate File 395

STATE GOVERNMENT: Dawson, Chair; Jochum and Zaun

Senate File 427

EDUCATION: Sinclair, Chair; Chelgren and Hogg

Senate File 443

EDUCATION: Sinclair, Chair; Chelgren and Quirnbach

Senate File 2003

TRANSPORTATION: Bertrand, Chair; Brown and Danielson

Senate File 2004

EDUCATION: C. Johnson, Chair; Quirnbach and Sinclair

Senate File 2005

EDUCATION: Sinclair, Chair; Bowman and Greene

Senate File 2008

AGRICULTURE: Rozenboom, Chair; Segebart and Taylor

Senate File 2009

AGRICULTURE: Shipley, Chair; Edler and Kinney

Senate File 2011

AGRICULTURE: Kapucian, Chair; Brown and Kinney

House File 602

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

SSB 3001

EDUCATION: Chelgren, Chair; Edler and Hogg

SSB 3002

EDUCATION: Rozenboom, Chair; Hart and C. Johnson

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 10, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Dr. Jim Kratz, retired Pastor from West Des Moines Christian Church. He was the guest of Senator Petersen.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabella Gallegos.

The Journal of Tuesday, January 9, 2018, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:42 a.m., President Whitver presiding.

In accordance with House Concurrent Resolution 102, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the joint convention was called to order at 9:49 a.m., President Whitver presiding.

Senator Dix 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 by a voice vote.

President Whitver declared a quorum present and the joint convention duly organized.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Kim Reynolds to the Condition of the Iowa Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Behn, Kraayenbrink, and Hart on the part of the Senate, and Representatives Bloomingdale, Zumbach, and H. Miller on the part of the House.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Honorable Mark S. Cady, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Chelgren, Greene, and Hogg on the part of the Senate, and Representatives Jones, Heartsill, and Meyer on the part of the House.

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

The Justices of the Supreme Court, the Chief Judge and the Judges of the Court of Appeals, and the Chief Judges of the District Courts were escorted into the House chamber.

Becky Cady, wife of Chief Justice Cady; his son, Spencer Cady; daughter-in-law, Reilly Cady; and his sister-in-law, Susan Imus, were escorted into the House chamber.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her into the House chamber.

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

President Whitver then presented Chief Justice Mark S. Cady who delivered the following Condition of the Judiciary Message:

Mister president, madam speaker, distinguished members of the Iowa General Assembly, Governor Reynolds, state officials, colleagues, family, friends, and everyone who joins us this morning to hear the condition of Iowa's judicial system.

One of the simple pleasures in my life was the opportunity to drive my daughter to her grade school in the morning. It did not occur often enough, but enough to produce a lasting memory—not from any words spoken, but from the moments I spent watching her walk from the car to the school door. Before she disappeared inside for the day, she always looked back to see if I was still there for her.

Everyone is dependent upon the support of others, and each year the courts look to you for support. Not just your financial support to maintain our current level of services to Iowans or to keep the courthouse doors open. But, consistent with the expectations of Iowans, the support for our court system to continue to innovate, to be a part of transformational change, to be the very best we can be.

Our founders built government for all Americans to grow to be better than we once were—to form “a more perfect union.” And they created a court system to work towards this end in perpetuity. As from the beginning, the court's role in this pursuit of a “more perfect union” is to advance justice through decisions made to resolve disputes. Yet, this goal can also be achieved as much, if not more, by changes made to the process of justice—changes in the way courts do their work. As with any successful business and industry, a court system today must constantly examine the way it works, ask if better ways exist, and incorporate proven new ideas and technologies. This is what Iowa's court system must do.

So, as we begin this new year, the Iowa court system pauses again to look back at you for your support. We look back with a deep appreciation for the support shown to us in the past, and we look forward with hope your support will grow in the future. Iowa's court system is at its best when your support allows us to provide the level of services needed to best serve Iowans. Let me share with you examples of how the changes the court system is currently making to the process of justice are improving the lives of Iowans, beginning with the services we provide to Iowa's children.

The Process of Justice Serving Iowa's Children

Juvenile judges and juvenile court officers continue to serve the needs of children and families, and new stories of success continue to emerge from juvenile courts, diversion courts, and family treatment courts. These stories confirm that the innovative approaches to delivering justice I have highlighted for you over the last few years are working. These stories show how thoughtful changes to the process of justice transform hope into real opportunity for more children and their families and save millions of dollars for taxpayers. Better outcomes are achieved when the process of justice not only holds children accountable for their actions but holds them accountable to overcome the problems responsible for their criminal acts without imposing unnecessary burdens that only hold them back.

Juvenile courts and diversion programs continue to keep more children out of the formal court system by using community-based programs to address their needs and hold them accountable for their actions. While some children need to face the full force of the court system, we have learned most do not. Most children only need a process of

justice that best assures their potential will be discovered and achieved. This is what the process of justice must be for all of Iowa's children.

One such juvenile program located in Polk County is called "Too Good To Lose." It is the only court program in the state, and one of the few in the nation, exclusively devoted to the unique challenges teenage girls face. All of the girls in the program committed criminal acts. All have turned to drugs. Some are mothers. Yet, they are all still children who, too many times, looked back for support that was not there. Children too young to understand they had also become victims—of sexual assault, domestic violence, or human trafficking. Children in need of a process of justice that sees them as too good to lose.

The mission of Too Good To Lose is to ensure that these girls are safe, remain drug free, receive an education, give back to the community, and heal. Since March 2016, 17 girls have entered the program, and 6 have now graduated. The success of this program can be attributed to the unique bond between the judge who oversees the court, the juvenile court officer who supervises the girls, the women from the community who come into court and share their experiences with the girls, and the girls themselves who now have people in their lives that they can look back to for support.

After I attended a graduation ceremony last November, the girls in the program sent me a thank you note. One wrote, "Thank you for joining me on my journey." Another wrote "you rock." While I'm not sure about the meaning of "you rock," I inquired further into the meaning of the journey I had joined that day. She wrote about it in an essay with these words:

Depression slowly crept into the night and I began to find myself drowning in my own tears. While living restless, I was having no motivation to get up in the morning. I was on the verge of giving up. I was unbelievably close. It was so out of control that I began to have legal problems and was on probation for using substances. Home wasn't any better and I believe at that point I did give up. I didn't care what happened to me, I was just reckless, falling into a deeper hole before I knew it.

Today, this young girl is on track to graduate from Too Good To Lose and from high school, with college in her future and dreams to pursue. Her journey is our journey. Too Good To Lose needs to become a movement, a movement that begins in Iowa. Every child is too good to lose. We must not stand by and allow any one of them to be left behind. This is what the process of justice must be for Iowa's children.

The Process of Justice and Problem-Solving Courts

Too Good to Lose is part of a comprehensive commitment by the court system to build a process of justice that not only holds offenders accountable for their crimes but, when possible, gives them the tools needed to overcome the problems behind the criminal conduct. When rehabilitation is achieved without imprisonment, justice is advanced and the expense of incarceration is avoided.

Currently, 47 problem-solving courts are operating in Iowa, including 20 adult drug courts, 4 mental health courts, and 1 veteran's court. The mental health court in Scott County has been operating for just over a year, and in that short time, 19 individuals have successfully participated in the program. All of the individuals are connected with a doctor and are medication compliant. For these offenders, this achieves rehabilitation. This court is a small but important step in addressing the mental health needs of Iowans who have violated the law. It shows how improving the process of justice leads to better outcomes and how expanding these courts statewide would benefit more Iowans. It is also a step that shows the benefits of avoiding the expense of attempting to treat mental health needs through incarceration. In its brief existence, the Scott County mental health court has generated a cost avoidance of over \$300,000. This is what the process of justice must be for all Iowans.

The Process of Justice in the Criminal Justice System

We continue to explore ways to improve the process of justice to achieve better results from the criminal justice system. In doing so, we have learned of the substantial and often unnecessary collateral consequences for Iowans who are financially unable to pay their bail when arrested and remain in jail. These consequences include separation from family, loss of job, loss of housing, and much more. While bail must always serve to protect the public and ensure future appearances in court, it should never serve to incarcerate solely because the person does not have the financial ability to post bail.

For more than a year we have been working with the department of corrections to develop a new public safety assessment for judges to use in deciding whether to release or detain criminal defendants before trial. The assessment was developed from years of data and research by the Arnold Foundation. It is designed to assist judges in making evidence-based release or detention decisions. The assessment does not replace a judge's discretion, but it enhances a judge's ability to determine the public safety risk of the person appearing before the bench. Other states using this assessment have safely experienced a reduction in their jail populations and pretrial crime rates. We expect similar outcomes will be achieved in Iowa. But most importantly, this approach is aligned with our pursuit to improve justice. Criminal offenders should be punished pursuant to a sentence prescribed by law, not by unnecessary and unfair consequences of the process of justice itself. This is what the process of justice must be for all Iowans.

Investing in the Process of Justice

With every step we take to improve the process of justice, we also make justice more efficient and less costly to Iowa taxpayers. Last year, Iowa's juvenile diversion programs diverted more than 10,000 children from the formal court system. These programs alone avoided more than \$14 million in costs to other parts of the state budget. Family treatment courts served more than 300 families last year generating a cost avoidance of more than \$3.5 million in the human services budget. Other specialty courts avoided \$4 million in costs. These programs are in addition to the \$146 million the Iowa court system collects for the general fund. Last year, the total return on investment in your court system was more than \$178 million. Your investment in the process of justice benefits Iowa's taxpayers.

Let me mention two additional steps taken last year to improve the process of justice.

First, in October, the Supreme Court formed a commission to find better ways to ensure that juries reflect the diversity of each community. Juries make decisions that have a profound and lasting impact on the lives of Iowans. These decisions are improved when diverse thoughts and experiences are shared and considered. So is public confidence in the process of justice. So is the promise of justice for all. Your court system is better when there is public confidence in the fairness of the criminal justice system. This is what the process of justice must be for all Iowans.

Second, the Supreme Court issued a courthouse security order in June last year to enhance the safety and integrity of our process of justice within each courthouse. In December, the order was modified so our county partners can have greater leeway to assist in this mission. I just want you to know that we are committed to working with you and with counties, sheriffs, legislators, law enforcement, and others to achieve the common goal of protecting Iowans who conduct business and work in county courthouses. Courthouse security is inseparable from the concept of justice itself.

Current Challenges to the Process of Justice

While it is nice to report on our progress towards justice for all, I feel obligated to also report on our shortcomings. These deficiencies are not what Iowans expect or deserve. They are growing in number, as are consequences.

We must remember that justice ultimately comes from the people who work in the justice system. Today, the court system employs 182 fewer people than authorized just one year ago. This is a 10% reduction in workforce. As expected, efficiencies gained through the integration of technology into our operations account for some of the workforce reduction. But, we are currently operating with 115 essential positions unfilled, and this number is growing. This means there are fewer judges, fewer court reporters, fewer case schedulers, and fewer juvenile court officers. It means there is a daily struggle to coordinate and deliver services. It means Iowans are losing access to justice. Two years ago, I told you about our commitment that all cases would be timely tried on the date set for trial, without delay. We have been forced to walk back from this pledge because we do not have enough people to do the work to keep it. So, the delays we were rapidly eliminating from the process of justice are returning and affecting your constituents who need our services to resolve their disputes. But that is not all. Today, Iowans who reside in rural areas are receiving fewer court services than the Iowans in urban areas. Today, a freeze on new specialty courts exists so that the critical services provided by a specialty court in one county are not being provided in another county. Today, I am concerned all of this causes us to lose our focus on the quality and promise of justice. This is not what the process of justice should be.

In past years, I have reported on the benefits that technology is giving Iowa's court system and its process of justice, including our paperless filing system. Yet, last October, the technology that supports the electronic filing system failed unexpectedly and could not be used for a week. This crippling situation resulted from an inadequate backup system, which we know needs to be upgraded with better technology to prevent a future system outage. The outage meant Iowans were unable to file or access court documents and judges were unable to access and work on court files. This must not happen again. This is not what the process of justice should be.

These shortcomings, and others, are mostly the result of insufficient resources, and the shortcomings continue to be revealed in new ways every day. They are also beginning to tear at the very fabric of our operation and mission. Ominous signs are appearing. This year, more judges will be retiring than in previous years. For the last decade now, fewer and fewer private practice attorneys are seeking a career on the bench. Civil case filings continue to decline, as lawyers and litigants choose to pursue alternative means to resolve disputes. This is not what the process of justice should be.

Overall, the writing is on the wall. Our shortcomings and their consequences have not gone unnoticed in the most recent ratings of the 50 state court systems from the United States Chamber of Commerce. In past years I have spoken of these ratings to illustrate our success. This last year, Iowa fell from its proud position as the fourth best court system in the nation to thirteenth place. This is not the direction a justice system should be headed. This is not how our process of justice should be seen.

Future Challenges to the Process of Justice

With your support, however, our shortcomings today can be opportunities to be a better court system tomorrow. We know additional challenges lie ahead, but with your continued investment, these too can be opportunities. So, as we work to overcome our current challenges to better our process of justice, we must also prepare to meet the challenges ahead.

One challenge can be seen in the growing signs that the opioid crisis has reached Iowa. While this will be a challenge for all, Iowa courts must prepare to respond now. Court services will be an essential part of the collective effort to minimize the loss of life and the devastation inflicted on families in our state. Fortunately, we know that

family treatment courts and drug courts are up to the task. These courts, however, must be expanded and retooled to address the myriad issues families and children confront when affected by opioid addiction. This is what the process of justice must be.

Not all challenges are as visible as the opioid epidemic. Cybersecurity has rapidly emerged as a vital issue for the court system. The electronic filing system now stores more than 20 million documents containing sensitive personal information, corporate data, and intellectual property. As in the private sector, courts need to invest in technology and take all necessary steps to ensure that Iowans' vital information is secured and protected against cyberattack and natural disasters. This is what the process of justice must be.

Yet, the greatest challenge facing the court system today is the unprecedented technological transformation rapidly shaping the way we communicate, think, and even live together. As in most aspects of life, it is giving rise to innovations and new industries that are displacing existing industries, even those that seemed impervious to change just a few years ago. The court system and the legal profession are not immune from this movement and will be challenged in significant ways very soon. The problem with disruptive innovation is not the change it brings, but the failure of existing systems to recognize it and adapt. The Iowa court system, like successful businesses today, needs support to integrate new technologies so the delivery of our services meets the expectations of Iowans. However, the Iowa court system is more than a business; its constitutional and common law components are essential to the future and must never be displaced.

A Defining Moment in Iowa's Process of Justice

From my perspective, there could not be a more important time to support Iowa's courts, or reasons more compelling. But the most important reason for supporting our courts is illustrated by looking back at one of the most important legal cases in Iowa's history. So it is fitting that this year we celebrate the 150th anniversary of this case and its importance today.

The case is called *Clark v. Board of Directors*. It was brought by an Iowan named Alexander Clark, who lived with his family in Muscatine. He turned to the courts in 1868 after his twelve-year-old daughter, Susan, was denied admission by the local school board to the public school in her neighborhood. She was denied admission because she was born to African-American parents. A separate school was located a mile away for African-American children to attend. I think Alexander Clark must have seen his daughter, too many times, look back at him for support when she walked past the door of her neighborhood school without entering. So, he turned to the process of government established by our forefathers and asked Iowa's courts for help.

The district court ordered the school board to admit Susan Clark to her neighborhood school, and an appeal brought the case before the Iowa Supreme Court. The Supreme Court found the school board's decision was supported by the prevailing sentiment of the community, as well as many other communities, but not by the laws and the constitution of our state. The court rejected the concept of segregated schools for Susan Clark and all children in Iowa.

The court wrote that just as a school board could not "require the children of Irish parents to attend one school, and the children of German parents another, the children of Catholic parents to attend one school, and the children of Protestant parents another," it could not require Susan Clark to attend a separate school for African-Americans. It then etched these iconic words into our history: "all the youths are equal before the law," and no institution of government has discretion "to interfere with or disturb that equality."

The case was a defining moment for Iowa and the nation. It occurred 86 years before the United States Supreme Court would follow in *Brown v. Board of Education*. It occurred at a time when there was a strong public sentiment for segregated schools but a stronger commitment by our courts to uphold the rule of law. It was a moment in time that shined a beacon of light on the process of justice for all time.

Affirming the Process of Justice

The last word written by the court on that day in 1868 was “affirmed.” It was written to affirm the decision of the district court, but it did much more that day. It affirmed Susan Clark as equal with every other child. It affirmed all Iowans as equal. It affirmed a new public sentiment for the future. It affirmed a process of justice in Iowa where one person can turn to the courts for justice and make a difference for all.

So, the Clark case is not just a celebration of an important principle of law. It gives us an important perspective and understanding to see the promise and value of our court system at this critical time today and the best reason in the world to support our courts. It gives us an opportunity to reaffirm Iowa’s commitment to justice today in a way that will allow generations to look back 150 years from today and celebrate another defining moment in our history.

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

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:41 a.m. until 9:00 a.m., Thursday, January 11, 2018.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, January 10, 2018, 2:00 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Hart, C. Johnson, Mathis, McCoy, Ragan, Rozenboom, Whitver and Zumbach.

Members Absent: Guth, Lofgren, and Shipley (all excused).

Committee Business: Organizational meeting.

Adjourned: 2:10 p.m.

EDUCATION

Convened: Wednesday, January 10, 2018, 1:30 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, and Rozenboom.

Members Absent: Dvorsky and Lofgren (both excused).

Committee Business: Organizational meeting.

Adjourned: 1:35 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 10, 2018, 1:30 p.m.

Members Present: Schultz, Chair; Zaun, Vice Chair; Boulton, Ranking Member; Bisignano, Breitbach, Brown, Chapman, Costello, Dotzler, and Guth.

Members Absent: Taylor (excused).

Committee Business: Organizational meeting.

Adjourned: 1:35 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 101, by McCoy, a resolution requesting the legislative council to establish an interim committee to study the impact of requiring the department of human services, rather than private agencies, to assume the responsibility for recruiting and retaining foster parents and adoptive parents.

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

Senate Resolution 102, by McCoy, a resolution requesting the legislative council to establish an interim committee to study the impact of requiring the department of human services, rather than private agencies, to assume the responsibility for screening potential foster parents and adoptive parents.

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

INTRODUCTION OF BILLS

Senate File 2022, by Bolkcom, a bill for an act allowing right-turn signals given by hand and arm to be made from the right side of bicycles.

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

Senate File 2023, by Bolkcom, 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 under Rule 28 and referred to committee on **State Government**.

Senate File 2024, by Bolkcom, a bill for an act relating to recording custodial interrogations in a criminal or juvenile case.

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

Senate File 2025, by Bolkcom, a bill for an act relating to carrying or possessing a dangerous weapon when entering real property if a written notice forbidding such entry has been conspicuously posted, and providing penalties.

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

Senate File 2026, by Zaun, a bill for an act relating to the disclosure of the prices charged for health services rendered by health care providers and hospitals.

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

Senate File 2027, by Jochum, a bill for an act relating to driver's licenses marked to reflect veteran status for members of the reserve forces of the United States and the Iowa national guard.

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

Senate File 2028, by Jochum, a bill for an act relating to the availability of diagnostic and repair information, diagnostic repair tools, and service parts provided by manufacturers of digital electronic products.

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

Senate File 2029, by Jochum, a bill for an act relating to the inclusion of age-appropriate sexual abuse and sexual assault awareness and prevention information in academic standards and the health curriculum for students in kindergarten through grade twelve.

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

Senate File 2030, by McCoy, a bill for an act relating to school-related physical restraint and seclusion policies, practices, training, and prohibitions.

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

Senate File 2031, by Jochum, 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 under Rule 28 and referred to committee on **State Government**.

Senate File 2032, by Jochum, a bill for an act relating to the transition of the Medicaid program long-term services and supports population from managed care to fee-for-service administration, and including effective date provisions.

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

Senate File 2033, by Bowman, a bill for an act amending the definition of small city for purposes of eligibility under the workforce housing tax incentives program, including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

SSB 3003 Human Resources

Relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

SSB 3004 Human Resources

Relating to a no-deductible copayment structure for an entire prescription drug benefit, including all formulary tiers, in a specified percentage of individual, group, and small group insurance contracts, policies, and plans offered in the state by health carriers.

SSB 3005 Human Resources

Providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

SSB 3006 Judiciary

Relating to the definition of dangerous weapons to include simulated firearms.

SSB 3007 Judiciary

Relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

SSB 3008 Judiciary

Relating to the criminal offense of manufacturing, delivering, selling, or possessing drug paraphernalia by exempting hypodermic needles or syringes delivered, sold, or possessed through an approved needle exchange program.

SSB 3009 Judiciary

Relating to probate and the administration of small estates and including applicability provisions.

SSB 3010 Judiciary

Relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

SSB 3011 Judiciary

Relating to probate and cremation, burial, and funeral decisions and expenses.

SSB 3012 Judiciary

Relating to redemption by certain persons of parcels sold at tax sale.

SSB 3013 Judiciary

Relating to mortgage releases.

SSB 3014 Judiciary

Relating to the powers of an agent under a power of attorney with respect to real property and including effective date and retroactive applicability provisions.

SSB 3015 Judiciary

Relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

SSB 3016 Judiciary

Relating to probate, by amending the court fees in probate and including applicability provisions.

SSB 3017 Local Government

Authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 218**

JUDICIARY: Kinney, Chair; Dawson and Zaun

Senate File 276

JUDICIARY: Kinney, Chair; Dawson and Zaun

Senate File 412

JUDICIARY: Garrett, Chair; Bisignano and Schultz

Senate File 414

JUDICIARY: Dawson, Chair; Edler and Kinney

Senate File 421

JUDICIARY: Zaun, Chair; Bisignano and Dawson

Senate File 423

JUDICIARY: Dawson, Chair; Bisignano and Zaun

Senate File 424

JUDICIARY: Zaun, Chair; Garrett and Taylor

Senate File 432

JUDICIARY: Zaun, Chair; Sinclair and Taylor

Senate File 456

AGRICULTURE: Zumbach, Chair; Kinney and Rozenboom

Senate File 2002

JUDICIARY: Edler, Chair; Bisignano and Schultz

Senate File 2007

WAYS AND MEANS: Feenstra, Chair; Hogg and Smith

Senate File 2010

JUDICIARY: Kinney, Chair; Dawson and Shipley

Senate File 2017

EDUCATION: Chelgren, Chair; Dvorsky and Edler

Senate File 2029

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

House File 633

APPROPRIATIONS: Kraayenbrink, Chair; Hart and C. Johnson

House File 637

APPROPRIATIONS: Zumbach, Chair; Guth and Mathis

House File 648

APPROPRIATIONS: Rozenboom, Chair; Danielson and Greene

House File 649

HUMAN RESOURCES: Garrett, Chair; Bolckcom and Shipley

SSB 3003

HUMAN RESOURCES: Segebart, Chair; Costello and Mathis

SSB 3004

HUMAN RESOURCES: Segebart, Chair; Garrett and Jochum

SSB 3005

HUMAN RESOURCES: Greene, Chair; Chapman and Ragan

SSB 3006

JUDICIARY: Dawson, Chair; Kinney and Shipley

SSB 3007

JUDICIARY: Edler, Chair; Boulton and Dawson

SSB 3008

JUDICIARY: Dawson, Chair; Boulton and Zaun

SSB 3009

JUDICIARY: Schultz, Chair; Bisignano and Sinclair

SSB 3010

JUDICIARY: Shipley, Chair; Sinclair and Taylor

SSB 3011

JUDICIARY: Sinclair, Chair; Edler and Taylor

SSB 3012

JUDICIARY: Dawson, Chair; Bisignano and Edler

SSB 3013

JUDICIARY: Garrett, Chair; Schneider and Taylor

SSB 3014

JUDICIARY: Garrett, Chair; Edler and Taylor

SSB 3015

JUDICIARY: Edler, Chair; Bisignano and Schultz

SSB 3016

JUDICIARY: Garrett, Chair; Bisignano and Edler

SSB 3017

LOCAL GOVERNMENT: Lofgren, Chair; Allen and Kraayenbrink

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 11, 2018

The Senate met in regular session at 9:00 a.m., President Whitver presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ciara Gallen.

The Journal of Wednesday, January 10, 2018, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:43 a.m., President Whitver presiding.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the joint convention was called to order at 9:52 a.m., President Whitver presiding.

Senator Dix 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 by a voice vote.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Kim Reynolds to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Sinclair, Breitbach, and Kinney on the part of the Senate, and Representatives Pettengill, Rizer, and Kurth on the part of the House.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Adjutant General of the Iowa National Guard, Major General Tim Orr, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Costello, Dawson, and Bowman on the part of the Senate, and Representatives Wills, Nunn, and Breckenridge on the part of the House.

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

Lieutenant Governor Adam Gregg was escorted into the House chamber.

Major General Tim Orr's wife, Suzanne Orr; their daughter; and his guest, the First Deputy Prime Minister of Kosovo, Behgjet Pacolli, were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her into the House chamber.

The committee waited upon Major General Tim Orr, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Whitver presented Major General Tim Orr, Adjutant General of the Iowa National Guard. Major General Tim Orr delivered the following Condition of the Guard Address:

Good morning Ladies and gentlemen—thank you for your warm welcome.

Speaker Upmeyer, President Whitver, distinguished members of the Iowa Senate and House of Representatives, honored guests from the Republic of Kosovo, thank you for the opportunity to once again address this joint convention of the Eighty-Seventh General Assembly of the Iowa Legislature.

Today, it is my honor and privilege once again to stand before the joint session of the Iowa Legislature to provide this annual report on the current condition of the Iowa National Guard.

Your Iowa National Guard has evolved from a Territorial Militia created in 1839 into an operational force prepared to defend our state and nation during an era of uncertainty and persistent conflict.

For nearly 180 years, your Iowa National Guard has executed every mission assigned, responded without fail here at home, and deployed wherever needed in a moment's notice, all while making a positive impression wherever they serve.

Your Iowa National Guard is truly making a difference every day in Iowa and around the world.

I want to thank Governor Reynolds and Lieutenant Governor Gregg for attending our homecomings and sendoffs, your strong support of our families and employers, and your willingness to support our military ceremonies.

I would also like to thank our citizen-legislators, who have done so much to honor and support the Soldiers and Airmen of the Iowa National Guard over the years. And I want to thank the people of Iowa.

Your support of our Soldiers, Airmen, and families has been absolutely incredible.

The Iowa National Guard exists to support and defend the Constitution of the United States and the Constitution of the State of Iowa.

We do this by inspiring Iowans to serve here in Iowa and around the world. We call these men and women Citizen-Soldiers or Citizen-Airmen.

Their desire to serve is often inspired by their parents or other family members, their friends, and their role models.

These men and women take an oath to put on a uniform and serve their community, state, and nation.

And from that moment, they make sacrifices for ideals that are larger than themselves.

These sacrifices may include spending long periods of time away from family and friends, delaying higher education and career plans, or otherwise putting their personal lives on hold to respond to the needs of their Commander in Chief, whether it's the Governor of Iowa or the President of the United States.

But despite the sacrifices, our Soldiers and Airmen grow immensely, both personally and professionally, from their decision to be a valuable team member of the Iowa National Guard.

Our motto of "We live here, we work here, we serve here" is more important today than ever.

The Iowa National Guard provides a multitude of opportunities to men and women from across this great state.

Our Soldiers and Airmen serve for many reasons: to capitalize on the opportunity to be an integral part of a world class team; to receive a two-year, four-year or technical school degree and graduate debt-free; to learn an occupational skill that will lead to meaningful employment; to travel the world and help people around the globe; to carry on the proud tradition of family service; or just to experience the satisfaction of doing something bigger than themselves.

No matter the reason, this is why the Iowa National Guard is so important to the well-being of the State of Iowa and a key element in the solution to solve some of Iowa's and the nation's pressing issues.

As we look around the globe, the international situation today is the most complex and demanding that I have seen in my 39 years of service.

In the Middle East, terrorists continue to kill innocent people and destroy critical infrastructure, despite significant and accelerating losses.

In Europe, for the first time since World War II, we've seen national borders changed by military aggression, as Russia ignores international law and assumes authority over its neighbors' sovereign rights to make decisions about their own country.

In the Pacific, North Korean provocations threaten regional and even global peace, despite universal condemnation by the United Nations.

In the United States, our homeland, unprecedented back-to-back natural disasters, coupled with major cyber-attacks, and the smallest military since before World War II test our nation's ability to fulfill our global commitments.

As a result of these challenges, the Department of Defense, the National Guard as a whole, and the Iowa National Guard in particular are having to adapt and change.

This is why my focus every day must be to ensure that the Iowa National Guard remains ready and we have the resources to accomplish our three core missions—fighting America's wars, securing the homeland, and building enduring partnerships at the local, state, federal and international levels. Defending our state and nation are our primary missions.

To accomplish these tasks, my first priority is to provide ready forces to the President of the United States and the Governor of Iowa.

Our state's contribution to providing ready forces for the warfight mission can't be overstated, as evidenced by approximately 800 Iowa National Guard Soldiers and Airmen currently mobilized for combat operations around the globe.

With a total of more than 19,000 Iowa National Guard members serving on active duty since September 11, 2001, Iowa has unquestionably done its part to support our nation.

Last August, approximately 35 Soldiers assigned to Detachment 1, Company C, 2nd of the 211th General Support Aviation Battalion from Waterloo, deployed to the Middle East to provide aerial medical evacuations in support of coalition forces.

We expect these Soldiers to return to Iowa in late Spring 2018.

In September, approximately 400 Soldiers assigned to the 248th Aviation Support Battalion from Muscatine, Davenport, Waterloo, and Boone deployed to the Middle East to provide aviation maintenance and logistical support to a combat aviation brigade.

This deployment of Soldiers is the largest, single-unit deployment of the Iowa National Guard since 2010.

We expect these Soldiers to return to Iowa in Summer 2018.

In addition to our Soldiers deploying this past year, our deployed Airmen from the 185th Air Refueling Wing, 132nd Wing, and the 133rd Test Squadron have been busy supporting the warfight with ongoing aircraft refueling support, cyber security protection, Remotely Piloted Aircraft operations, and testing new Air Force battlespace/air traffic control systems worldwide. In the past year alone, the 185th Air Refueling Wing in Sioux City has deployed more than 200 Airmen to the Middle East to provide ongoing refueling support of real-world missions to the Air Force, Army, Navy, Marine Corps, and coalition aircraft supporting the fight against ISIS.

The 133rd Test Squadron in Fort Dodge has approximately 60 members currently deployed in the Middle East conducting testing on Air Force Command and Control systems and are expected to return back to Iowa in Spring 2018.

This deployment is the first of its kind for the unit since 9/11.

Since the conversion from F-16 fighter aircraft to three new missions consisting of Remotely Piloted Aircraft, a Cyberspace Operations Squadron, and an Intelligence Surveillance Reconnaissance Group, more than 230 Airmen from the 132nd Wing in Des Moines have served on active duty at home and around the globe.

Due to the amazing advances in technology, the 132nd Wing is able to provide targeting support, MQ-9 Reaper Remotely Piloted Aircraft persistent attack and reconnaissance capability, and cyber security protection around the globe from the Des Moines Airbase.

In the near future, additional Iowa Army and Air National Guard units and individuals have been identified for potential overseas deployments.

With the level of global uncertainty today, the velocity of instability, and potential for significant conflict around the world, we are now at a point where current and projected demands for our assets around the globe to support the warfight will remain at a high operations tempo.

Here at home, our mission is to be the primary military crisis response force for Iowa, and in other parts of the homeland when necessary. We use the experience and capabilities we gain from training and combat to assist civilian authorities in responding to threats here in Iowa such as large scale natural disasters, cyberattacks, or chemical, biological, radiological and nuclear attacks.

I am happy to report that for most of 2017, it was a relatively quiet year for our emergency response operations.

We used this available time to plan, prepare, and rehearse for potential disaster response on a multitude of scenarios.

In order to be more prepared and have the ability to respond quickly and effectively, the Iowa National Guard has developed an All-Hazards Support Plan to help our state plan and execute various response and recovery operations.

However, that all changed in September, when the United States experienced three hurricanes that struck the homeland back-to-back over a three-week period of time: Hurricanes Harvey, Irma and Maria.

During the course of these events, we received numerous Emergency Management Assistance Compact requests from Texas, Florida, and Puerto Rico for Iowa National Guard forces, capabilities, and equipment to assist their communities respond quickly to the devastation.

We sent several helicopters and aircrews to support Texas and Florida, but our largest and most sustained assistance came from the 132nd Wing, Des Moines, and the 185th Air Refueling Wing, Sioux City.

These units deployed 25 Security Forces personnel to Puerto Rico in a moment's notice, established security for critical facilities on the island, including the main airport, and enabled the restoration of electricity and transportation of food, water, and medical supplies. Iowa's Airmen served in Puerto Rico for nearly two months, until the island was stabilized.

While providing trained and ready Soldiers and Airmen for combat and domestic response missions is the primary focus of the Iowa National Guard, building enduring partnerships comprises our third mission, which is an essential part of our success.

We accomplish our assigned tasks overseas and at home only through the partnerships we forge at the local, state, federal and international levels.

One of the most important collaborations is through our State Partnership Program relationship with the Republic of Kosovo and the Kosovo Security Force.

Since March 2011, the Iowa National Guard and the Kosovo Security Force have enjoyed a strong and dynamic partnership founded on mutual respect and admiration with a common interest in facilitating stability within Eastern Europe.

In support of this program, our Soldiers and Airmen work side-by-side with their Kosovo Security Force counterparts to: develop their Non-Commissioned Officer corps; improve their communications, operational logistics and military medical capabilities; and enhance their ability to respond to natural disasters and cyber threats.

A vital element to the success of this relationship is our whole of society vision, which has expanded this important program of exchanges far beyond the Iowa National Guard.

We now have a fully-functional Republic of Kosovo consulate office located in the heart of downtown Des Moines, working every day to expand cooperation between business and industry, agriculture, education, law enforcement and many other sectors important to both the state of Iowa and the Republic of Kosovo. Kosovo's relationship with the United States and the State of Iowa is an important factor to maintaining peace and security in the Balkans region and facilitating economic growth and development in Europe's newest democracy.

So important is this partnership to Kosovo that First Deputy Prime Minister Behgjet (buh jet) Pacolli (putz OH lee) is with us this morning to lend his support and cooperation to the continued growth and success of this important partnership.

Please give a warm Iowa welcome to First Deputy Prime Minister Pacolli. Thank you for joining us today.

In addition to the State Partnership Program, we have continued our partnerships with: Home Base Iowa; the "Enlist, Educate, Employ" program with seven Iowa community colleges; and the Governor's Science, Technology, Engineering, and Math, or STEM, and Career and Technical Education, or CTE, programs.

Unique to the Iowa National Guard, we offer a wide variety of education and career opportunities for students interested in STEM and CTE career fields.

This past summer we hosted an Iowa high school teacher from Denver, Iowa as part of a STEM externship program for six weeks.

He spent time at multiple facilities working in a variety of STEM-related career fields, understanding firsthand how to take an educational STEM standard and apply it to a real-life application.

In addition to the externship, we've hosted students and teachers from Harlan, Ottumwa and Davis County High Schools for our STEM Tactical Advantage program, which was held at Camp Dodge and the Des Moines Airbase. The depth of hands-on learning and connections made to the Core Curriculum through this real world experience had students engaged in significant ways.

Students were able to see first-hand the impact of understanding the science behind how helicopters work and the math behind how unmanned aerial vehicles operate, as well as other real-world examples.

The types of connections made by students during the STEM Tactical Advantage Day gave them exceptional, unique experiences.

These events allowed students and teachers an opportunity to see how we apply STEM and CTE-related skills every day in our normal duties.

Another great partnership we have in the State is with the Iowa National Guard's Counterdrug program and Midwest Counterdrug Training Center.

Our program, which is federally funded through the Department of Defense, has played an important role in helping reduce the supply and demand of illicit drugs in the State of Iowa since 1989, and provides critical training at no cost to local law enforcement personnel, and prevention and treatment professionals.

In the fight against opioids, this year the Counterdrug program trained 340 law enforcement officers across Iowa how to properly administer Narcan, the antidote for opioid overdoses.

Through the assistance of Counterdrug specialists, more than one pound of fentanyl, which equates to more than 171,000 fatal doses, and more than 12 pounds of heroin, were seized and taken off the street in Iowa.

And in 2017, more than \$43 million in drugs and \$3 million in cash and assets were seized from drug dealers in Iowa with the assistance of the Counterdrug program. Especially important, along with our many partners, the Iowa National Guard is doing our part to stimulate the economy of Iowa, while providing exceptional, multi-functional facilities for our force.

In 2017, military and law enforcement personnel executed more than 465,000 training days on Camp Dodge, and tens of thousands of museum visitors, students and civilians also utilized the post, making it the third busiest National Guard training installation in the United States.

Military, law enforcement and civilian visitors to Camp Dodge pumped more than \$100 million of discretionary spending back into the central Iowa area last year.

Additional economic benefit comes from our military construction projects here in Iowa.

Through the tireless efforts of our Construction and Facilities Management Office, today every armory in the state has been remodeled, refurbished, or rebuilt within the last 25 years.

At the 185th Air Refueling Wing in Sioux City, this past fall we broke ground on a \$12.4 million Composite Support Facility, and in Davenport, we will begin building a \$23 million armory this spring utilizing 100% federal funding, replacing our oldest readiness center in the state.

We continue to work with our federal delegation and the Department of Defense to identify and acquire federal funding for the possible future construction of a joint training facility on Camp Dodge, which could consolidate our military schools, law enforcement and first responder training, and other training requirements for state agencies into one facility, maximizing infrastructure, eliminating redundancy, and reducing operational costs.

In addition to organizational readiness, finding and developing great people is absolutely essential to our success. It's critically important that we broaden the scope of military service to include people from across the fabric of our communities, whether from families who have had few serve, to those families with multiple service members, in order to better balance the commitment across society.

Today, the Iowa National Guard's ranks are filled with high-quality patriots, all volunteers, willing to serve, and I am very proud to serve alongside all of them.

These same Soldiers and Airmen that have chosen to serve are very special, as they represent the less than one percent of the nation that is serving in uniform today to protect our state and nation.

What is particularly concerning is the large percentage of U.S. military members who come from the same military families.

According to the Department of Defense, since our country ended the draft in 1973, more than 80% of our service members come from a family where at least one parent, grandparent, aunt or uncle, sibling or cousin has served, and more than 25% of our troops have at least one parent who has served.

We are effectively creating a class in our society that is carrying the burden for the remainder of our citizens.

Given the increased emphasis on the operational role of the National Guard, recruiting high-quality men and women is a key component of my readiness mission.

With only three out of ten 17 to 24 year-olds eligible today for military service due to various reasons, there's significant concern among civilian and military leaders about the future of our military and the readiness of our force to defend this nation in the years ahead. In order to maintain a strong democracy and free nation, we must encourage our young people to consider military service as a viable and honorable option.

Skills gained from military service can provide a lifetime of professional and personal benefits.

In Iowa, we've been able to maintain our position in personnel readiness in no small measure because of the Iowa National Guard Education Assistance Program, or NGEAP, which the Iowa Legislature has funded in the past at 100%.

NGEAP is the centerpiece of our recruiting efforts and without it, we couldn't have achieved our personnel readiness goals. But NGEAP is so much more than simply a benefit to our Soldiers and Airmen.

This year, more than 1,200 of our members 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.

And also of critical importance to the future success of our force is the opening of all military positions to women for the first time in our nation's history.

Beginning in 2016, Department of Defense policy was revised to enable eligibility for all military jobs, regardless of gender, as long as the service member could meet all of the qualifications for the position.

This policy change opened up more than 1,700 positions in the Iowa National Guard to women for the first time in our history and has provided new opportunities for female Soldiers and Airmen in every corner of the state. For the first time in the Iowa National Guard, we now have women serving proudly and capably as combat engineers, cavalry and artillery personnel, among other previously male-only specialties across our organization.

There are tremendous opportunities today for both men and women in the Iowa National Guard.

When you combine our National Guard Education Assistance Program, along with the numerous STEM and CTE opportunities, and our committed diversity outreach programs, the Iowa National Guard offers a diverse foundation of education, service, and flexible career options to young Iowans across the state.

Serving in the Iowa National Guard is truly life-changing and inspiring service.

Our country will undoubtedly continue to face significant domestic, global, and fiscal challenges in the future, but your Iowa National Guard is postured to rise to those challenges, ready to transform from civilians to Guardsmen and women on a moment's notice to defend America, at home and abroad, just as we have done continuously since 1839.

I am so 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.

On behalf of our men and women and their families, thank you for this opportunity today to provide you an update on the Iowa National Guard.

Thank you.

Major General Tim Orr was escorted from the House chamber by the committee previously appointed.

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:33 a.m. until 9:00 a.m., Friday, January 12, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA STUDENT LOAN BOARD

2017 Annual Report, pursuant to Iowa Code section 7C.13(2). Report received on January 11, 2018.

STATE FAIR BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2018.

DEPARTMENT OF MANAGEMENT

Early Childhood Iowa State Board Report, pursuant to Iowa Code section 256I.4. Report received on January 11, 2018.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 11, 2018.

Joint Investment Trust Report FY 2017, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2018.

Joint Investment Trust Report FY 2018, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2018.

DEPARTMENT OF NATURAL RESOURCES

Mercury-Added Thermostats Report, pursuant to Iowa Code section 455D.16. Report received on January 11, 2018.

CERTIFICATE OF RECOGNITION

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

Julie Leeper—For her outstanding service to the students of Iowa at the College Student Aid Commission. Senator Quirnbach.

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: Wednesday, January 10, 2018, 3:30 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: Dvorsky (excused).

Committee Business: Organizational meeting.

Adjourned: 3:40 p.m.

WAYS AND MEANS

Convened: Wednesday, January 10, 2018, 3:05 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Quirnbach, Schultz, and Smith.

Members Absent: McCoy (excused).

Committee Business: Introduced new members to the committee, Senator Carlin and Senator Hogg.

Adjourned: 3:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 11, 2018, 11:30 a.m.

Members Present: Shipley, Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: Brown, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 11:45 a.m.

INTRODUCTION OF BILLS

Senate File 2034, by McCoy, a bill for an act prohibiting the placement of former foster children under private instruction if the adoptive parents are receiving an adoption subsidy.

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

Senate File 2035, by McCoy, Jochum, Horn, Taylor, and Dotzler, a bill for an act relating to health care coverage including the establishment of a healthy Iowans for a public option and the administration of the Medicaid program, and including effective date provisions.

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

STUDY BILL RECEIVED

SSB 3018 Judiciary

Modifying certain criminal acts involving payment cards, and including penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2001**

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Carlin and Hart

Senate File 2006

LOCAL GOVERNMENT: Guth, Chair; Greene and Hogg

Senate File 2020

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Lykam and Rozenboom

Senate File 2024

JUDICIARY: Shipley, Chair; Bisignano and Sinclair

Senate File 2025

JUDICIARY: Dawson, Chair; Bisignano and Sinclair

Senate File 2030

EDUCATION: Sinclair, Chair; Chelgren and Dvorsky

SSB 3018

JUDICIARY: Zaun, Chair; Kinney and Schneider

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, January 12, 2018

The Senate met in regular session at 9:00 a.m., President Whitver presiding.

Prayer and the Pledge of Allegiance were led by Caleb Hunter.

The Journal of Thursday, January 11, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:02 a.m. until 10:00 a.m., Tuesday, January 16, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HOMELAND SECURITY

Consolidation Plan of Next Generation 911 Network, pursuant to 2017 Iowa Acts, Chapter 136, section 18 SF 500. Report received on January 11, 2018.

DEPARTMENT OF MANAGEMENT

Block Grants Report FY 2016, pursuant to Iowa Code section 8.22. Report received on January 12, 2018.

Block Grants Report FY 2017, pursuant to Iowa Code section 8.22. Report received on January 12, 2018.

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on January 11, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 12, 2018.

Reversion Report—Training and Technology Expenditures FY 2017, pursuant to Iowa Code section 8.62. Report received on January 12, 2018.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 16, 2018

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

Prayer was offered by the Honorable Rita Hart, member of the Senate from Clinton County, Wheatland, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Armaan Kumar.

The Journal of Friday, January 12, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:12 a.m. until 9:00 a.m., Wednesday, January 17, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Annual Review of Qualified Student Loan Bond Issuer, pursuant to Iowa Code section 7C.13. Report received on January 16, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 16, 2018.

DEPARTMENT OF EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on January 16, 2018.

Adult Education and Literacy Program Report, pursuant to Iowa Code section 260C.50. Report received on January 16, 2018.

Annual Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14. Report received on January 16, 2018.

English Language Learner Legislative Report, pursuant to Iowa Code section 256.9. Report received on January 16, 2018.

Enrich Iowa Program Report—Library Services Division, pursuant to Iowa Code section 256.57. Report received on January 16, 2018.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260I. Report received on January 16, 2018.

Iowa Community Colleges 260G ACE Infrastructure Report, pursuant to Iowa Code section 260G. Report received on January 16, 2018.

Iowa Reading Research Center Annual Report, pursuant to Iowa Code section 256.9. Report received on January 16, 2018.

Job Placement of Individuals with Disabilities—Vocational Rehabilitation Division, pursuant to 2017 Iowa Acts, Chapter 172, sections 5 and 50 HF 642. Report received on January 16, 2018.

Legislative Report Competency-Based Education, pursuant to Iowa Code section 256.24. Report received on January 16, 2018.

Online Learning in Iowa Annual Report, pursuant to Iowa Code section 256.7. Report received on January 16, 2018.

Pathways for Academic Career and Employment (PACE) Program Report, pursuant to Iowa Code section 260H. Report received on January 16, 2018.

Supplemental Assistance for High-Need Schools Report, pursuant to Iowa Code section 284.11. Report received on January 16, 2018.

Workforce Training and Economic Development (WTED) Fund Annual Report, pursuant to Iowa Code section 260C.18A. Report received on January 16, 2018.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Iowa Flood Mitigation Board Annual Report, pursuant to Iowa Code section 418.8. Report received on January 16, 2018.

DEPARTMENT OF NATURAL RESOURCES

Natural Resources Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 16, 2018.

DEPARTMENT OF TRANSPORTATION

Natural Resources Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 16, 2018.

CERTIFICATES OF RECOGNITION

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

Taciana Bilek of the Equine Fever 4H Team—For her success competing in the Hippology Division of the National Western Round-Up held January of 2018. Senator Hart.

Bertha and Cyril Feller, Cascade—For celebrating their 70th wedding anniversary. Senator Bowman.

Marvin and Barbara Franzen, Maquoketa—For celebrating their 50th wedding anniversary. Senator Bowman.

Ciera Krogman of the Equine Fever 4H Team—For her success competing in the Hippology Division of the National Western Round-Up held January of 2018. Senator Hart.

Montanna Krogman of the Equine Fever 4H Team—For her success competing in the Hippology Division of the National Western Round-Up held January of 2018. Senator Hart.

Kayleigh Slapnicka of the Equine Fever 4H Team—For her success competing in the Hippology Division of the National Western Round-Up held January of 2018. Senator Hart.

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Wednesday, January 10, 2018, 3:30 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Chelgren, Greene, Guth, Kraayenbrink, and Quirmbach.

Members Absent: Allen, McCoy, and Segebart (all excused).

Committee Business: Organizational meeting.

Adjourned: 3:40 p.m.

ALSO:

Convened: Tuesday, January 16, 2018, 1:05 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Greene, Guth, Kraayenbrink, McCoy, and Quirmbach.

Members Absent: Chelgren and Segebart (both excused).

Committee Business: SSB 3017.

Adjourned: 1:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 11, 2018, 1:00 p.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Bolcom, and Edler.

Members Absent: Ragan, Ranking Member (excused).

Committee Business: Organizational meeting.

Adjourned: 1:10 p.m.

INTRODUCTION OF BILLS

Senate File 2036, by D. Johnson, a bill for an act reducing the size of certain confinement feeding operations that qualify for exemptions from separation distance requirements, and including effective date provisions.

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

Senate File 2037, by Edler, a bill for an act relating to the minimum standard of transparency for motor vehicle window tint, providing penalties, and making penalties applicable.

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

Senate File 2038, by Edler, a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

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

Senate File 2039, by Kinney, a bill for an act allowing the use of a leashed dog to retrieve a wounded deer and providing a penalty.

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

Senate File 2040, by Hart, a bill for an act prohibiting consumer reporting agencies from charging fees in relation to consumer security freezes.

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

Senate File 2041, by Hart, a bill for an act concerning limits on reappointing members of the state racing and gaming commission and including applicability provisions.

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

Senate File 2042, by Zaun, a bill for an act relating to school district funding and programs and including applicability provisions.

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

Senate File 2043, by Chapman, a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

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

Senate File 2044, by Chelgren, a bill for an act relating to firearm prohibitions in county courthouses by the supreme court or judicial branch.

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

Senate File 2045, by Chelgren, a bill for an act relating to the provision of benefits to residents of health care facilities, including the creation of a provisional application for the medical assistance program by or for a resident of a health care facility.

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

Senate File 2046, by Chelgren, a bill for an act relating to tuition and fee waivers for students enrolled in postsecondary studies in in-demand career fields and to prioritizing certain state grants and scholarships for such students.

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

Senate File 2047, by Chelgren, a bill for an act allowing consignment sales of used motor homes and travel trailers, and providing penalties.

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

Senate File 2048, by Chelgren, a bill for an act requiring motor vehicle repair suppliers to obtain written authorization prior to imposing charges related to estimate costs, and making penalties applicable.

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

Senate File 2049, by D. Johnson, a bill for an act requiring a notice of structural failure involving a manure storage structure that is part of a confinement feeding operation, making penalties applicable, and including effective date provisions.

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

Senate File 2050, by Kinney, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

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

Senate File 2051, by committee on Judiciary, a bill for an act relating to peace officers, reserve peace officers, and federal officers going armed with, carrying, or transporting a firearm on school grounds.

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

STUDY BILLS RECEIVED

SSB 3019 State Government

Concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

SSB 3020 State Government

Relating to the powers and duties of the secretary of state to produce and publish forms for use by persons filing certain documents or records.

SSB 3021 Veterans Affairs

Concerning the department of veterans affairs relating to membership on the commission of veterans affairs, expenditures from the veterans trust fund, and providing an appropriation to the state veterans cemetery account.

SSB 3022 State Government

Concerning public investment maturity limitations relating to the operating funds of political subdivisions.

SSB 3023 State Government

Relating to amusement concessions concerning allowable games and prizes and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 196**

TRANSPORTATION: Carlin, Chair; Lykam and Zumbach

Senate File 296

TRANSPORTATION: Brown, Chair; Bisignano and Kraayenbrink

Senate File 407

TRANSPORTATION: Breitbach, Chair; Bowman and Smith

Senate File 450

TRANSPORTATION: Smith, Chair; Carlin and Danielson

Senate File 461

TRANSPORTATION: Zumbach, Chair; Bertrand and Bisignano

Senate File 2012

HUMAN RESOURCES: Costello, Chair; Bolcom and Chapman

Senate File 2016

TRANSPORTATION: Brown, Chair; Bowman and Zumbach

Senate File 2018

AGRICULTURE: Brown, Chair; Bowman and Edler

Senate File 2019

AGRICULTURE: Edler, Chair; Brown and Taylor

Senate File 2022

TRANSPORTATION: Kraayenbrink, Chair; Breitbach and Lykam

Senate File 2023

STATE GOVERNMENT: Chapman, Chair; Feenstra and Jochum

Senate File 2026

HUMAN RESOURCES: Garrett, Chair; Bolkcom and Chelgren

Senate File 2027

VETERANS AFFAIRS: Dawson, Chair; Allen and Lofgren

Senate File 2028

COMMERCE: Zumbach, Chair; Lykam and Zaun

Senate File 2031

STATE GOVERNMENT: Chapman, Chair; Dvorsky and Schultz

Senate File 2034

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

Senate File 2035

HUMAN RESOURCES: Chelgren, Chair; Chapman and Jochum

Senate File 2036

AGRICULTURE: Shipley, Chair; Hart and Kapucian

Senate File 2037

TRANSPORTATION: Bertrand, Chair; Brown and Danielson

Senate File 2040

COMMERCE: Guth, Chair; C. Johnson and Mathis

Senate File 2042

EDUCATION: Behn, Chair; Lofgren and Quirmbach

SSB 3019

STATE GOVERNMENT: Schneider, Chair; Bisignano and Smith

SSB 3020

STATE GOVERNMENT: Smith, Chair; Bowman and Brown

SSB 3021

VETERANS AFFAIRS: Edler, Chair; Costello and Ragan

SSB 3022

STATE GOVERNMENT: Smith, Chair; Danielson and Feenstra

SSB 3023

STATE GOVERNMENT: Dawson, Chair; Bisignano and Smith

FINAL COMMITTEE REPORT OF BILL ACTION**JUDICIARY**

Bill Title: SENATE FILE 2051 (formerly SF 2010), a bill for an act relating to peace officers, reserve peace officers, and federal officers going armed with, carrying, or transporting a firearm on school grounds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 17, 2018

The Senate met in regular session at 9:05 a.m., President Whitver presiding.

Prayer was offered by the Honorable Mark Chelgren, member of the Senate from Wapello County, Ottumwa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Haley Ledford.

The National Anthem was sung by Marisa Spahn from Waukee High School in Waukee, Iowa. Marisa is the winner of the Triple Threat Award, the top award presented to an Iowa high school theater student. She was the guest of Senator Schneider.

The Journal of Tuesday, January 16, 2018, was approved.

REFERRED TO COMMITTEE

President Whitver referred the following administrative rules to the following committees under Iowa Code section 17A.8(9):

ARC 3529C	Labor and Business Relations
ARC 2947C	Education
ARC 3262C	Education

SPECIAL GUEST

President Whitver introduced to the Senate chamber the Honorable Chris Brase, former member of the Senate from Muscatine County, Muscatine, Iowa.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:12 a.m. until 9:00 a.m., Thursday, January 18, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services Quarterly Report, pursuant to Iowa Code section 15H.2. Report received on January 17, 2018.

DEPARTMENT OF EDUCATION

Antibullying Program Report, pursuant to 2017 Iowa Acts Chapter 172, sections 5 and 50 HF 642. Report received on January 17, 2018.

Senior Year Plus Program Report, pursuant to Iowa Code section 261E.3. Report received on January 17, 2018.

BOARD OF EDUCATIONAL EXAMINERS

Administrative Rules Review-Triennial Report, pursuant to Iowa Code section 272.29. Report received on January 17, 2018.

CERTIFICATES OF RECOGNITION

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

Joni Nelson, Davenport—For becoming a National Board Certified Teacher. Senator Smith

Butch Pedersen, West Branch—For National Prep Football Coach of the Year as awarded by National Federation of State High School Associations. Senators Dvorsky and D. Johnson.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Tuesday, January 16, 2018, 3:10 p.m.

Members Present: Breitbach, Chair; Sinclair, Vice Chair; McCoy, Ranking Member; Hogg, and Lofgren.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 3:15 p.m.

HUMAN RESOURCES

Convened: Wednesday, January 17, 2018, 1:00 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Presentation by Jerry R. Foxhoven, Director of Iowa DOT.

Adjourned: 2:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 16, 2018, 2:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Bertrand, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: none.

Committee Business: Presentation by the Iowa Nutrient Research Center.

Adjourned: 3:05 p.m.

VETERANS AFFAIRS

Convened: Wednesday, January 17, 2018, 2:10 p.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member; Bertrand, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart.

Members Absent: Allen (excused).

Committee Business: Distributed subcommittee assignments.

Adjourned: 2:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 11, 2018, 1:05 p.m.

Members Present: Guth, Chair; Chapman, Vice Chair; Mathis, Ranking Member; Lykam, and Zumbach.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, January 17, 2018, 10:05 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: None.

Committee Business: Presentations by Iowa Nutrient Research Center and Iowa Flood Center.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 17, 2018, 10:00 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; and Edler.

Members Absent: Bolkcom (excused).

Committee Business: Presentations by LSA with an overview of the governor's budget recommendations.

Adjourned: 10:40 a.m.

INTRODUCTION OF BILLS

Senate File 2052, by Chelgren, a bill for an act relating to going armed with, carrying, or transporting a firearm in a county courthouse.

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

Senate File 2053, by Chelgren, a bill for an act requiring real estate disclosure statements to give notice of topsoil removal and the use of property for the manufacture of methamphetamine and making penalties applicable.

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

Senate File 2054, by Zaun, Chapman, Chelgren, Sinclair, Greene, D. Johnson, Dawson, Schneider, Carlin, Edler, Rozenboom, Breitbach, Costello, Segebart, Kapucian, and Guth, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

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

Senate File 2055, by Petersen, Ragan, Mathis, Bowman, Horn, Dotzler, Jochum, Taylor, Dvorsky, Bisignano, Lykam, Boulton, Quirmbach, Bolkcom, Danielson, McCoy, Hart, Allen, D. Johnson, and Kinney, a bill for an act relating to the provision of integrated health homes for individuals with serious and persistent mental illness under Medicaid managed care, and including effective date provisions.

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

Senate File 2056, by Kinney, a bill for an act relating to the inclusion of age-appropriate sexual abuse, sexual assault, and human trafficking awareness and prevention information in academic standards and the health curriculum for students in kindergarten through grade twelve.

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

Senate File 2057, by Hogg, a bill for an act providing for the designation of certain small businesses as veteran owned.

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

Senate File 2058, by Petersen, Ragan, Mathis, Bowman, Horn, Allen, Kinney, Dotzler, Jochum, Taylor, Dvorsky, Bisignano, Lykam, Boulton, Quirmbach, Bolkcom, McCoy, Hogg, Hart, Danielson, and D. Johnson, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

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

Senate File 2059, by committee on Local Government, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

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

Senate File 2060, by Shipley, a bill for an act establishing a process for voter approval of a proposition to require a township to provide emergency medical service.

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

Senate File 2061, by Mathis, a bill for an act providing for a state employee retirement incentive program and including effective date provisions.

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

STUDY BILLS RECEIVED

SSB 3024 Judiciary

Relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

SSB 3025 Judiciary

Prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

SSB 3026 Judiciary

Relating to kidnapping in the second degree, and providing penalties.

SSB 3027 Education

Relating to the expiration date of a license issued by the board of educational examiners.

SSB 3028 Education

Relating to terminology changes in education-related Iowa Code references to foreign languages.

SSB 3029 Education

Relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

SSB 3030 Education

Expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

SSB 3031 Human Resources

Relating to the issuance of an annual prescribing practitioner activity report to prescribing practitioners.

SUBCOMMITTEE ASSIGNMENTS**Senate File 10**
(Reassigned)

COMMERCE: Sinclair, Chair; Lykam and Zumbach

Senate File 81
(Reassigned)

COMMERCE: C. Johnson, Chair; Allen and Breitbach

Senate File 82
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Behn and Hogg

Senate File 103
(Reassigned)

WAYS AND MEANS: Smith, Chair; Behn and Hogg

Senate File 104
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Edler and Quirmbach

Senate File 109
(Reassigned)

COMMERCE: Zumbach, Chair; Lykam and Zaun

Senate File 133
(Reassigned)

COMMERCE: Guth, Chair; Breitbach and Mathis

Senate File 233
(Reassigned)

WAYS AND MEANS: Breitbach, Chair; Bolkcom and Edler

Senate File 2013

HUMAN RESOURCES: Segebart, Chair; Costello and Ragan

Senate File 2032

HUMAN RESOURCES: Segebart, Chair; Costello and Jochum

Senate File 2033

WAYS AND MEANS: Feenstra, Chair; Dotzler and Smith

Senate File 2038

WAYS AND MEANS: Feenstra, Chair; Edler and Hogg

Senate File 2043

WAYS AND MEANS: Feenstra, Chair; Edler and Hogg

Senate File 2046

EDUCATION: Chelgren, Chair; Dvorsky and Kraayenbrink

SSB 1025
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Schultz

SSB 3024

JUDICIARY: Zaun, Chair; Kinney and Schultz

SSB 3025

JUDICIARY: Zaun, Chair; Schultz and Taylor

SSB 3026

JUDICIARY: Dawson, Chair; Kinney and Shipley

SSB 3027

EDUCATION: Kraayenbrink, Chair; Hart and C. Johnson

SSB 3028

EDUCATION: C. Johnson, Chair; Behn and Danielson

SSB 3029

EDUCATION: Lofgren, Chair; Bowman and Edler

SSB 3030

EDUCATION: Edler, Chair; Greene and Quirmbach

SSB 3031

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

FINAL COMMITTEE REPORT OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: SENATE FILE 2059, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Garrett, Lofgren, Hogg, Allen, Greene, Guth, Kraayenbrink, McCoy, and Quirmbach. Nays, none. Absent, 2: Chelgren and Segebart.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 18, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Mara Bailey, Chaplain of Smith Chapel at Simpson College in Indianola, Iowa. She was the guest of Senator Boulton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jaelyn Lentz.

The Journal of Wednesday, January 17, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:15 a.m. until 1:00 p.m., Monday, January 22, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Foreign Animal Diseases Afflicting Livestock Interim Report, pursuant to 2017 Iowa Acts, Chapter 168 SF 510. Report received on January 18, 2018.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 18, 2018.

Consumer Advocate Bureau Annual Report, pursuant to Iowa Code section 505.8. Report received on January 18, 2018.

IOWA LOTTERY AUTHORITY

Iowa Lottery Authority Quarterly Report, pursuant to Iowa Code section 99G.7. Report received on January 18, 2018.

CERTIFICATE OF RECOGNITION

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

Phillip and Linda Gray, Indianola—For celebrating their 54th wedding anniversary. Senators Lofgren and Garrett.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, January 10, 2018, 1:00 p.m.

Members Present: Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Edler, Kapucian, Ragan, Segebart, and Shipley.

Members Absent: Hart, Rozenboom, and Taylor (all excused).

Committee Business: Organizational meeting.

Adjourned: 1:05 p.m.

ALSO:

Convened: Tuesday, January 16, 2018, 2:05 p.m.

Members Present: Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, Shipley, and Taylor.

Members Absent: None.

Committee Business: Presentation on the Iowa Nutrient Research Center.

Adjourned: 3:05 p.m.

EDUCATION

Convened: Wednesday, January 17, 2018, 3:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirmbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Presentation by Iowa Alliance for Arts Education.

Adjourned: 3:45 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, January 18, 2018, 12:30 p.m.

Members Present: Breitbach, Chair; Sinclair, Vice Chair; McCoy, Ranking Member; Hogg, and Lofgren.

Members Absent: None.

Committee Business: Report from DHS Director Foxhoven.

Adjourned: 2:05 p.m.

TRANSPORTATION

Convened: Tuesday, January 9, 2018, 1:30 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: None.

Committee Business: Introductions.

Adjourned: 1:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 18, 2018, 10:00 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: None.

Committee Business: Secretary of Agriculture Bill Northey gave a presentation.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 18, 2018, 10:10 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; and Edler.

Members Absent: Bolkcom (excused).

Committee Business: Presentations by Iowa Department on Aging and DHS Child Support Recovery Unit.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, January 17, 2018, 10:10 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman, and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:05 a.m.

ALSO:

Convened: Thursday, January 18, 2018, 10:10 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman, and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2001, by Bolkcom, Dotzler, Dvorsky, Taylor, Kinney, Allen, and Boulton, a joint resolution recognizing the fossil crinoid as the state fossil.

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

INTRODUCTION OF BILLS

Senate File 2062, by McCoy, Dotzler, Dvorsky, and Bolkcom, a bill for an act relating to mandatory reporters of child abuse.

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

Senate File 2063, by Feenstra, a bill for an act relating to the school start date and including effective date provisions.

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

Senate File 2064, by Lofgren, a bill for an act relating to the earliest school calendar start date.

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

Senate File 2065, by McCoy, a bill for an act relating to independent private instruction reporting and notice of intent requirements.

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

Senate File 2066, by McCoy, a bill for an act requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements.

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

Senate File 2067, by Shipley, a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable.

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

Senate File 2068, by Sinclair, a bill for an act relating to the sale of motorcycles by motorcycle manufacturers.

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

Senate File 2069, by Sinclair, Rozenboom, Brown, Shipley, Schultz, Edler, Chelgren, Zumbach, Segebart, and Costello, a bill for an act relating to the property tax exemption for forest reservations for certain assessment years.

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

STUDY BILLS RECEIVED

SSB 3032 Judiciary

Relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

SSB 3033 Judiciary

Concerning admission to practice law in this state of persons admitted to practice law in a territory of the United States.

SSB 3034 Judiciary

Relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

SSB 3035 Judiciary

Relating to inmate reading rooms in correctional institutions.

SSB 3036 Judiciary

Relating to the temporary emergency removal of a child from the child's home and background investigations on adult persons with whom a child is placed, and providing fees.

SSB 3037 Judiciary

Relating to the statute of limitations period for executing judgments on claims for rent.

SSB 3038 Judiciary

Concerning payments under the crime victim compensation program.

SSB 3039 Judiciary

Relating to mechanics' liens, public construction liens, and the early release of retained funds.

SSB 3040 Judiciary

Proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

SSB 3041 Judiciary

Relating to the criminal offense of lascivious conduct with a minor or child, and providing penalties.

SSB 3042 Judiciary

Creating a capital murder offense by establishing the penalty of death for murder in the first degree of a peace officer, and including effective date and applicability provisions.

SSB 3043 Judiciary

Relating to the practice of certain professions and limited liability companies and professional corporations.

SSB 3044 Judiciary

Relating to the failure to wear a motor vehicle safety belt or safety harness.

SSB 3045 Judiciary

Relating to the penalties for the commission of sexual misconduct with juveniles, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2044**

JUDICIARY: Schultz, Chair; Dawson and Kinney

Senate File 2047

COMMERCE: Zaun, Chair; C. Johnson and McCoy

Senate File 2048

COMMERCE: Zaun, Chair; Allen and C. Johnson

Senate File 2050

JUDICIARY: Kinney, Chair; Shipley and Sinclair

Senate File 2052

JUDICIARY: Schultz, Chair; Edler and Kinney

Senate File 2056

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

SSB 3032

JUDICIARY: Dawson, Chair; Bisignano and Edler

SSB 3033

JUDICIARY: Garrett, Chair; Bisignano and Shipley

SSB 3034

JUDICIARY: Shipley, Chair; Edler and Kinney

SSB 3035

JUDICIARY: Shipley, Chair; Schneider and Taylor

SSB 3036

JUDICIARY: Garrett, Chair; Kinney and Shipley

SSB 3037

JUDICIARY: Edler, Chair; Shipley and Taylor

SSB 3038

JUDICIARY: Dawson, Chair; Kinney and Sinclair

SSB 3039

JUDICIARY: Garrett, Chair; Bisignano and Schneider

SSB 3040

JUDICIARY: Schultz, Chair; Edler and Kinney

SSB 3041

JUDICIARY: Garrett, Chair; Dawson and Kinney

SSB 3042

JUDICIARY: Schultz, Chair; Sinclair and Taylor

SSB 3043

JUDICIARY: Zaun, Chair; Boulton and Schultz

SSB 3044

JUDICIARY: Sinclair, Chair; Boulton and Edler

SSB 3045

JUDICIARY: Dawson, Chair; Schultz and Taylor

REPORT OF ECONOMIC INTEREST FILINGS

January 18, 2018

The Honorable Jerry Behn, Ethics Committee Chair
The Honorable Dennis Guth, Ethics Committee Vice Chair
The Honorable Wally Horn, Ethics Committee Ranking Member
The Honorable Mark Costello
The Honorable Pam Jochum
The Honorable Kevin Kinney

Re: Report of Economic Interest Filings

Dear Senate Ethics Committee Members:

Pursuant to Rule 11 of the Senate Code of Ethics, Senators and certain Senate employees are required to file Statements of Economic Interests disclosing personal financial information. The rule also requires the Secretary of the Senate to inform the Ethics Committee with the results of these filings and I do so as follows:

1. A new system was implemented during the interim that permitted these filings to be done electronically.
2. By 9:00 a.m. on January 18, 2018, all fifty Senators and the Secretary of the Senate had filed the appropriate form.¹
3. To the best of my knowledge, each form has been completed. As such, there has been compliance by each Senator and the Secretary of the Senate with Iowa Code section 68B.35 and Senate Ethics Rule 11 and your Committee need not take action.

If the Ethics Committee has any questions or concerns, please notify me.

Respectfully submitted,

W. Charles Smithson
Secretary of the Senate

¹ Pursuant to Senate Ethics Rule 11 the form is required to be filed "within ten days after the convening of the second session of the general assembly...."

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 22, 2018

The Senate met in regular session at 1:02 p.m., President Whitver presiding.

Prayer was offered by Pastor Dave Martin of the Faith Assembly of God Church in Marshalltown, Iowa. He was the guest of Senator Edler.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabela O'Connor.

The Journal of Thursday, January 18, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 1:22 p.m. until 9:00 a.m., Tuesday, January 23, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Capitol Planning Commission, pursuant to Iowa Code section 8A.373. Report received on January 22, 2018.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Control of Pathogenic Viruses in Poultry Report, pursuant to Iowa Code section 165B.2. Report received on January 22, 2018.

Watershed Planning Advisory Council Report, pursuant to Iowa Code section 466B.31. Report received on January 20, 2018.

DEPARTMENT OF CORRECTIONS

Electronic Monitoring System Report, pursuant to 2017 Iowa Acts, Chapter 167, sections 9 and 34 SF 509. Report received on January 20, 2018.

BOARD OF DENTISTRY

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on January 22, 2018.

DEPARTMENT OF EDUCATION

Statewide Work-Based Intermediary Network Report, pursuant to Iowa Code section 256.40. Report received on January 20, 2018.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

911 Status Report, pursuant to 2017 Iowa Acts, Chapter 136, section 9 SF 500. Report received on January 20, 2018.

DEPARTMENT OF HUMAN SERVICES

Mental Health Services Annual Report, pursuant to Iowa Code section 249N.8. Report received on January 22, 2018.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on January 22, 2018.

BOARD OF PHARMACY

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on January 22, 2018.

CERTIFICATES OF RECOGNITION

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

Amanda Crecelius, Davenport—For receiving the National Board Certification. Senator Smith.

Joni Nelson, Davenport—For receiving the National Board Certification. Senator Smith.

Ashley Sullivan, Bettendorf—For receiving the National Board Certification. Senator Smith.

Theresa Tappa, Bettendorf—For receiving the National Board Certification. Senator Smith.

INTRODUCTION OF BILLS

Senate File 2070, by Zaun, a bill for an act establishing a home modification grant program and making appropriations.

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

Senate File 2071, by Zaun, a bill for an act exempting specified real property owners from electrical and plumbing licensure requirements.

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

Senate File 2072, by Dawson, a bill for an act relating to veteran and armed forces retired special registration plates.

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

Senate File 2073, by Dawson, a bill for an act concerning special service members of the Iowa public employees' retirement system by establishing a deferred retirement option plan and including public safety telecommunicators in the protection occupation category.

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

Senate File 2074, by Sinclair and Rozenboom, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

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

Senate File 2075, by Hogg, a bill for an act relating to the three-month retroactive Medicaid coverage benefit, and including effective date provisions.

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

STUDY BILLS RECEIVED

SSB 3046 Transportation

Relating to the administration of driving skills tests required for a commercial driver's license.

SSB 3047 Transportation

Relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

SSB 3048 Transportation

Relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

SSB 3049 Transportation

Relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

SSB 3050 Transportation

Relating to department of transportation employees designated as peace officers, and including effective date provisions.

SSB 3051 Commerce

Prohibiting pyramid promotional schemes and making penalties applicable.

SSB 3052 Veterans Affairs

Relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

SUBCOMMITTEE ASSIGNMENTS**Senate File 12**

(Reassigned)

LOCAL GOVERNMENT: Guth, Chair; Hogg and Segebart

Senate File 28

(Reassigned)

LOCAL GOVERNMENT: Segebart, Chair; Greene and Hogg

Senate File 158

(Reassigned)

LOCAL GOVERNMENT: Chelgren, Chair; Hogg and Lofgren

Senate File 318

(Reassigned)

LOCAL GOVERNMENT: Guth, Chair; Greene and Hogg

Senate File 2063

EDUCATION: Lofgren, Chair; Hogg and Rozenboom

Senate File 2064

EDUCATION: Lofgren, Chair; Hogg and Rozenboom

Senate File 2065

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

SSB 1151
(Reassigned)

LOCAL GOVERNMENT: Segebart, Chair; Greene and Hogg

SSB 3004
(Reassigned)

HUMAN RESOURCES: Greene, Chair; Garrett and Jochum

SSB 3046

TRANSPORTATION: Zumbach, Chair; Bisignano and Breitbach

SSB 3047

TRANSPORTATION: Bertrand, Chair; Carlin and Danielson

SSB 3048

TRANSPORTATION: Carlin, Chair; Lykam and Smith

SSB 3049

TRANSPORTATION: Zumbach, Chair; Bowman and Kraayenbrink

SSB 3050

TRANSPORTATION: Breitbach, Chair; Brown and Danielson

SSB 3051

COMMERCE: Breitbach, Chair; Lykam and Zumbach

SSB 3052

VETERANS AFFAIRS: Lofgren, Chair; Edler and Ragan

PRESENTATION OF VISITORS

Senator Quirmbach welcomed the following visitors who were present in the Senate gallery:

Members of Achieving Maximum Potential (AMP), a state-wide network of 14 youth councils made up of young people aged 13–21, accompanied by Terri Bailey.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 23, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Father Stephen Page of St. Joseph Catholic Church in De Witt, Iowa. He was the guest of Senator Hart.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josie Srp from Clinton, Iowa.

The Journal of Monday, January 22, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:19 a.m. until 9:00 a.m., Wednesday, January 24, 2018.

APPENDIX

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: Tuesday, January 23, 2018, 11:05 a.m.

Members Present: Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: Zaun, Chair (excused).

Committee Business: Passed SF 2002, as amended; approved SSBs 3009 and 3010.

Adjourned: 11:35 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2002, by Bertrand, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to public retirement systems.

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

INTRODUCTION OF BILLS

Senate File 2076, by Hogg, a bill for an act relating to language and literacy development for deaf and hard-of-hearing children.

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

Senate File 2077, by D. Johnson, a bill for an act relating to public education funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, eliminating future repeal provisions for collection of sales tax for deposit in the secure an advanced vision for education fund, and authorizing uses for revenues received from the fund.

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

Senate File 2078, by D. Johnson, a bill for an act authorizing the department of natural resources to require reports regarding the number of animals maintained at a confinement feeding operation, making penalties applicable, and including effective date provisions.

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

Senate File 2079, by D. Johnson, a bill for an act providing for the evaluation of permits to construct, including expand, a confinement feeding operation structure by using the master matrix, and including effective date provisions.

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

Senate File 2080, by Chapman, a bill for an act relating to state financing involving the state general fund expenditure limitation by revising calculation requirements for the limitation, increasing reserve fund balances, creating a safety net fund, creating an Iowa personal income tax rate reduction fund, making transfers, and providing for related state personal income tax rate reductions, and including effective and applicability dates.

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

Senate File 2081, by Chelgren, a bill for an act modifying appropriation amounts for payment of commercial and industrial property tax replacement claims and including effective date provisions.

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

Senate File 2082, by Chelgren, a bill for an act relating to temporary permits for displaying, offering for sale, and negotiating sales of new motor vehicles at fair events, the state fair, vehicle shows, and vehicle exhibitions.

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

Senate File 2083, by Chelgren, a bill for an act relating to reimbursement of in-network and out-of-network providers under Medicaid managed care.

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

Senate File 2084, by Chelgren, a bill for an act relating to educational requirements necessary to receive and maintain a license to practice cosmetology.

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

Senate File 2085, by Chelgren, a bill for an act requiring school districts and accredited nonpublic schools to issue high school credit for satisfactory completion of high school-level units of instruction.

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

Senate File 2086, by Chelgren, a bill for an act relating to going armed with, carrying, or transporting a firearm when transporting a student to and from school.

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

Senate File 2087, by Boulton, a bill for an act requiring a study relative to providing portable benefits for nontraditional workers.

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

Senate File 2088, by Boulton, a bill for an act establishing a retirement savings plan trust, making appropriations, and including contingent implementation and effective date provisions.

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

Senate File 2089, by Danielson, a bill for an act concerning veterans eligible to take holiday time off for Veterans Day.

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

Senate File 2090, by Danielson, a bill for an act extending immunity from tort liability to certain nonprofit corporations providing emergency response services.

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

Senate File 2091, by Chelgren, a bill for an act providing education savings grants for pupils attending a nonpublic school or receiving competent private instruction, establishing an education savings grant fund, providing an income tax exemption, making appropriations, providing penalties, and including applicability provisions.

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

Senate File 2092, by Chelgren, a bill for an act relating to the provision of integrated health home services under Medicaid managed care, and including effective date provisions.

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

Senate File 2093, by Schneider, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

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

Senate File 2094, by Schneider, a bill for an act relating to the use of child restraint systems in motor vehicles, and making penalties applicable.

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

Senate File 2095, by Hart, a bill for an act concerning the employment of unauthorized aliens and human trafficking and providing penalties and other sanctions and appropriations.

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

Senate File 2096, by Bolkcom, Dotzler, Quirnbach, Dvorsky, Jochum, Horn, McCoy, Petersen, Boulton, and Hogg, a bill for an act establishing a solar energy minimum purchase standard applicable to specified electric utilities.

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

Senate File 2097, by Feenstra, a bill for an act relating to the legal age relating to the purchase, possession, or use of tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

SSB 3053 Commerce

Relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

SSB 3054 Commerce

Relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

SSB 3055 Commerce

Permitting optical fiber additions on certain easements, providing remedies, and including retroactive applicability provisions.

SSB 3056 Commerce

Relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

SSB 3057 Commerce

Relating to the acquisition of water, sanitary sewer, or storm water facilities between public utilities.

SSB 3058 Commerce

Defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

SSB 3059 Judiciary

Relating to the expungement of records of certain misdemeanor offenses.

SSB 3060 Judiciary

Relating to the commission of a parole violation or a criminal offense while on parole.

SSB 3061 Judiciary

Relating to the receipt of pecuniary damages by insurers as victims for purposes of criminal restitution.

SSB 3062 Judiciary

Relating to criminal acts committed on or against critical infrastructure property and providing penalties.

SSB 3063 Judiciary

Prohibiting state agencies from adopting rules or certain other policies without explicit statutory or judicial authorization.

SSB 3064 Judiciary

Relating to notice and opportunity to repair construction defects and including effective date and applicability provisions.

SSB 3065 Judiciary

Relating to partition of property in kind and partition of property by sale and rescinding the rules of civil procedure related to partition.

SSB 3066 Judiciary

Relating to the operations and governance of certain common interest communities.

SSB 3067 Veterans Affairs

Regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2015**

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Brown

Senate File 2041

STATE GOVERNMENT: Feenstra, Chair; Bisignano and Chapman

Senate File 2045

HUMAN RESOURCES: C. Johnson, Chair; Quirnbach and Shipley

Senate File 2053

COMMERCE: Sinclair, Chair; Bertrand and Lykam

Senate File 2054

COMMERCE: Zaun, Chair; Chapman and McCoy

Senate File 2055

HUMAN RESOURCES: Greene, Chair; Costello and Ragan

Senate File 2057

VETERANS AFFAIRS: Costello, Chair; Bertrand and Bowman

Senate File 2058

HUMAN RESOURCES: Chelgren, Chair; Costello and Ragan

Senate File 2060

LOCAL GOVERNMENT: Guth, Chair; Allen and Segebart

Senate File 2062

HUMAN RESOURCES: Chelgren, Chair; Bolkcom and Segebart

Senate File 2066

HUMAN RESOURCES: Segebart, Chair; Chelgren and Mathis

Senate File 2067

TRANSPORTATION: Kraayenbrink, Chair; Lykam and Zumbach

Senate File 2068

TRANSPORTATION: Brown, Chair; Lykam and Smith

Senate File 2070

COMMERCE: Zaun, Chair; Allen and Sinclair

Senate File 2071

COMMERCE: Zaun, Chair; Mathis and Sinclair

Senate File 2073

STATE GOVERNMENT: Dawson, Chair; Danielson and Schultz

Senate File 2075

HUMAN RESOURCES: Costello, Chair; Chapman and Mathis

Senate File 2078

AGRICULTURE: Shipley, Chair; Edler and Taylor

Senate File 2079

AGRICULTURE: Brown, Chair; Kapucian and Taylor

Senate File 2082

TRANSPORTATION: Breitbach, Chair; Lykam and Zumbach

Senate File 2086

JUDICIARY: Schultz, Chair; Edler and Kinney

House File 571

STATE GOVERNMENT: Dawson, Chair; Bisignano and Chapman

SSB 3053

COMMERCE: Zumbach, Chair; Guth and McCoy

SSB 3054

COMMERCE: Zumbach, Chair; Guth and Mathis

SSB 3055

COMMERCE: Zumbach, Chair; Allen and C. Johnson

SSB 3056

COMMERCE: Sinclair, Chair; C. Johnson and Lykam

SSB 3057

COMMERCE: C. Johnson, Chair; Allen and Guth

SSB 3058

COMMERCE: Zumbach, Chair; C. Johnson and McCoy

SSB 3059

JUDICIARY: Dawson, Chair; Sinclair and Taylor

SSB 3060

JUDICIARY: Schultz, Chair; Dawson and Kinney

SSB 3061

JUDICIARY: Shipley, Chair; Edler and Kinney

SSB 3062

JUDICIARY: Shipley, Chair; Schneider and Taylor

SSB 3063

JUDICIARY: Shipley, Chair; Bisignano and Dawson

SSB 3064

JUDICIARY: Edler, Chair; Dawson and Taylor

SSB 3065

JUDICIARY: Schultz, Chair; Bisignano and Garrett

SSB 3066

JUDICIARY: Edler, Chair; Bisignano and Sinclair

SSB 3067

VETERANS AFFAIRS: Rozenboom, Chair; Dawson and Ragan

PRESENTATION OF VISITORS

Senator D. Johnson welcomed the following visitors who were present in the Senate gallery:

First theology seminarians for the Diocese of Des Moines at St. Paul Seminary in St. Paul, MN; Nick Stark, Nicolas Montenegro Campos, Chris Grow, Jack Epstein, and Brad Robey.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 24, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

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

The Journal of Tuesday, January 23, 2018, was approved.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 23, 2018, **receded** from the House amendment to, **and passed** the following bill in which the concurrence of the House was asked:

Senate File 512, a bill for an act relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:33 a.m. until 9:00 a.m., Thursday, January 25, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN RIGHTS

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 24, 2018.

DEPARTMENT OF HUMAN SERVICES

Independent Living Services Report, pursuant to Iowa Code section 234.35. Report received on January 24, 2018.

Medicaid Managed Care Oversight Quarterly Meeting Minutes Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on January 24, 2018.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4. Report received on January 24, 2018.

BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on January 24, 2018.

CERTIFICATE OF RECOGNITION

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

Kevin Burt, Coralville—For winning the International Blues Challenge. Senator Dvorsky.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 24, 2018, 2:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: Greene (excused).

Committee Business: Approved SF 2004; passed SSB 3029. Presentations.

Adjourned: 3:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, January 24, 2018, 10:00 a.m.

Members Present: Guth, Chair; Chapman, Vice Chair; Mathis, Ranking Member; Lykam, and Zumbach.

Members Absent: None.

Committee Business: Presentations by the Department of Commerce, Banking Division; Professional Licensing Bureau, and the Credit Union Division.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, January 24, 2018, 10:00 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: None.

Committee Business: Presentation by Director of Department of Natural Resources, Chuck Gipp.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 24, 2018, 10:00 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Presentations by DHS.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, January 24, 2018, 10:05 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman, and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 103, by McCoy, a resolution urging the United States Congress to enact legislation that creates a roadmap to permanent status for temporary protected status recipients.

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

Senate Resolution 104, by McCoy, a resolution urging the United States Congress to enact the Dream Act of 2017.

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

INTRODUCTION OF BILLS

Senate File 2098, by committee on Judiciary, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

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

Senate File 2099, by committee on Judiciary, a bill for an act relating to probate and the administration of small estates and including applicability provisions.

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

Senate File 2100, by Dawson, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

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

Senate File 2101, by committee on Judiciary, a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable.

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

Senate File 2102, by Bolkcom, a bill for an act relating to the coverage of direct-acting antiviral drugs for Medicaid beneficiaries living with a chronic hepatitis C virus infection.

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

Senate File 2103, by Chelgren, a bill for an act relating to assignment of benefits for insurance coverage for emergency medical services.

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

Senate File 2104, by Chelgren, a bill for an act relating to going armed with, carrying, or transporting a firearm in a county courthouse, and including effective date provisions.

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

Senate File 2105, by Chelgren, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

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

Senate File 2106, by Bertrand, Zaun, Chapman, Feenstra, Segebart, Schultz, C. Johnson, Behn, Greene, Chelgren, Guth, Smith, Carlin, Kraayenbrink, Breitbach, Brown, Edler, and Rozenboom, a bill for an act relating to carrying and possessing weapons and acquiring pistols and revolvers, including penalties and applicability provisions.

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

Senate File 2107, by Bowman, Jochum, Petersen, McCoy, Hart, Boulton, Bolkcom, Hogg, Lykam, Ragan, Mathis, Dvorsky, Dotzler, Allen, Bisignano, Taylor, Kinney, D. Johnson, Danielson, Quirmbach, and Horn, a bill for an act relating to restitution for claims arising from state employees committing unfair or discriminatory employment practices.

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

STUDY BILLS RECEIVED

SSB 3068 Natural Resources and Environment

Relating to the level of fees imposed pursuant to the land recycling program.

SSB 3069 Local Government

Relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

SSB 3070 Human Resources

Authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

SSB 3071 Human Resources

Relating to the Iowa prescription monitoring program, including by establishing an advisory committee, authorizing a registration surcharge, expanding information collection and reporting requirements, and making penalties applicable.

SSB 3072 Human Resources

Relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

SSB 3073 Human Resources

Relating to controlled substances and precursor substances, including provisions relating to the registration of persons who manufacture, distribute, or dispense controlled substances, adding substances to the controlled substance schedules, expanding the list of precursor substances for which reporting is required, providing penalties, and including effective date provisions.

SSB 3074 Human Resources

Relating to the electronic prescribing of prescription drugs including controlled substances, making penalties applicable, and providing penalties.

SSB 3075 Local Government

Recognizing Chronic Traumatic Encephalopathy Awareness Day.

SSB 3076 Ways and Means

Authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

SSB 3077 Ways and Means

Providing for the designation of voluntary income tax contributions on the Iowa individual income tax return and including retroactive applicability provisions.

SSB 3078 Ways and Means

Eliminating provisions relating to energy efficiency plans and programs for public utilities.

SSB 3079 Ways and Means

Relating to the practice of optometry.

SSB 3080 Ways and Means

Providing for victim assistance grants, and making appropriations.

SSB 3081 Judiciary

Relating to retaining forfeited or abandoned ammunition and firearms by a local law enforcement agency.

SUBCOMMITTEE ASSIGNMENTS**Senate File 494**
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Chapman and Smith

Senate File 2014

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Schultz

Senate File 2021

HUMAN RESOURCES: Garrett, Chair; Bolkcom and Segebart

Senate File 2069

WAYS AND MEANS: Brown, Chair; Edler and McCoy

Senate File 2072

VETERANS AFFAIRS: Dawson, Chair; Allen and Lofgren

Senate File 2074

WAYS AND MEANS: Feenstra, Chair; Breitbach and Dotzler

Senate File 2091

WAYS AND MEANS: Feenstra, Chair; Quirnbach and Smith

Senate File 2092

HUMAN RESOURCES: Greene, Chair; Chelgren and Ragan

Senate File 2100

WAYS AND MEANS: Dawson, Chair; Dotzler and Feenstra

Senate File 2104

JUDICIARY: Sinclair, Chair; Edler and Taylor

Senate File 2105

JUDICIARY: Edler, Chair; Dawson and Taylor

SSB 3068

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Bertrand and Lykam

SSB 3069

LOCAL GOVERNMENT: Lofgren, Chair; Hogg and Kraayenbrink

SSB 3070

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

SSB 3071

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

SSB 3072

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

SSB 3073

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

SSB 3074

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

SSB 3075

LOCAL GOVERNMENT: Garrett, Chair; Hogg and Segebart

SSB 3076

WAYS AND MEANS: Dawson, Chair; Brown and Hogg

SSB 3077

WAYS AND MEANS: Edler, Chair; McCoy and Schultz

SSB 3078

WAYS AND MEANS: Feenstra, Chair; Hogg and Smith

SSB 3079

WAYS AND MEANS: Feenstra, Chair; Dawson and Dotzler

SSB 3080

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

SSB 3081

JUDICIARY: Schultz, Chair; Garrett and Taylor

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: SENATE FILE 2098 (SSB 3010), a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2099 (SSB 3009), a bill for an act relating to probate and the administration of small estates and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2101 (formerly SF 2002), a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dawson, Bisignano, Edler, Garrett, Kinney, Schneider, Schultz, Shipley, and Sinclair. Nays, 3: Taylor, Boulton, and Petersen. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2101, and they were attached to the committee report.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 25, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Dr. Scott Meador, pastor of the First United Methodist Church in Independence, Iowa. He was the guest of Senator C. Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Spencer Short.

The Journal of Wednesday, January 24, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:23 a.m. until 1:00 p.m., Monday, January 29, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Affirmative Action, Diversity, and Multicultural Accomplishment, pursuant to Iowa Code section 19B.5. Report received on January 25, 2018.

Minority and Women Educators Enhancement Program Report, pursuant to Iowa Code sections 262.93 and 262.82. Report received on January 25, 2018.

DEPARTMENT OF REVENUE

Nonfilers of Returns, Nonpayers of Taxes, and Refund Fraud, pursuant to Iowa Code section 421.17. Report received on January 25, 2018.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, January 25, 2018, 3:00 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, Whitver, and Zumbach.

Members Absent: None.

Committee Business: Passed SSB 3089.

Adjourned: 4:00 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, January 25, 2018, 2:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Bertrand (excused).

Committee Business: Approves SF 2001, as amended; and SF 2020.

Adjourned: 2:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 25, 2018, 10:00 a.m.

Members Present: Guth, Chair; Mathis, Ranking Member; Lykam, and Zumbach.

Members Absent: Chapman, Vice Chair (excused).

Committee Business: Presentations by Inspections and Appeals and Alcoholic Beverages Division.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 25, 2018, 10:10 a.m.

Members Present: Shipley, Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: Brown, Vice Chair (excused).

Committee Business: Presentations by Dr. Pat Halbur and Dr. Rodger Main from ISU College of Veterinary Medicine.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 25, 2018, 10:10 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Presentations by Iowa Veterans Home Commandant, Timmon Oujiri; Director of the Department Veterans Affairs, Steven Lukan; Department of Human Services Director, Mike Randol; Iowa Association of Community Providers Chief Executive Officer, Shelly Chandler; and Iowa Association of Community Provider Policy Director, Craig Syata.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, January 25, 2018, 10:05 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman, and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

INTRODUCTION OF BILLS

Senate File 2108, by Jochum, a bill for an act relating to a schedule established by the environmental protection commission for civil penalties.

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

Senate File 2109, by Chapman, a bill for an act exempting all retirement income from the individual income tax and including retroactive applicability provisions.

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

Senate File 2110, by Chapman, a bill for an act concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct.

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

Senate File 2111, by Dvorsky, a bill for an act requiring minors to wear helmets while riding motorcycles, motorized bicycles, and all-terrain vehicles, and providing penalties.

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

Senate File 2112, by Petersen, McCoy, Jochum, Taylor, Dvorsky, Boulton, Quirnbach, Bolkcom, Mathis, Horn, Danielson, Ragan, and Bisignano, a bill for an act relating to a hawk-i program purchase option, and including effective date and contingent implementation provisions.

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

Senate File 2113, by committee on Education, a bill for an act providing for school employee training relating to suicide awareness and prevention.

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

Senate File 2114, by committee on Education, a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

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

Senate File 2115, by Chelgren, a bill for an act creating a private education tax credit available against the individual income tax and including effective date and applicability provisions.

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

Senate File 2116, by Chelgren, a bill for an act relating to the production or manufacture of certain goods within the state of Iowa and applicability of federal authority, providing penalties, and including applicability provisions.

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

Senate File 2117, by committee on Appropriations, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

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

STUDY BILLS RECEIVED

SSB 3082 Local Government

Relating to the collection of costs incurred by a county for the abatement or correction of a county zoning violation.

SSB 3083 Local Government

Relating to the publication of county resolutions.

SSB 3084 State Government

Providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

SSB 3085 State Government

Concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate.

SSB 3086 State Government

Requiring applicants and employees in state employment or applicants or members of a board subject to senate confirmation to disclose whether they have registered as foreign agents and making penalties applicable.

SSB 3087 Commerce

Creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

SSB 3088 Education

Relating to community college accreditation.

SSB 3089 Appropriations

Relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

SSB 3090 State Government

Prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2061**

STATE GOVERNMENT: Feenstra, Chair; Chapman and Jochum

Senate File 2080

APPROPRIATIONS: Schneider, Chair; Danielson and Kraayenbrink

Senate File 2083

HUMAN RESOURCES: Chelgren, Chair; Mathis and Segebart

Senate File 2087

COMMERCE: Chapman, Chair; Allen and Feenstra

Senate File 2088

STATE GOVERNMENT: Feenstra, Chair; Chapman and Jochum

Senate File 2089

VETERANS AFFAIRS: Costello, Chair; Ragan and Segebart

Senate File 2090

JUDICIARY: Garrett, Chair; Boulton and Dawson

Senate File 2093

TRANSPORTATION: Breitbach, Chair; Brown and Danielson

Senate File 2094

TRANSPORTATION: Smith, Chair; Bertrand and Lykam

Senate File 2096

COMMERCE: Chapman, Chair; Feenstra and McCoy

Senate File 2097

COMMERCE: Chapman, Chair; Feenstra and Petersen

Senate File 2102

HUMAN RESOURCES: Chelgren, Chair; Quirnbach and Segebart

Senate File 2103

COMMERCE: Breitbach, Chair; C. Johnson and Mathis

Senate File 2109

WAYS AND MEANS: Feenstra, Chair; Jochum and Smith

SSB 1179
(Reassigned)

COMMERCE: Breitbach, Chair; Allen and C. Johnson

SSB 3082

LOCAL GOVERNMENT: Kraayenbrink, Chair; Chelgren and McCoy

SSB 3083

LOCAL GOVERNMENT: Garrett, Chair; Guth and Quirnbach

SSB 3084

STATE GOVERNMENT: Smith, Chair; Bowman and Carlin

SSB 3085

STATE GOVERNMENT: Smith, Chair; Brown and Horn

SSB 3086

STATE GOVERNMENT: Smith, Chair; Carlin and Horn

SSB 3087

COMMERCE: C. Johnson, Chair; Chapman and McCoy

SSB 3088

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirnbach

SSB 3089

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, Whitver, and Zumbach

SSB 3090

STATE GOVERNMENT: Feenstra, Chair; Bisignano and Chapman

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: *SENATE FILE 2117 (SSB 3089), a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Schneider, Kraayenbrink, Chelgren, Costello, Garrett, Greene, Guth, C. Johnson, Lofgren, Rozenboom, Shipley, Whitver, and Zumbach. Nays, 8: Bolkcom, Boulton, Danielson, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, None.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 2117, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 2113 (formerly SF 2004), a bill for an act providing for school employee training relating to suicide awareness and prevention.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, 1: Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2113, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2114 (SSB 3029), a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, 1: Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2114, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 2020, a bill for an act relating to the percentage of campsites in a state park or preserve that may be reserved through a centralized reservation system.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rozenboom, Shipley, Dvorsky, Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 29, 2018

The Senate met in regular session at 1:02 p.m., President Whitver presiding.

Prayer was offered by Victoria Daniels, secretary for and guest of Senator Bisignano, who sang “God Bless America”.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Thursday, January 25, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 1:15 p.m. until 9:00 a.m., Tuesday, January 30, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10. Report received on January 26, 2018.

Condition of Education Annual Report, pursuant to Iowa Code section 256.7. Report received on January 26, 2018.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Report of Activities for 2017, pursuant to Iowa Code section 312.3B. Report received on January 29, 2018.

DEPARTMENT OF MANAGEMENT

Early Childhood Iowa State Board, pursuant to Iowa Code section 256I.4. Report received on January 25, 2018.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 25, 2018.

PUBLIC INFORMATION BOARD

Annual Report, pursuant to Iowa Code section 23.6. Report received on January 26, 2018.

CERTIFICATE OF RECOGNITION

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

Burdette “Chuck” Jensen, Waterloo—For celebrating his 95th birthday. Senator Dotzler.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Monday, January 29, 2018, 2:10 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: Quirnbach, Ranking Member; and Hart (both excused).

Committee Business: Passed SSBs 3002, 3027, and 3030.

Adjourned: 2:35 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2003, by Dawson, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

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

Senate Resolution 105, by Garrett, a resolution recognizing Chronic Traumatic Encephalopathy Awareness Day.

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

INTRODUCTION OF BILLS

Senate File 2118, by committee on Natural Resources and Environment, a bill for an act relating to youth deer hunting license seasonal use restrictions.

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

Senate File 2119, by Mathis, a bill for an act relating to Medicaid managed care by requiring uniform requirements and procedures for the credentialing of Medicaid providers, and including effective date provisions.

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

Senate File 2120, by Zaun, a bill for an act relating to Medicaid managed care by requiring the development and use of uniform billing and prior authorization forms.

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

Senate File 2121, by Chapman, a bill for an act relating to the responsibility of a child support obligor to report termination of employment or other income.

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

Senate File 2122, by Zaun, a bill for an act providing for the issuance and display of one motor vehicle registration plate.

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

STUDY BILLS RECEIVED

SSB 3091 Natural Resources and Environment

Relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

SSB 3092 Natural Resources and Environment

Relating to conservation and recreation policies and programs within the department of natural resources.

SSB 3093 Commerce

Modifying various provisions relating to public utilities.

SSB 3094 Human Resources

Relating to the transition of the Medicaid program long-term services and supports population from managed care to fee-for-service administration, and including effective date provisions.

SSB 3095 Human Resources

Relating to newborn metabolic screening to include all disorders listed on the recommended uniform screening panel recommended by the United States department of health and human services.

SSB 3096 Human Resources

Relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

SSB 3097 Local Government

Relating to abandoned structures and abatement of nuisances.

SUBCOMMITTEE ASSIGNMENTS

Senate File 157
(Reassigned)

TRANSPORTATION: Smith, Chair; Brown and Lykam

Senate File 2111

TRANSPORTATION: Bertrand, Chair; Bisignano and Breitbach

Senate File 2115

WAYS AND MEANS: Feenstra, Chair; Brown and Quirmbach

SSB 3091

NATURAL RESOURCES AND ENVIRONMENT: Carlin, Chair; Greene and Hart

SSB 3092

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Kinney and Shipley

SSB 3093

COMMERCE: Breitbach, Chair; Chapman and McCoy

SSB 3094

HUMAN RESOURCES: Segebart, Chair; Costello and Ragan

SSB 3095

HUMAN RESOURCES: Segebart, Chair; Chapman and Ragan

SSB 3096

HUMAN RESOURCES: Greene, Chair; Quirmbach and Segebart

SSB 3097

LOCAL GOVERNMENT: Lofgren, Chair; Hogg and Kraayenbrink

FINAL COMMITTEE REPORT OF BILL ACTION**NATURAL RESOURCES AND ENVIRONMENT**

Bill Title: *SENATE FILE 2118 (formerly SF 2001), a bill for an act relating to youth deer hunting license seasonal use restrictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rozenboom, Shipley, Dvorsky, Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2118, and they were attached to the committee report.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 30, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Pastor A.J. Potter, of the Pleasantville Baptist Church in Pleasantville, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Greer Simmons.

The Journal of Monday, January 29, 2018, was approved.

RECESS

On motion of Senator Dix, the Senate recessed at 9:03 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:09 a.m., President Whitver presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 105, a resolution recognizing Chronic Traumatic Encephalopathy Awareness Day.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dix, Whitver, Behn, Dvorsky, Feenstra, Ragan, Schneider, and Sinclair. Nays, none. Absent, 3: Petersen, Jochum, and Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Resolution 105.

Senate Resolution 105

On motion of Senator Garrett, **Senate Resolution 105**, a resolution recognizing Chronic Traumatic Encephalopathy Awareness Day, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved the adoption of Senate Resolution 105, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:29 a.m. until 9:00 a.m., Wednesday, January 31, 2018.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, January 30, 2018, 3:00 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Guth, C. Johnson, Lykam, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand, Feenstra, Mathis, and McCoy (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:05 p.m.

HUMAN RESOURCES

Convened: Monday, January 29, 2018, 3:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Ragan, and Shipley.

Members Absent: Chapman and Quirmbach (both excused).

Committee Business: Reviewed subcommittee assignments.

Adjourned: 3:15 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 30, 2018, 9:05 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Behn, Dvorsky, Feenstra, Ragan, Schneider, and Sinclair.

Members Absent: Petersen, Ranking Member; Jochum, and Smith (all excused).

Committee Business: Passed SR 105.

Adjourned: 9:10 a.m.

VETERANS AFFAIRS

Convened: Monday, January 29, 2018, 4:00 p.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Allen, Bowman, Edler, Lofgren, Ragan, and Segebart.

Members Absent: Horn, Ranking Member; Bertrand, and Dawson (all excused).

Committee Business: Presentation by Commission of Veterans Affairs Chair, Dan Gannon; and subcommittee assignments.

Adjourned: 4:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 106, by Smith, a resolution for amending the permanent rules of the senate for the eighty-seventh general assembly relating to appointments subject to confirmation by the senate.

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

INTRODUCTION OF BILLS

Senate File 2123, by Danielson, a bill for an act providing immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons who report, seek, or require emergency assistance for alcohol or drug-related overdoses or protection from certain crimes, and modifying penalties.

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

Senate File 2124, by Chelgren, a bill for an act relating to lobbying restrictions on former members of the general assembly.

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

Senate File 2125, by Chelgren, a bill for an act relating to delayed deposit services by limiting the annual percentage rate for fees, and making penalties applicable.

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

Senate File 2126, by Rozenboom, a bill for an act prohibiting the use of false or misleading caller identification information to certain persons, and making penalties applicable.

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

Senate File 2127, by Brown, a bill for an act relating to an extension granted by the economic development authority for certain agreements with eligible housing businesses.

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

Senate File 2128, by Brown, a bill for an act relating to notices by the department of workforce development regarding claims for unemployment benefits.

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

Senate File 2129, by Brown, a bill for an act providing for verification by the department of workforce development of work search contacts by individuals claiming unemployment insurance benefits.

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

Senate File 2130, by committee on Education, a bill for an act relating to the expiration date of a license issued by the board of educational examiners.

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

Senate File 2131, by committee on Education, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

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

Senate File 2132, by Smith, a bill for an act authorizing an administrator in charge of any facility for the detention or custody of juveniles to lock the facility.

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

Senate File 2133, by Boulton, a bill for an act relating to a family leave and medical leave insurance program that provides for paid, job-protected leave for certain family leave and medical leave reasons for eligible employees of specified employers.

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

Senate File 2134, by Petersen, a bill for an act modifying the periods of time to bring certain civil actions, including by victims of sexual abuse, minors, and persons with mental illness, and including effective date provisions.

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

Senate File 2135, by committee on Judiciary, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

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

Senate File 2136, by committee on Judiciary, a bill for an act relating to inmate reading rooms in correctional institutions.

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

STUDY BILLS RECEIVED

SSB 3098 Judiciary

Relating to DNA testing of certain criminal offenders.

SSB 3099 Judiciary

Providing for open adoptions and voluntary postadoption contact agreements relating to private termination of parental rights and adoption proceedings.

SSB 3100 Judiciary

Relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

SSB 3101 Judiciary

Excluding certain portable devices or weapons that direct an electric current from the definition of a dangerous weapon.

SSB 3102 Judiciary

Relating to the criminal offense of child endangerment by prohibiting a parent or guardian from allowing the parent or guardian's spouse custody or control of, or unsupervised access to, a child or certain minors if the spouse is a registered sex offender, and providing penalties.

SSB 3103 Judiciary

Relating to submission by the commissioner of insurance of a state innovation waiver application relating to the availability of quality health care pursuant to the federal Patient Protection and Affordable Care Act.

SSB 3104 Judiciary

Relating to the liability of private employers, general contractors, and premises owners for negligently hiring or failing to supervise employees, agents, or independent contractors convicted of a public offense.

SSB 3105 Judiciary

Relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

SSB 3106 Judiciary

Relating to the medical cannabidiol Act, by granting the medical cannabidiol board the authority to alter the definition of medical cannabidiol and to alter the list of debilitating medical conditions for which the use of medical cannabidiol would be medically beneficial.

SSB 3107 State Government

Relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

SSB 3108 Natural Resources and Environment

Relating to the process and fees associated with the registration and title of vessels.

SSB 3109 Education

Relating to the state school foundation program and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2003**

JUDICIARY: Dawson, Chair; Kinney and Schneider

Senate File 2076

EDUCATION: Sinclair, Chair; Behn and Hogg

Senate File 2077

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

Senate File 2084

STATE GOVERNMENT: Schultz, Chair; Brown and Danielson

Senate File 2085

EDUCATION: Chelgren, Chair; Dvorsky and C. Johnson

Senate File 2092

(Reassigned)

HUMAN RESOURCES: Chelgren, Chair; Greene and Ragan

Senate File 2095

LABOR AND BUSINESS RELATIONS: Chapman, Chair; Bisignano and Guth

Senate File 2107

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Chapman

Senate File 2110

LABOR AND BUSINESS RELATIONS: Chapman, Chair; Brown and Dotzler

Senate File 2125

COMMERCE: Zumbach, Chair; Guth and Lykam

Senate File 2126

COMMERCE: Guth, Chair; Allen and Sinclair

Senate File 2127

COMMERCE: Feenstra, Chair; Allen and Guth

Senate File 2128

LABOR AND BUSINESS RELATIONS: Brown, Chair; Costello and Dotzler

Senate File 2129

LABOR AND BUSINESS RELATIONS: Brown, Chair; Costello and Dotzler

SSB 3098

JUDICIARY: Dawson, Chair; Boulton and Schultz

SSB 3099

JUDICIARY: Edler, Chair; Bisignano and Shipley

SSB 3100

JUDICIARY: Shipley, Chair; Boulton and Schultz

SSB 3101

JUDICIARY: Dawson, Chair; Kinney and Schneider

SSB 3102

JUDICIARY: Garrett, Chair; Edler and Kinney

SSB 3103

JUDICIARY: Garrett, Chair; Bisignano and Sinclair

SSB 3104

JUDICIARY: Dawson, Chair; Bisignano and Garrett

SSB 3105

JUDICIARY: Edler, Chair; Bisignano and Sinclair

SSB 3106

JUDICIARY: Taylor, Chair; Schneider and Zaun

SSB 3107

STATE GOVERNMENT: Danielson, Chair; Dawson and Smith

SSB 3108

NATURAL RESOURCES AND ENVIRONMENT: Greene, Chair; Carlin and Lykam

SSB 3109

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirnbach

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE FILE 2130 (SSB 3027), a bill for an act relating to the expiration date of a license issued by the board of educational examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sinclair, Edler, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, 2: Quirnbach and Hart.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2131 (SSB 3030), a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sinclair, Edler, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, 2: Quirnbach and Hart.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 2135 (SSB 3044), a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2136 (SSB 3035), a bill for an act relating to inmate reading rooms in correctional institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5001 S.F. 2117 Robert M. Hogg
David Johnson

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 31, 2018

The Senate met in regular session at 9:04 a.m., President Whitver presiding.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Talise Tesar.

The Journal of Tuesday, January 30, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:38 a.m. until 9:00 a.m., Thursday, February 1, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

LAW ENFORCEMENT ACADEMY

Iowa Law Enforcement Academy Council Domestic Abuse Training Report, pursuant to Iowa Code section 80B.11. Report received on January 31, 2018.

DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on January 31, 2018.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 30, 2018, 2:00 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Bertrand (excused).

Committee Business: Presentation on Trout and Deer Population and Wildlife Disease.

Adjourned: 2:50 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, January 31, 2018, 9:40 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Petersen, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Gubernatorial appointments.

Adjourned: 9:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 31, 2018, 10:10 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Presentation on Adverse Childhood Experiences.

Adjourned: 11:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, January 31, 2018, 10:10 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman, and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

INTRODUCTION OF BILLS

Senate File 2137, by committee on Education, a bill for an act relating to school bus route ride time limitations.

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

Senate File 2138, by committee on Judiciary, a bill for an act relating to mortgage releases.

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

Senate File 2139, by committee on Judiciary, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

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

Senate File 2140, by Mathis, a bill for an act relating to the provision of an appeals process for Medicaid managed care members following a supports intensity scale assessment, and including effective date provisions.

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

Senate File 2141, by Mathis, Ragan, and Jochum, a bill for an act relating to the recovery of Medicaid payments by the department of human services following the death of a designated beneficiary of an ABLE savings account, and providing for contingent implementation.

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

Senate File 2142, by Ragan, Jochum, Mathis, and Petersen, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

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

Senate File 2143, by Bolkcom, Petersen, Ragan, Mathis, McCoy, Allen, Kinney, Dotzler, Dvorsky, Jochum, Bisignano, Lykam, Boulton, Hart, Taylor, and Quirmbach, a bill for an act relating to the placement of sex offenders who qualify for release from the custody of the department of human services or the department of corrections.

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

Senate File 2144, by Hogg, a bill for an act relating to the vehicle registration duties of county treasurers.

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

Senate File 2145, by Bertrand, a bill for an act relating to the property tax exemption for dwelling units owned and managed by certain nonprofit organizations and including applicability provisions.

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

Senate File 2146, by Danielson, a bill for an act relating to reporting burn injuries to law enforcement.

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

Senate File 2147, by Smith, a bill for an act relating to the accumulation of earned time by offenders, and providing penalties.

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

Senate File 2148, by committee on Judiciary, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

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

Senate File 2149, by Ragan, Mathis, Jochum, McCoy, Allen, Kinney, Bowman, Dotzler, Dvorsky, Bisignano, Lykam, Boulton, Bolkcom, Hogg, Danielson, Petersen, Hart, Taylor, D. Johnson, and Quirmbach, a bill for an act relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

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

Senate File 2150, by Ragan, Mathis, Petersen, Jochum, Lykam, Allen, Dvorsky, Kinney, Bowman, Taylor, Dotzler, Bisignano, Hart, Boulton, Quirmbach, Bolkcom, Danielson, Hogg, McCoy, and D. Johnson, a bill for an act relating to services provided to the long-term services and supports populations under the Medicaid program, including case management and needs assessments, and including effective date provisions.

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

Senate File 2151, by D. Johnson, a bill for an act relating to animal feeding operations, including by providing for when two or more confinement feeding operations are deemed to be a single operation, making penalties applicable, and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

SSB 3110 State Government

Regarding competitive bidding requirements for construction by a private party of property to be leased or lease-purchased by certain government entities and including effective date and applicability provisions.

SSB 3111 State Government

Relating to electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board.

SSB 3112 State Government

Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

SSB 3113 State Government

Relating to the inspection and examination of certain public records under the custody of the state archivist.

SSB 3114 State Government

Relating to boards of trustees for county and city hospitals.

SSB 3115 State Government

Relating to the permanent disability of the governor to discharge the duties of the office.

SSB 3116 State Government

Proposing an amendment to the Constitution of the State of Iowa relating to the consideration of bills by each house of the general assembly.

SSB 3117 State Government

Relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

SSB 3118 State Government

Relating to horse racing regulated by the racing and gaming commission.

SSB 3119 Education

Relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions.

SSB 3120 Education

Relating to speech and expression at public institutions of higher education, providing for civil remedies, and including effective date provisions.

SSB 3121 Local Government

Relating to the authorized uses of certain fees collected by county recorders and deposited in the local government electronic transaction fund.

SSB 3122 Human Resources

Relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

SSB 3123 Human Resources

Providing for the designation of a caregiver relating to a patient's inpatient stay at a hospital.

SSB 3124 Human Resources

Relating to primary care providers under Medicaid managed care.

SSB 3125 Human Resources

Relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals, and stroke transport protocols.

SSB 3126 Human Resources

Relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

SSB 3127 Human Resources

Requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements.

SSB 3128 State Government

Relating to the transfer or assignment of a hospital license.

SSB 3129 Commerce

Relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, financial records associated with the sale of cemetery and funeral merchandise and services, and eliminating specified penalties for violations of requirements relating to retirement and senior adult congregate living facilities.

SSB 3130 Commerce

Relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

SSB 3131 Commerce

Relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

SSB 3132 Commerce

Allowing certain final-stage motor vehicle manufacturers to be licensed as motor vehicle dealers.

SSB 3133 State Government

Proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

SSB 3134 Judiciary

Creating a capital murder offense by establishing the penalty of death for murder in the first degree offenses involving kidnapping and sexual abuse offenses, and including effective date and applicability provisions.

SSB 3135 Judiciary

Relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2002

STATE GOVERNMENT: Chapman, Chair; Bisignano and Feenstra

Senate File 284
(Reassigned)

JUDICIARY: Dawson, Chair; Schultz and Taylor

Senate File 2106

JUDICIARY: Schultz, Chair; Edler and Petersen

Senate File 2108

NATURAL RESOURCES AND ENVIRONMENT: Kraayenbrink, Chair; Hart and Kapucian

Senate File 2116

COMMERCE: Guth, Chair; Lykam and Sinclair

Senate File 2119

HUMAN RESOURCES: Segebart, Chair; Greene and Mathis

Senate File 2120

HUMAN RESOURCES: Chapman, Chair; Jochum and Shipley

Senate File 2121

JUDICIARY: Schultz, Chair; Bisignano and Garrett

Senate File 2123

JUDICIARY: Dawson, Chair; Bisignano and Garrett

Senate File 2132

JUDICIARY: Dawson, Chair; Garrett and Kinney

Senate File 2134

JUDICIARY: Garrett, Chair; Edler and Petersen

Senate File 2143

JUDICIARY: Garrett, Chair; Schultz and Taylor

Senate File 2145

WAYS AND MEANS: Feenstra, Chair; Edler and Hogg

SSB 3110

STATE GOVERNMENT: Chapman, Chair; Dvorsky and Feenstra

SSB 3111

STATE GOVERNMENT: Brown, Chair; Carlin and Jochum

SSB 3112

STATE GOVERNMENT: Carlin, Chair; Brown and Jochum

SSB 3113

STATE GOVERNMENT: Carlin, Chair; Brown and Danielson

SSB 3114

STATE GOVERNMENT: Schultz, Chair; Carlin and Horn

SSB 3115

STATE GOVERNMENT: Smith, Chair; Bisignano and Schultz

SSB 3116

STATE GOVERNMENT: Smith, Chair; Chapman and Jochum

SSB 3117

STATE GOVERNMENT: Brown, Chair; Carlin and Dvorsky

SSB 3118

STATE GOVERNMENT: Dawson, Chair; Bisignano and Brown

SSB 3119

EDUCATION: Behn, Chair; Lofgren and Quirmbach

SSB 3120

EDUCATION: Sinclair, Chair; Behn and Quirmbach

SSB 3121

LOCAL GOVERNMENT: Garrett, Chair; Hogg and Lofgren

SSB 3122

HUMAN RESOURCES: Segebart, Chair; Bolkcom and Garrett

SSB 3123

HUMAN RESOURCES: Shipley, Chair; Jochum and C. Johnson

SSB 3124

HUMAN RESOURCES: Costello, Chair; Jochum and C. Johnson

SSB 3125

HUMAN RESOURCES: Segebart, Chair; Greene and Ragan

SSB 3126

HUMAN RESOURCES: Costello, Chair; Chapman and Ragan

SSB 3127

HUMAN RESOURCES: Segebart, Chair; Ragan and Shipley

SSB 3128

STATE GOVERNMENT: Smith, Chair; Bisignano and Schultz

SSB 3129

COMMERCE: Guth, Chair; McCoy and Zumbach

SSB 3130

COMMERCE: Guth, Chair; McCoy and Zumbach

SSB 3131

COMMERCE: Guth, Chair; Bertrand and Mathis

SSB 3132

COMMERCE: Feenstra, Chair; Allen and C. Johnson

SSB 3133

STATE GOVERNMENT: Smith, Chair; Bisignano and Brown

SSB 3134

JUDICIARY: Garrett, Chair; Bisignano, Dawson, Schultz, and Taylor

SSB 3135

JUDICIARY: Edler, Chair; Taylor and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: *SENATE FILE 2137 (SSB 3002), a bill for an act relating to school bus route ride time limitations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sinclair, Edler, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 1: Hogg. Absent, 2: Quirnbach and Hart.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2137, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 2138 (SSB 3013), a bill for an act relating to mortgage releases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2138, and they were attached to the **committee** report.

ALSO:

Bill Title: *SENATE FILE 2139 (SSB 3014), a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2139, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2148 (SSB 3025), a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Zaun, Taylor, Edler, Garrett, Schneider, Schultz, and Sinclair. Nays, 6: Dawson, Bisignano, Boulton, Kinney, Petersen, and Shipley. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)	
Matthew Gibson, Ames	07/13/2017 – 04/30/2021
AGING, COMMISSION ON (Sec. 231.11)	
Suzanne Heckenlaible, Ankeny	05/10/2017 – 04/30/2019
ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)	
Scott Hatfield, West Des Moines	05/01/2017 – 04/30/2018

CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3)	
Sam Kooiker, Cherokee	07/13/2017 – 04/30/2021
CORRECTIONS, BOARD OF (Sec. 904.104)	
W. Thomas Phillips, Waukee	09/28/2017 – 04/30/2019
COSMETOLOGY ARTS AND SCIENCES, BOARD OF (Sec. 147.14(1)(N))	
Cynthia Hummel, Des Moines	09/28/2017 – 04/30/2020
CREDIT UNIONS, SUPERINTENDENT OF (Sec. 533.104)	
Katie Averill, West Des Moines	05/30/2017 – 04/30/2019
EARLY CHILDHOOD IOWA STATE BOARD (Sec. 256L.3)	
Kathryn Dorsey, North Liberty	07/13/2017 – 04/30/2018
ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105)	
Phil Kooima, Rock Valley	05/01/2017 – 04/30/2021
EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)	
David Schipper, Sioux City	09/28/2017 – 04/30/2020
ELECTRICAL EXAMINING BOARD (Sec. 103.2)	
Daniel Wood, Des Moines	09/08/2017 – Pleasure of Governor
ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)	
Todde Folkerts, Chariton	09/01/2017 – 04/30/2020
ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)	
Rebecca Guinn, Bettendorf	07/13/2017 – 04/30/2021
Barbara Hovland, Mason City	07/13/2017 – 04/30/2021
FINANCE AUTHORITY, IOWA (Sec. 16.2(1))	
Gilbert Thomas, Clarinda	12/19/2017 – 04/30/2023
HEARING AID SPECIALISTS, BOARD OF (Sec. 147.14(V))	
Nicholas Woolley, Webster City	05/01/2017 – 04/30/2019
HIGHER EDUCATION LOAN AUTHORITY, IOWA (Sec. 261A.6)	
Beverly Wharton, Sioux City	01/12/2018 – 04/30/2020
HUMAN SERVICES, DIRECTOR OF THE DEPARTMENT OF (Sec. 217.5)	
Jerry Foxhoven, Clive	06/16/2017 – Pleasure of the Governor
INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)	
Joan Birk, Cedar Falls	07/13/2017 – 04/30/2020
Danielle Williams, Des Moines	07/13/2017 – 04/30/2020

JUDICIAL QUALIFICATIONS, COMMISSION ON (Sec. 602.2102)

William Brown, Des Moines	11/09/2017 – 04/30/2021
Dr. Leah Johnson, Sioux City	05/01/2017 – 04/30/2021
O. Jay Tomson, Mason City	05/01/2017 – 04/30/2023

LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA (Sec. 99G.8)

Sherrae Hanson, West Des Moines	01/12/2018 – 04/30/2018
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MEDICINE, BOARD OF (Sec. 147.14(1)(B))

Dr. Warren Gall, Dubuque	05/10/2017 – 04/30/2020
Teresa Garman, Ames	05/10/2017 – 04/30/2020

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

(Sec. 225C.5(1))

Dennis Bush, Cleghorn	07/13/2017 – 04/30/2020
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MORTUARY SCIENCE, BOARD OF (Sec. 147.14(1)(P))

David Langkamp, Oskaloosa	05/01/2017 – 04/30/2020
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NURSING, BOARD OF (Sec. 147.14(1)(C))

Sue Putnam, Griswold	11/09/2017 – 04/30/2020
Gwen Suntken, Mason City	05/10/2017 – 04/30/2020

PAROLE, CHAIRPERSON OF THE BOARD OF (Sec. 904A.3)

Jeff Wright, Ankeny	01/12/2018 – Pleasure of the Governor
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PAROLE, BOARD OF (Sec. 904A.1)

Jeff Wright, Ankeny	01/12/2018 – 04/30/2018
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PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF (Sec. 147.14(1)(J))

Bradley Earp, Urbandale	07/13/2017 – 04/30/2020
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PUBLIC DEFENDER, STATE (Sec. 13B.2)

Larry Johnson, West Des Moines	05/25/2017 – Pleasure of the Governor
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PUBLIC INFORMATION BOARD, IOWA (Sec. 23.3)

Monica McHugh, Zwingle	07/13/2017 – 04/30/2018
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REAL ESTATE COMMISSION (Sec. 543B.8)

Elizabeth Hansen, Des Moines	05/01/2017 – 04/30/2018
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SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Martha Bruckner, Council Bluffs	11/09/2017 – 04/30/2019
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SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS, BOARD OF

(Sec. 147.14(1)(U))

Albert Mingo, Bettendorf	11/09/2017 – 04/30/2020
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SOIL CONSERVATION COMMITTEE, STATE (Sec. 161A.4)

Steve Hofmann, Lamoni	05/01/2017 – 04/30/2023
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TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA

(Sec. 8D.3(2))

Bob Holz, Clive	05/22/2017 – 04/30/2022
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TITLE GUARANTY DIVISION BOARD (Sec. 16.2A)

Jason Froehlich, Ankeny	05/01/2017 – 04/30/2023
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TRANSPORTATION, DIRECTOR OF (Sec. 307.11)

Mark Lowe, West Des Moines	05/25/2017 – Pleasure of the Governor
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VETERANS AFFAIRS, EXECUTIVE DIRECTOR OF THE COMMISSION OF

(Sec. 35A.8)

Steve Lukan, West Des Moines	11/20/2017 – Pleasure of the Governor
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VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

John Kost, Ames	11/09/2017 – 04/30/2019
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VETERANS HOME, COMMANDANT OF THE IOWA (Sec. 35D.13)

Timon Oujiri, Cumming	05/22/2017 – Pleasure of the Governor
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WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A)

Kelly Barrick, Johnston	11/09/2017 – 04/30/2021
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Gina Bettini, Davenport	11/09/2017 – 04/30/2020
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Jeff DeVries, Pella	11/09/2017 – 04/30/2021
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Steven Gilbert, Leon	11/09/2017 – 04/30/2021
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Quentin Hart, Waterloo	11/09/2017 – 04/30/2019
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Carmen Heck, Iowa City	11/09/2017 – 04/30/2021
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Jayson Henry, Pella	11/09/2017 – 04/30/2020
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Jay Iverson, Ankeny	11/09/2017 – 04/30/2020
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Becky Jacobsen, Denison	11/09/2017 – 04/30/2018
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Amy Larsen, Waterloo	11/09/2017 – 04/30/2019
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Ruby Mateos, Davenport	11/09/2017 – 04/30/2019
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Nancy McDowell, Sheldon	11/09/2017 – 04/30/2020
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Sondra Meyers, Le Claire	11/09/2017 – 04/30/2021
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Richard Moon, Sioux City	11/09/2017 – 04/30/2021
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Randy Moore, Davenport	11/09/2017 – 04/30/2018
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Anne Parmley, Marion	11/09/2017 – 04/30/2021
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Cara Sanders, West Point	11/09/2017 – 04/30/2020
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Philip Tuning, Des Moines	11/09/2017 – 04/30/2019
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The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 31, 2018:

AGRICULTURE

Steve Hofmann – State Soil Conservation Committee

COMMERCE

Katie Averill – Superintendent of Credit Unions

Gilbert Thomas – Iowa Finance Authority

Bob Holz – Telecommunications and Technology Commission

Jason Froehlich – Title Guaranty Division Board

EDUCATION

Kathryn Dorsey – Early Childhood Iowa State Board

David Schipper – Board of Educational Examiners

Beverly Wharton – Iowa Higher Education Loan Authority

Martha Bruckner – School Budget Review Committee

HUMAN RESOURCES

Suzanne Heckenlaible – Commission on Aging

Jerry Foxhoven – Director of the Department of Human Services

Dennis Bush – Mental Health and Disability Services Commission

Albert Mingo – Board of Sign Language Interpreters and Translitterators

JUDICIARY

Sam Kooiker – Iowa State Civil Rights Commission

W. Thomas Phillips – Board of Corrections

William Brown – Commission on Judicial Qualifications
 Dr. Leah Johnson – Commission on Judicial Qualifications
 O. Jay Tomson – Commission on Judicial Qualifications

Jeff Wright – Chairperson of Board of Parole

Jeff Wright – Board of Parole

Larry Johnson – State Public Defender

LABOR AND BUSINESS RELATIONS

Kelly Barrick – Iowa Workforce Development Board
 Gina Bettini – Iowa Workforce Development Board
 Jeff DeVries – Iowa Workforce Development Board
 Steven Gilbert – Iowa Workforce Development Board
 Quentin Hart – Iowa Workforce Development Board
 Carmen Heck – Iowa Workforce Development Board
 Jayson Henry – Iowa Workforce Development Board
 Jay Iverson – Iowa Workforce Development Board
 Becky Jacobsen – Iowa Workforce Development Board
 Amy Larsen – Iowa Workforce Development Board
 Ruby Mateos – Iowa Workforce Development Board
 Nancy McDowell – Iowa Workforce Development Board
 Sondra Meyers – Iowa Workforce Development Board
 Richard Moon – Iowa Workforce Development Board
 Randy Moore – Iowa Workforce Development Board
 Anne Parmley – Iowa Workforce Development Board
 Cara Sanders – Iowa Workforce Development Board
 Philip Tuning – Iowa Workforce Development Board

NATURAL RESOURCES AND ENVIRONMENT

Rebecca Guinn – Environmental Protection Commission
 Barbara Hovland – Environmental Protection Commission

STATE GOVERNMENT

Matthew Gibson – Commission on the Status of African Americans

Scott Hatfield – Architectural Examining Board

Cynthia Hummel – Board of Cosmetology Arts and Sciences

Daniel Wood – Electrical Examining Board

Todde Folkerts – Engineering and Land Surveying Examining Board

Nicholas Woolley – Board of Hearing Aid Specialists

Joan Birk – Interior Design Examining Board
Danielle Williams – Interior Design Examining Board

Sherrae Hanson – Iowa Lottery Authority Board of Directors

Dr. Warren Gall – Board of Medicine
Teresa Garman – Board of Medicine

David Langkamp – Board of Mortuary Science

Sue Putnam – Board of Nursing
Gwen Suntken – Board of Nursing

Bradley Earp – Board of Physical and Occupational Therapy

Monica McHugh – Iowa Public Information Board

Elizabeth Hansen – Real Estate Commission

TRANSPORTATION

Mark Lowe – Director of Transportation

VETERANS AFFAIRS

Steve Lukan – Executive Director of the Commission of Veterans Affairs

John Kost – Commission of Veterans Affairs

Timon Oujiri – Commandant of the Iowa Veterans Home

Ways and Means

Phil Kooima – Economic Development Authority

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on January 31, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Architectural Examining Board, formerly held by Emily Forquer. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Barbering, formerly held by Daniel Butler. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Persons with Disabilities, formerly held by Joe Hickey. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Early Childhood Iowa State Board, formerly held by Shaun Ward Taylor. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Health Facilities Council, formerly held by Roger Thomas. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Investment Board of the IPERS, formerly held by Dennis Young. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Psychology, formerly held by Joshua Goodman. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 1, 2018

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

Prayer was offered by Pastor Mario Lara of Life Bridge Church in Des Moines, Iowa. He was the guest of Senator Garrett.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

The Journal of Wednesday, January 31, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:11 a.m. until 9:00 a.m., Monday, February 5, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Industrial New Jobs Training Program Review, pursuant to Iowa Code section 260E.7. Report received on February 1, 2018.

Iowa Economic Development Authority Annual Report, pursuant to Iowa Code section 15.107B. Report received on February 1, 2018.

DEPARTMENT OF EDUCATION

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on February 1, 2018.

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received on February 1, 2018.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on February 1, 2018.

DEPARTMENT OF HUMAN RIGHTS

Iowa Collaboration for Youth Development Council Annual Report, pursuant to Iowa Code section 216A.140. Report received on February 1, 2018.

DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on February 1, 2018.

DEPARTMENT OF TRANSPORTATION

Biodiesel and Biodiesel Blended Fuel Revolving Fund, pursuant to Iowa Code section 307.20. Report received on February 1, 2018.

Midwest Regional Rail Passenger Initiative, pursuant to Iowa Code section 327J.3. Report received on February 1, 2018.

Recycling Report, pursuant to Iowa Code section 307.21. Report received on February 1, 2018.

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36. Report received on February 1, 2018.

Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on February 1, 2018.

TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on February 1, 2018.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, February 1, 2018, 2:05 p.m.

Recessed: 2:10 p.m.

Reconvened: 2:35 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand (excused).

Committee Business: Passed SF 2054 and Approved SSBs 1179, 3051, 3053, 3054, and 3056.

Adjourned: 3:00 p.m.

EDUCATION

Convened: Wednesday, January 31, 2018, 4:05 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: AEA Presentation; and approved SF 128.

Adjourned: 5:00 p.m.

HUMAN RESOURCES

Convened: Wednesday, January 31, 2018, 3:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Presentation by Wendy Rickman of DHS; and distributed list of committee bills.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, January 31, 2018, 2:20 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun.

Members Absent: Horn (excused).

Committee Business: Passed SSB 3022.

Adjourned: 2:35 p.m.

TRANSPORTATION

Convened: Tuesday, January 9, 2018, 1:30 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: None.

Committee Business: Introductions.

Adjourned: 1:45 p.m.

ALSO:

Convened: Wednesday, January 24, 2018, 3:05 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Bertrand (excused).

Committee Business: Subcommittees.

Adjourned: 3:10 p.m.

ALSO:

Convened: Wednesday, January 31, 2018, 3:05 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Bertrand and Horn (both excused).

Committee Business: Passed SSBs 3048 and 3049; approved SF 2067; and DOT speakers.

Adjourned: 3:55 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, February 1, 2018, 10:05 a.m.

Members Present: Guth, Chair; Mathis, Ranking Member; Lykam, and Zumbach.

Members Absent: Chapman, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 1, 2018, 10:00 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; and Kinney.

Members Absent: Rozenboom (excused).

Committee Business: Presentation on the Honey Creek State Resort.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 1, 2018, 10:10 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Discussed MCOs.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 1, 2018, 10:15 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman and Smith.

Members Absent: None.

Committee Business: None.

Adjourned: 11:10 a.m.

INTRODUCTION OF BILLS

Senate File 2152, by Greene, a bill for an act relating to the transferability of investment tax credits issued to eligible housing

businesses under the enterprise zone program, including effective date and retroactive applicability provisions.

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

Senate File 2153, by Garrett, Edler, Shipley, Costello, Lofgren, Guth, Carlin, Chelgren, Schultz, Chapman, Greene, Segebart, C. Johnson, Behn, Feenstra, Sinclair, Rozenboom, Zumbach, Zaun, Bertrand, and Brown, a bill for an act providing for the constitutionality of statutes and including effective date provisions.

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

Senate File 2154, by Guth, Schultz, Rozenboom, Carlin, Chapman, Costello, Segebart, Chelgren, Garrett, Edler, Bertrand, Kraayenbrink, C. Johnson, Behn, Lofgren, Greene, Feenstra, Shipley, and Brown, 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 under Rule 28 and referred to committee on **State Government**.

Senate File 2155, by committee on State Government, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

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

Senate File 2156, by Greene, a bill for an act relating to the applicability of beverage containers control provisions to specified beverage containers and the monetary value of deposits and refunds pursuant to those provisions.

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

Senate File 2157, by Greene, a bill for an act adding certain medical conditions to the list of debilitating medical conditions under the medical cannabidiol Act.

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

Senate File 2158, by Greene, a bill for an act relating to Medicaid program eligibility.

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

Senate File 2159, by Ragan, a bill for an act relating to the implementation of a centralized direct care workforce database.

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

Senate File 2160, by Smith, a bill for an act relating to the posting by public schools of the department of human services' child abuse hotline telephone number.

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

Senate File 2161, by Hogg, a bill for an act relating to activities associated with agriculture, natural resources, and the environment, including by increasing the sales and use tax rates, transferring moneys to the natural resources and outdoor recreation trust fund, funding certain government entities and initiatives, providing for an Iowa water policy, establishing water quality and water management objectives, goals, and benchmarks, regulating confinement feeding operations, making appropriations, and including effective date and applicability provisions.

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

Senate File 2162, by committee on Transportation, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

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

Senate File 2163, by committee on Transportation, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

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

Senate File 2164, by committee on Education, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

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

STUDY BILLS RECEIVED

SSB 3136 Human Resources

Relating to the Iowa prescription monitoring program by establishing an advisory committee.

SSB 3137 State Government

Proposing an amendment to the Constitution of the State of Iowa relating to the quorum necessary to transact certain business for each house of the general assembly.

SSB 3138 State Government

Relating to energy conservation requirements contained within the state building code or adopted by governmental subdivisions, and including effective date provisions.

SSB 3139 Commerce

Relating to the sale of motor homes on Sundays.

SSB 3140 Local Government

Relating to municipal utility retirement systems.

SSB 3141 Judiciary

Relating to nonsubstantive Code corrections.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2112

HUMAN RESOURCES: Segebart, Chair; Chelgren and Jochum

Senate File 2122

TRANSPORTATION: Brown, Chair; Danielson and Kraayenbrink

Senate File 2140

HUMAN RESOURCES: Segebart, Chair; Chelgren and Mathis

Senate File 2141

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

Senate File 2142

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

Senate File 2144

LOCAL GOVERNMENT: Guth, Chair; Hogg and Kraayenbrink

Senate File 2146

JUDICIARY: Dawson, Chair; Kinney and Shipley

Senate File 2147

JUDICIARY: Edler, Chair; Kinney and Sinclair

Senate File 2149

HUMAN RESOURCES: Segebart, Chair; Bolkcom and Chelgren

Senate File 2150

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

Senate File 2152

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Breitbach

Senate File 2153

JUDICIARY: Garrett, Chair; Boulton and Schultz

SSB 1177
(Reassigned)

JUDICIARY: Schneider, Chair; Taylor and Zaun

SSB 3136

HUMAN RESOURCES: Greene, Chair; Quirnbach and Segebart

SSB 3137

STATE GOVERNMENT: Smith, Chair; Bisignano and Chapman

SSB 3138

STATE GOVERNMENT: Smith, Chair; Chapman and Danielson

SSB 3139

COMMERCE: Zumbach, Chair; Bertrand and Boulton

SSB 3140

LOCAL GOVERNMENT: Lofgren, Chair; Hogg and Kraayenbrink

SSB 3141

JUDICIARY: Shipley, Chair; Edler and Taylor

FINAL COMMITTEE REPORT OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 2164 (SSB 3109), a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2164, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2155 (SSB 3022), a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2067. a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Danielson, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Bertrand and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2162 (SSB 3049), a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Danielson, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Bertrand and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2163 (SSB 3048), a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Danielson. Absent, 2: Bertrand and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 1, 2018, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the State Soil Conservation Committee:

Steve Hofmann – Brown, Chair; Bowman and Shipley

COMMERCE

As Superintendent of Credit Unions:

Katie Averill – Breitbach, Chair; Boulton and Guth

As a member of the Iowa Finance Authority:

Gilbert Thomas – Feenstra, Chair; McCoy and Sinclair

As a member of the Telecommunications and Technology Commission:

Bob Holz – Zaun, Chair; Allen and Zumbach

As a member of the Title Guaranty Division Board:

Jason Froehlich – Guth, Chair; Mathis and Sinclair

EDUCATION

As a member of the Early Childhood Iowa State Board:

Kathryn Dorsey – Rozenboom, Chair; Hart and Lofgren

As a member of the Board of Educational Examiners:

David Schipper – Edler, Chair; Bowman and Chelgren

As a member of the Iowa Higher Education Loan Authority:

Beverly Wharton – Behn, Chair; C. Johnson and Quirmbach

As a member of the School Budget Review Committee:

Martha Bruckner – Kraayenbrink, Chair; Dvorsky and Greene

HUMAN RESOURCES

As a member of the Commission on Aging:

Suzanne Heckenlaible – Segebart, Chair; Garrett and Ragan

As Director of the Department of Human Services:

Jerry Foxhoven – Segebart, Chair; Bolkcom and Shipley

As a member of the Mental Health and Disability Services Commission:

Dennis Bush – C. Johnson, Chair; Costello and Jochum

As a member of the Board of Sign Language Interpreters and Transliterators:

Albert Mingo – Chapman, Chair; Chelgren and Quirmbach

JUDICIARY

As a member of the Iowa State Civil Rights Commission:

Sam Kooiker – Sinclair, Chair; Schultz and Taylor

As a member of the Board of Corrections:

W. Thomas Phillips – Schneider, Chair; Sinclair and Taylor

As members of the Commission on Judicial Qualifications:

William Brown – Zaun, Chair; Dawson and Taylor
Dr. Leah Johnson – Schultz, Chair; Shipley and Taylor
O. Jay Tomson – Schultz, Chair; Schneider and Taylor

As Chairperson of Board of Parole:

Jeff Wright – Zaun, Chair; Schneider and Taylor

As a member of the Board of Parole:

Jeff Wright – Zaun, Chair; Schneider and Taylor

As State Public Defender:

Larry Johnson – Schneider, Chair; Garrett and Taylor

LABOR AND BUSINESS RELATIONS

As members of the Iowa Workforce Development Board:

Kelly Barrick – Breitbach, Chair; Dotzler and Guth
 Gina Bettini – Breitbach, Chair; Dotzler and Guth
 Jeff DeVries – Breitbach, Chair; Dotzler and Guth
 Steven Gilbert – Breitbach, Chair; Dotzler and Guth
 Quentin Hart – Breitbach, Chair; Dotzler and Guth
 Carmen Heck – Breitbach, Chair; Dotzler and Guth
 Jayson Henry – Brown, Chair; Bisignano and Costello
 Jay Iverson – Brown, Chair; Bisignano and Costello
 Becky Jacobsen – Brown, Chair; Bisignano and Costello
 Amy Larsen – Brown, Chair; Bisignano and Costello
 Ruby Mateos – Brown, Chair; Bisignano and Costello
 Nancy McDowell – Brown, Chair; Bisignano and Costello
 Sondra Meyers – Guth, Chair; Costello and Taylor
 Richard Moon – Guth, Chair; Costello and Taylor
 Randy Moore – Guth, Chair; Costello and Taylor
 Anne Parmley – Guth, Chair; Costello and Taylor
 Cara Sanders – Guth, Chair; Costello and Taylor
 Philip Tuning – Guth, Chair; Costello and Taylor

NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission:

Rebecca Guinn – Kapucian, Chair; Dvorsky and Kraayenbrink
 Barbara Hovland – Kapucian, Chair; Kinney and Kraayenbrink

STATE GOVERNMENT

As a member of the Commission on the Status of African Americans:

Matthew Gibson – Carlin, Chair; Brown and Horn

As a member of the Architectural Examining Board:

Scott Hatfield – Schultz, Chair; Dvorsky and Feenstra

As a member of the Board of Cosmetology Arts and Sciences:

Cynthia Hummel – Schultz, Chair; Danielson and Feenstra

As a member of the Electrical Examining Board:

Daniel Wood – Schultz, Chair; Bowman and Feenstra

As a member of the Engineering and Land Surveying Examining Board:

Todde Folkerts – Carlin, Chair; Chapman and Jochum

As a member of the Board of Hearing Aid Specialists:

Nicholas Woolley – Carlin, Chair; Bisignano and Chapman

As members of the Interior Design Examining Board:

Joan Birk – Carlin, Chair; Bisignano and Chapman
Danielle Williams – Carlin, Chair; Chapman and Dvorsky

As a member of the Iowa Lottery Authority Board of Directors:

Sherrae Hanson – Carlin, Chair; Bisignano and Chapman

As members of the Board of Medicine:

Dr. Warren Gall – Smith, Chair; Bowman and Feenstra
Teresa Garman – Smith, Chair; Bowman and Feenstra

As a member of the Board of Mortuary Science:

David Langkamp – Brown, Chair; Carlin and Horn

As members of the Board of Nursing:

Sue Putnam – Brown, Chair; Carlin and Danielson
Gwen Suntken – Brown, Chair; Carlin and Danielson

As a member of the Board of Physical and Occupational Therapy:

Bradley Earp – Chapman, Chair; Feenstra and Jochum

As a member of the Iowa Public Information Board:

Monica McHugh – Chapman, Chair; Feenstra and Jochum

As a member of the Real Estate Commission:

Elizabeth Hansen – Smith, Chair; Bisignano and Feenstra

TRANSPORTATION

As Director of Transportation:

Mark Lowe – Kapucian, Chair; Breitbach and Danielson

VETERANS AFFAIRS

As Executive Director of the Commission of Veterans Affairs:

Steve Lukan – Bertrand, Chair; Bowman and Lofgren

As a member of the Commission of Veterans Affairs:

John Kost – Lofgren, Chair; Dawson and Ragan

As Commandant of the Iowa Veterans Home:

Timon Oujiri – Bertrand, Chair; Allen and Edler

WAYS AND MEANS

As a member of the Economic Development Authority:

Phil Kooima – Feenstra, Chair; Brown and Dotzler

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 5, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Mary Earnhardt of West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Elin Gabrielle Whitver, daughter of Senator Whitver.

The Journal of Thursday, February 1, 2018, was approved.

ADJOURNMENT

On motion of Senator Schneider, the Senate adjourned at 9:03 a.m. until 10:00 a.m., Tuesday, February 6, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF REVENUE

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on February 2, 2018.

Tax Gap Compliance Project Report, pursuant to Iowa Code section 421.17. Report received on February 3, 2018.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Thursday, February 1, 2018, 3:10 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Passed SSB 3109, as amended.

Adjourned: 4:00 p.m.

JUDICIARY

Convened: Thursday, February 1, 2018, 1:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair.

Members Absent: Shipley (excused).

Committee Business: Approved SFs 421, 432, and 2105. Passed SSBs 3012; 3032; 3038; 3041, as amended; 3043; and 3065, as amended.

Adjourned: 2:05 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, January 31, 2018, 2:05 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, Quirnbach, and Segebart.

Members Absent: McCoy (excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:10 p.m.

INTRODUCTION OF BILLS

Senate File 2165, by committee on Judiciary, a bill for an act concerning payments under the crime victim compensation program.

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

Senate File 2166, by committee on Judiciary, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

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

Senate File 2167, by committee on Judiciary, a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

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

Senate File 2168, by committee on Commerce, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

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

Senate File 2169, by committee on Commerce, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

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

Senate File 2170, by committee on Commerce, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

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

Senate File 2171, by committee on Education, a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters.

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

Senate File 2172, by committee on Commerce, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

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

Senate File 2173, by committee on Judiciary, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations.

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

Senate File 2174, by Chelgren, a bill for an act relating to the conditions for which a student enrolled in grades one through twelve may be excused from physical education requirements.

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

Senate File 2175, by committee on Judiciary, a bill for an act relating to partition of property in kind and partition of property by sale.

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

Senate File 2176, by committee on Judiciary, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

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

STUDY BILLS RECEIVED

SSB 3142 Judiciary

Relating to unenforceable provisions in rental agreements.

SSB 3143 Judiciary

Relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties.

SSB 3144 Judiciary

Permitting the use of bodily restraints on a child in juvenile court hearings.

SUBCOMMITTEE ASSIGNMENTS**SSB 3142**

JUDICIARY: Shipley, Chair; Edler and Taylor

SSB 3143

JUDICIARY: Sinclair, Chair; Petersen and Schultz

SSB 3144

JUDICIARY: Dawson, Chair; Bisignano and Garrett

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 2168 (SSB 3053), a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2169 (SSB 1179), a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Chapman, Breitbach, Feenstra, Guth, C. Johnson, Lykam, Sinclair, Zaun, and Zumbach. Nays, 5: Allen, Boulton, Mathis, McCoy, and Petersen. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2170 (SSB 3054), a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2172 (SSB 3056), a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 2171 (formerly SF 128), a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Greene, Hart, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 2: Dvorsky and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2171, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 2165 (SSB 3038), a bill for an act concerning payments under the crime victim compensation program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2166 (SSB 3012), a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2167 (SSB 3032), a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2173 (SSB 3043), a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2175 (SSB 3065), a bill for an act relating to partition of property in kind and partition of property by sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2175, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2176 (SSB 3041), a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2176, and they were attached to the committee report.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 6, 2018

The Senate met in regular session at 10:04 a.m., President Whitver presiding.

Prayer was offered by the Honorable Mark Chelgren, member of the Senate from Wapello County, Ottumwa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Monday, February 5, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:08 a.m. until 9:00 a.m., Wednesday, February 7, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Equal Opportunity Contract Compliance Report, pursuant to Iowa Code section 19B.7. Report received on February 6, 2018.

ATTORNEY GENERAL

Prosecutor Intern Program Annual Report, pursuant to Iowa Code section 13.2. Report received on February 5, 2018.

DEPARTMENT OF NATURAL RESOURCES

Low-Level Radioactive Waste Compact Report, pursuant to Iowa Code section 457B.1. Report received on February 6, 2018.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, February 6, 2018, 1:10 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: Petersen (excused).

Committee Business: Subcommittee notices were distributed.

Adjourned: 2:00 p.m.

VETERANS AFFAIRS

Convened: Tuesday, February 6, 2018, 2:35 p.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member; Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart.

Members Absent: Allen and Bertrand (both excused).

Committee Business: Passed SSBs 3052 and 3067.

Adjourned: 2:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, January 11, 2018, 1:00 p.m.

Members Present: Lofgren, Chair; and Dotzler, Ranking Member.

Members Absent: Breitbach, Vice Chair; Allen, and Greene (all excused).

Committee Business: Organizational meeting.

Adjourned: 1:30 p.m.

ALSO:

Convened: Wednesday, January 17, 2018, 10:10 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; and Greene.

Members Absent: Allen (excused).

Committee Business: Organizational meeting.

Adjourned: 11:25 a.m.

ALSO:

Convened: Thursday, January 18, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: Breitbach, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

ALSO:

Convened: Wednesday, January 24, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

ALSO:

Convened: Thursday, January 25, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

ALSO:

Convened: Wednesday, January 31, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:05 a.m.

ALSO:

Convened: Thursday, February 1, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 17, 2018, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirmbach, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

ALSO:

Convened: Thursday, January 25, 2018, 10:05 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirmbach, and Schultz.

Members Absent: None.

Committee Business: Presentation from Director Deborah Reed of the Iowa Reading Research Center.

Adjourned: 10:40 a.m.

ALSO:

Convened: Wednesday, January 31, 2018, 10:10 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirmbach, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, January 17, 2018, 10:10 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett, and Hogg.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

ALSO:

Convened: Wednesday, January 24, 2018, 10:05 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett, and Hogg.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

ALSO:

Convened: Thursday, January 25, 2018, 10:00 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett, and Hogg.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

ALSO:

Convened: Wednesday, January 31, 2018, 10:15 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett, and Hogg.

Members Absent: None.

Committee Business: Presentation by Major General Timothy Orr.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2004, by Chelgren, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the militia and the rights of militia members.

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

Senate Resolution 107, by Garrett, a resolution for recognizing the 50th anniversary of municipal home rule in Iowa.

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

INTRODUCTION OF BILLS

Senate File 2177, by committee on Commerce, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

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

Senate File 2178, by committee on Commerce, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

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

Senate File 2179, by committee on Judiciary, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

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

Senate File 2180, by committee on Judiciary, a bill for an act relating to the possession of marijuana, and providing a penalty.

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

Senate File 2181, by committee on Judiciary, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

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

Senate File 2182, by Brown, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers and including contingent effective provisions.

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

Senate File 2183, by Danielson, a bill for an act relating to the operation of authorized emergency vehicles and snow plows, and making penalties applicable.

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

Senate File 2184, by Hart, a bill for an act establishing a peer support respite house pilot program, and making an appropriation.

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

Senate File 2185, by Boulton, a bill for an act relating to the choice of doctor to treat injured employees under workers' compensation laws and including effective date and applicability provisions.

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

Senate File 2186, by Boulton, a bill for an act concerning employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, and including effective date, applicability, and transition provisions.

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

STUDY BILLS RECEIVED

SSB 3145 Agriculture

Regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties.

SSB 3146 State Government

Relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

SSB 3147 Transportation

Relating to motor carriers, and making penalties applicable.

SSB 3148 Veterans Affairs

Relating to assistance animals, assistive animals, and service dogs and providing penalties for misrepresenting oneself as entitled to an assistance animal or an assistive animal in housing and for misrepresenting an animal as a service dog.

SSB 3149 Veterans Affairs

Relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations.

SSB 3150 Ways and Means

Providing an individual income tax deduction for income resulting from the payment by an employer of principal or interest on a qualified educational loan of a taxpayer, and including applicability provisions.

SSB 3151 Ways and Means

Creating the tax return preparer oversight Act to establish a tax return preparer oversight board to regulate tax return preparers, modifying the powers and duties of the director of revenue, and providing penalties.

SSB 3152 Ways and Means

Relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

SSB 3153 Ways and Means

Relating to fees established and collected by the county treasurer at a tax sale and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2004**

JUDICIARY: Schultz, Chair; Edler and Taylor

Senate File 2049

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; D. Johnson and Shipley

Senate File 2151

AGRICULTURE: Edler, Chair; Costello and Ragan

Senate File 2160

EDUCATION: Edler, Chair; Bowman and Lofgren

Senate File 2161

WAYS AND MEANS: Feenstra, Chair; Brown and Hogg

Senate File 2174

EDUCATION: Chelgren, Chair; Bowman and Kraayenbrink

SSB 3145

AGRICULTURE: Zumbach, Chair; Bowman and Brown

SSB 3146

STATE GOVERNMENT: Schultz, Chair; Carlin and Horn

SSB 3147

TRANSPORTATION: Brown, Chair; Bowman and Breitbach

SSB 3148

VETERANS AFFAIRS: Dawson, Chair; Allen and Edler

SSB 3149

VETERANS AFFAIRS: Lofgren, Chair; Bowman and Rozenboom

SSB 3150

WAYS AND MEANS: Feenstra, Chair; Behn and Quirnbach

SSB 3151

WAYS AND MEANS: Feenstra, Chair; Edler and Jochum

SSB 3152

WAYS AND MEANS: Feenstra, Chair; Bolcom and Schultz

SSB 3153

WAYS AND MEANS: Smith, Chair; Feenstra and McCoy

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: SENATE FILE 2177 (formerly SF 2054), a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2178 (SSB 3051), a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Chapman, Breitbach, Allen, Feenstra, Guth, C. Johnson, Lykam, Sinclair, Zaun, and Zumbach. Nays, 4: Boulton, Mathis, McCoy, and Petersen. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 2179 (formerly SF 2105), a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2180 (formerly SF 432), a bill for an act relating to the possession of marijuana, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2180, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2181 (formerly SF 421), a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Taylor, Bisignano, Boulton, Kinney, Petersen, and Schneider. Nays, 4: Edler, Garrett, Schultz, and Sinclair. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2181, and they were attached to the committee report.

APPOINTED POSITIONS

The following lists of appointed positions, requiring action pursuant to Iowa Code Section 2.32(7), were submitted to the Secretary of the Senate:

BY THE GOVERNOR

NUMBER OF POSITIONS

ADMINISTRATOR OF THE ALCOHOLIC BEVERAGES DIVISION	1
DRUG POLICY COORDINATOR	1
ADMINISTRATOR OF THE STATE RACING AND GAMING COMMISSION	1
ACCOUNTANCY EXAMINING BOARD	3

COMMISSION ON THE STATUS OF AFRICAN AMERICANS	2
AGRICULTURAL DEVELOPMENT BOARD	1
ALCOHOLIC BEVERAGES COMMISSION	1
ARCHITECTURAL EXAMINING BOARD	3
COMMISSION OF ASIAN AND PACIFIC ISLANDER AFFAIRS	4
BOARD OF ATHLETIC TRAINING	4
IOWA AUTISM COUNCIL	5
BOARD OF BARBERING	3
BOARD OF BEHAVIORAL SCIENCE	3
COMMISSION FOR THE BLIND	1
BOILER AND PRESSURE VESSEL BOARD	4
IOWA CAPITAL INVESTMENT BOARD	1
CHILD ADVOCACY BOARD	4
BOARD OF CHIROPRACTIC	3
CITY DEVELOPMENT BOARD	2
COMMISSION ON COMMUNITY ACTION AGENCIES	4
BOARD OF CORRECTIONS	1
BOARD OF COSMETOLOGY ARTS AND SCIENCES	1
CREDIT UNION REVIEW BOARD	3
CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL	7
BOARD OF DENTISTRY	3
BOARD OF DIETETICS	2

IOWA DRUG POLICY ADVISORY COUNCIL	2
EARLY CHILDHOOD IOWA STATE BOARD	9
ECONOMIC DEVELOPMENT AUTHORITY	4
STATE BOARD OF EDUCATION	3
STATE BOARD OF EDUCATIONAL EXAMINERS	2
ELECTRICAL EXAMINING BOARD	6
ELEVATOR SAFETY BOARD	3
EMPLOYMENT APPEAL BOARD	1
ENGINEERING AND LAND SURVEYING EXAMINING BOARD	2
ENHANCE IOWA BOARD	6
IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD	1
FLOOD MITIGATION BOARD	2
IOWA GREAT PLACES ADVISORY BOARD	4
HEALTH FACILITIES COUNCIL	1
HEALTHY AND WELL KIDS IN IOWA BOARD (HAWK-I)	2
BOARD OF HEARING AID SPECIALISTS	2
HIGHER EDUCATION LOAN AUTHORITY	1
HUMAN SERVICES COUNCIL	1
INTERIOR DESIGN EXAMINING BOARD	4
INVESTMENT BOARD OF THE IPERS	1
STATE JUDICIAL NOMINATING COMMISSION	2
LANDSCAPE ARCHITECTURAL EXAMINING BOARD	3
LATINO AFFAIRS COMMISSION	4
LAW ENFORCEMENT ACADEMY COUNCIL	4
IOWA LOTTERY AUTHORITY BOARD OF DIRECTORS	2

BOARD OF MASSAGE THERAPY	1
BOARD OF MEDICINE	3
MENTAL HEALTH AND DISABILITY SERVICES COMMISSION	6
MENTAL HEALTH RISK POOL BOARD	7
BOARD OF MORTUARY SCIENCE	2
COMMISSION OF NATIVE AMERICAN AFFAIRS	5
BOARD OF NURSING	1
BOARD OF NURSING HOME ADMINISTRATORS	5
BOARD OF OPTOMETRY	2
BOARD OF PAROLE	3
PEACE OFFICERS' RETIREMENT ACCIDENT AND DISABILITY SYSTEMS TRUSTEE	1
COMMISSION OF PERSONS WITH DISABILITIES	6
BOARD OF PHARMACY	2
BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY	1
BOARD OF PHYSICIAN ASSISTANTS	3
PLUMBING AND MECHANICAL SYSTEMS BOARD	3
BOARD OF PODIATRY	5
BOARD OF PSYCHOLOGY	4
PUBLIC EMPLOYMENT RELATIONS BOARD	1
IOWA PUBLIC INFORMATION BOARD	5
STATE RACING AND GAMING COMMISSION	2
REAL ESTATE APPRAISER EXAMINING BOARD	3
REAL ESTATE COMMISSION	3
BOARD OF RESPIRATORY CARE	3
BOARD OF SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS	4

BOARD OF SOCIAL WORK	2
BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY	3
COMMISSION ON THE STATUS OF WOMEN	4
TECHNOLOGY ADVISORY COUNCIL	1
IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION	1
COMMISSION ON TOBACCO USE PREVENTION AND CONTROL	2
TRANSPORTATION COMMISSION	2
COMMISSION OF VETERANS AFFAIRS	3
IOWA BOARD OF VETERINARY MEDICINE	2
IOWA WORKFORCE DEVELOPMENT BOARD	6

AMENDMENT FILED

S-5002 S.F. 2164 Tim Kraayenbrink
Amy Sinclair

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 7, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Brad Bierma, pastor of the Calvary Christian Reformed Church in Pella, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabela Gallegos.

The Journal of Tuesday, February 6, 2018, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Mark Lowe, the Governor's appointee to be the Director of Transportation. He was the guest of Senators Kapucian and Danielson and the committee on Transportation.

The Secretary of the Senate introduced Jerry Foxhoven, the Governor's appointee to be the Director of the Department of Human Services. He was the guest of Senators Segebart and Mathis and the committee on Human Resources.

RECESS

On motion of Senator Dix, the Senate recessed at 9:09 a.m. until 5:00 p.m.

APPENDIX—1

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Industrial New Jobs Training Program Review, pursuant to Iowa Code section 260E.7. Report received on February 7, 2018.

CERTIFICATE OF RECOGNITION

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

Ida Breitbach, Cascade—For celebrating her 100th birthday. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, February 7, 2018, 1:05 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirmbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Department of Education presentation.

Adjourned: 1:55 p.m.

HUMAN RESOURCES

Convened: Tuesday, February 6, 2018, 4:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: None.

Committee Business: Deferred on SSB 3005; passed SSBs 3070 and 3071.

Adjourned: 5:05 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, February 7, 2018, 2:00 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Passed SSB 3069 and 3083, as amended.

Adjourned: 2:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 6, 2018, 3:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Bertrand, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: None.

Committee Business: Passed SSB 3068.

Adjourned: 3:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 7, 2018, 10:00 a.m.

Members Present: Guth, Chair; and Zumbach.

Members Absent: Chapman, Vice Chair; Mathis, Ranking Member; and Lykam.

Committee Business: Meeting cancelled on account of no quorum.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 7, 2018, 10:15 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Presentation on Mental Health and Disability Services.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, February 7, 2018, 10:15 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; and Bowman.

Members Absent: Smith (excused).

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2005, by Dawson, a joint resolution proposing amendments to the Constitution of the State of Iowa limiting years of service for members of the general assembly, the governor, and judges of the supreme court and court of appeals.

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

INTRODUCTION OF BILLS

Senate File 2187, by Kinney, 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 under Rule 28 and referred to committee on **Transportation**.

Senate File 2188, by Danielson, a bill for an act transferring the state geologist from the department of natural resources to the Iowa flood center at the state university of Iowa under the jurisdiction of the state board of regents, making appropriations, and including effective date provisions.

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

Senate File 2189, by Sinclair, a bill for an act relating to electronic and mechanical eavesdropping.

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

Senate File 2190, by Whitver, a bill for an act limiting the number of rules that can be included in the Iowa administrative code, providing for related duties of the department of management and other agencies, and including effective date provisions.

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

Senate File 2191, by Whitver, a bill for an act relating to academic programs of regents institutions and community colleges.

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

Senate File 2192, by Schultz, a bill for an act relating to excessively dark or reflective window tint, and making penalties applicable.

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

Senate File 2193, by Schultz, a bill for an act relating to the handling fees for beverage containers.

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

Senate File 2194, by Schultz, a bill for an act relating to the distribution of certain funds for abortions.

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

Senate File 2195, by Schultz, a bill for an act relating to the corroboration of certain evidence provided in a termination of parental rights proceeding.

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

Senate File 2196, by Dawson, a bill for an act modifying criminal code provisions relating to criminal records, penalties, prosecutions, appeals, driving privileges, and postconviction relief, and including effective date provisions.

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

Senate File 2197, by Smith, a bill for an act relating to theft of motor vehicles subsequently used in the commission of a felony, and providing penalties.

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

Senate File 2198, by committee on Human Resources, a bill for an act relating to the Iowa prescription monitoring program, including by establishing an advisory committee, authorizing a registration surcharge, expanding information collection and reporting requirements, and making penalties applicable.

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

Senate File 2199, by Petersen, a bill for an act modifying the periods of time to bring criminal actions for sexual abuse offenses against a minor, providing penalties, and including effective date provisions.

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

Senate File 2200, by committee on Veterans Affairs, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

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

Senate File 2201, by committee on Veterans Affairs, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

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

Senate File 2202, by committee on Natural Resources and Environment, a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

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

Senate File 2203, by committee on Human Resources, a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

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

STUDY BILLS RECEIVED

SSB 3154 Judiciary

Relating to the awarding of joint custody and joint physical care.

SSB 3155 Judiciary

Proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to acquire, keep, possess, transport, carry, transfer, and use arms.

SSB 3156 Labor and Business Relations

Permitting employers to provide employees with wage statements by electronic means.

SSB 3157 State Government

Relating to the joint exercise of government powers by federally recognized Indian tribes.

SSB 3158 Commerce

Relating to permissible interest rates and finance charges for certain loans.

SSB 3159 Commerce

Relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

SSB 3160 Commerce

Relating to the division of domestic stock insurers into two or more domestic stock insurers and including effective date provisions.

SSB 3161 Commerce

Relating to incentive programs and health care cost transparency tools offered by health carriers and health care providers to enable insured individuals to seek lower cost health care services, and including applicability provisions.

SSB 3162 Education

Relating to periods of academic ineligibility for participation in extracurricular activities.

SSB 3163 Local Government

Creating a law enforcement body camera interim workgroup.

SSB 3164 Commerce

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

SSB 3165 Commerce

Relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing appropriations and penalties, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2124**

STATE GOVERNMENT: Brown, Chair; Bisignano and Schultz

Senate File 2185

LABOR AND BUSINESS RELATIONS: Guth, Chair; Boulton and Chapman

Senate File 2186

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Chapman

House File 604

(Reassigned)

COMMERCE: Bertrand, Chair; Allen and C. Johnson

SSB 3154

JUDICIARY: Garrett, Chair; Bisignano and Edler

SSB 3155

JUDICIARY: Zaun, Chair; Bisignano and Schultz

SSB 3156

LABOR AND BUSINESS RELATIONS: Chapman, Chair; Guth and Taylor

SSB 3157

STATE GOVERNMENT: Schneider, Chair; Bisignano and Brown

SSB 3158

COMMERCE: Zaun, Chair; Boulton and Breitbach

SSB 3159

COMMERCE: Guth, Chair; Allen and Sinclair

SSB 3160

COMMERCE: Sinclair, Chair; Feenstra and McCoy

SSB 3161

COMMERCE: C. Johnson, Chair; Breitbach and Mathis

SSB 3162

EDUCATION: Kraayenbrink, Chair; Bowman and C. Johnson

SSB 3163

LOCAL GOVERNMENT: Garrett, Chair; Allen and Guth

SSB 3164

COMMERCE: Guth, Chair; Allen and Sinclair

SSB 3165

COMMERCE: Chapman, Chair; Boulton and Breitbach

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: SENATE FILE 2198 (SSB 3071), a bill for an act relating to the Iowa prescription monitoring program, including by establishing an advisory committee, authorizing a registration surcharge, expanding information collection and reporting requirements, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2203 (SSB 3070), a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT**ALSO:**

Bill Title: SENATE FILE 2202 (SSB 3068), a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rozenboom, Shipley, Dvorsky, Behn, Bertrand, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: SENATE FILE 2200 (SSB 3067), a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Costello, Rozenboom, Horn, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 2: Allen and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2201 (SSB 3052), a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Costello, Rozenboom, Horn, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 2: Allen and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 5:07 p.m., President Whitver presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 7, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2230, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

Read first time and attached to **companion Senate File 2164**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2164.

Senate File 2164

On motion of Senator Sinclair, **Senate File 2164**, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions, was taken up for consideration.

Senator Kraayenbrink asked and received unanimous consent to withdraw amendment S-5002, filed by Senators Kraayenbrink and Sinclair on February 6, 2018, to pages 1 and 2 and amending the title page of the bill.

Senator Sinclair asked and received unanimous consent that **House File 2230** be **substituted** for **Senate File 2164**.

House File 2230

On motion of Senator Sinclair, **House File 2230**, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions, was taken up for consideration.

(House File 2230 was deferred.)

The Senate stood at ease at 5:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:47 p.m., President Whitver presiding.

The Senate resumed consideration of HF 2230, previously deferred.

Senator Kraayenbrink offered amendment S-5003, filed by him from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5003 be adopted?” (H.F. 2230), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Elder	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

Amendment S-5003 was adopted.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2230), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **House File 2230** be **immediately messaged** to the House.

WITHDRAWN

Senator Sinclair asked and received unanimous consent that **Senate File 2164** be **withdrawn** from further consideration of the Senate.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 6:39 p.m. until 9:00 a.m., Thursday, February 8, 2018.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****HUMAN RESOURCES**

Convened: Wednesday, February 7, 2018, 3:10 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Presentation by Michael Randol, Director of IA Medicaid Enterprise. Passed SSB 3005.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, February 7, 2018, 2:10 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Passed SSBs 3090; 3111 and 3117, as amended; 3118, and 3133. Approved SF 494.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: Wednesday, February 7, 2018, 3:05 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: None.

Committee Business: Approved SFs 296 and 2093; passed SSB 3046.

Adjourned: 4:05 p.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 270

EDUCATION: Sinclair, Chair; Behn and Quirmbach

AMENDMENT FILED

S-5003 H.F. 2230 Tim Kraayenbrink

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 8, 2018

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

Prayer was offered by the Honorable Mark Costello, member of the Senate from Mills County, Imogene, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ciara Gallen.

The Journal of Wednesday, February 7, 2018, was approved.

RECESS

On motion of Senator Dix, the Senate recessed at 9:06 a.m. until 11:00 a.m.

RECONVENED

The Senate reconvened at 11:03 a.m., President Whitver presiding.

The Senate stood at ease at 11:04 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:02 p.m., President Whitver presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2117.

Senate File 2117

On motion of Senator Schneider, **Senate File 2117**, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions, was taken up for consideration.

Senator Schneider withdrew amendment S-5004, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Schneider offered amendment S-5005, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Quirmbach offered amendment S-5006, filed by him from the floor to page 2 of amendment S-5005, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5006 to S-5005 be adopted?" (S.F. 2117), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun

Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	ShIPLEY	

Absent, none.

Amendment S-5006 to amendment S-5005 lost.

Senator Dvorsky offered amendment S-5008, filed by him from the floor to page 3 of amendment S-5005, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5008 to S-5005 be adopted?" (S.F. 2117), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	ShIPLEY
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

Amendment S-5008 to S-5005 was adopted.

Senator Bolkcom offered amendment S-5007, filed by him from the floor to pages 4-5 of amendment S-5005, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5007 to S-5005 be adopted?" (S.F. 2117), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

Amendment S-5007 to S-5005 was adopted.

Senator Schneider moved the adoption of amendment S-5005, as amended.

A record roll call was requested.

On the question "Shall amendment S-5005, as amended, be adopted?" (S.F. 2117), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor

Boulton	Hogg	Mathis
Bowman	Horn	McCoy
Danielson	Jochum	Petersen

Absent, none.

Amendment S-5005, as amended, was adopted.

With the adoption of amendment S-5005, as amended, the Chair ruled amendment S-5001, filed by Senators Hogg and D. Johnson on January 30, 2018, to pages 1 and 2 of the bill, out of order.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2117), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 2117** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 8, 2018, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2230, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 2:07 p.m. until 1:00 p.m., Monday, February 12, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Watershed Improvement Review Board Annual Report, pursuant to Iowa Code section 466A.3, SF 510. Report received on February 8, 2018.

DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received on February 8, 2018.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, February 8, 2018, 2:15 p.m.

Recessed: 2:20 p.m.

Reconvened: 2:40 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: None.

Committee Business: Passed SSBs 3058, 3129, and 3132, as amended; 3130 and 3131. Approved SF 2126.

Adjourned: 2:50 p.m.

JUDICIARY

Convened: Wednesday, February 7, 2018, 4:05 p.m.

Recessed: 5:00 p.m.

Reconvened: 6:45 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 7:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 8, 2018, 10:05 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: None.

Committee Business: Presentation by Dr. John Pauley of Palmer Amaranth.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 8, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; and Greene.

Members Absent: Allen (excused).

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 8, 2018, 10:10 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; and Ragan, Ranking Member.

Members Absent: Bolkcom and Edler (both excused).

Committee Business: Presentation by the University of Iowa on Physicians Training Related to Mental Health Juvenile Court Services.

Adjourned: 11:10 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2006, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

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

INTRODUCTION OF BILLS

Senate File 2204, by Edler, a bill for an act relating to certification requirements for persons involved in the application of pesticides.

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

Senate File 2205, by Bolkcom, Quirmbach, Boulton, Bowman, Taylor, Dotzler, Dvorsky, Kinney, Allen, Hart, Danielson, Horn, Mathis, Ragan, and Petersen, a bill for an act relating to funding options for area agencies on aging to meet unmet needs for older individuals.

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

Senate File 2206, by McCoy, a bill for an act relating to private instruction for children of compulsory attendance age.

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

Senate File 2207, by Ragan and Mathis, a bill for an act relating to the administration and evaluation of health homes for individuals with serious and persistent mental illness and for persons with chronic conditions under Medicaid managed care, and including effective date provisions.

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

Senate File 2208, by D. Johnson, a bill for an act providing for the administration of drainage or levee districts, including by providing for appointments, elections, and terms of office, and including transitional provisions.

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

Senate File 2209, by Danielson, a bill for an act relating to reimbursement under the Medicaid program for residential care facilities provided at certain county facilities.

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

Senate File 2210, by Danielson, a bill for an act relating to the duties of political subdivisions to provide emergency medical service and including effective date and applicability provisions.

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

Senate File 2211, by Boulton, Taylor, Dvorsky, Jochum, Bisignano, Mathis, Petersen, Ragan, Allen, Hart, Dotzler, and Bolkcom, a bill for an act relating to a publicly accessible database of economic development awards on the economic development authority's internet site.

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

Senate File 2212, by Bolkcom, a bill for an act relating to persons hospitalized for mental illness.

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

Senate File 2213, by committee on State Government, a bill for an act relating to the examination and copying of a public record under Iowa's open records law and federal copyright law.

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

Senate File 2214, by committee on State Government, a bill for an act relating to horse racing regulated by the racing and gaming commission.

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

Senate File 2215, by committee on State Government, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

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

Senate File 2216, by Dawson, a bill for an act relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

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

Senate File 2217, by Dotzler, a bill for an act relating to the use of appropriations for cultural trust grant programs administered by the Iowa arts council for cultural, educational, and historical exhibits.

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

Senate File 2218, by Hogg, a bill for an act relating to the procedures for transferring title of an abandoned property to a city.

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

Senate File 2219, by Zaun, a bill for an act providing for the sale or lease of the Iowa communications network.

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

Senate File 2220, by Petersen, a bill for an act relating to the rights of sexual assault survivors.

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

Senate File 2221, by Chelgren, a bill for an act relating to Medicaid managed care policies and procedures.

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

Senate File 2222, by committee on Judiciary, a bill for an act prohibiting persons from intentionally blocking the movement of traffic on certain highways, and providing penalties.

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

Senate File 2223, by Chelgren, a bill for an act providing for consolidation of area education agencies.

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

Senate File 2224, by Chelgren, a bill for an act relating to nonparent visitation.

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

Senate File 2225, by Lofgren, a bill for an act making an appropriation to the department of corrections for certain costs associated with establishing a home building program.

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

Senate File 2226, by committee on Local Government, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

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

Senate File 2227, by committee on Local Government, a bill for an act relating to the publication of county resolutions.

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

Senate File 2228, by committee on Human Resources, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

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

Senate File 2229, by committee on Judiciary, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

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

Senate File 2230, by committee on Judiciary, a bill for an act relating to kidnapping in the second degree, and providing penalties.

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

STUDY BILLS RECEIVED

SSB 3166 Judiciary

Relating to orders of disposition of certain property of a party to the marriage in an annulment, dissolution, or separate maintenance proceeding.

SSB 3167 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

SSB 3168 Human Resources

Relating to educational assistance programs administered by the college student aid commission for certain physicians, nurses, physician assistants, advanced registered nurse practitioners, doctors of nursing practice, and nurse educators.

SSB 3169 Human Resources

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.

SSB 3170 Transportation

Relating to motor vehicle dealers, franchisers, and franchisees.

SSB 3171 Local Government

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.

SSB 3172 Local Government

Relating to county supervisor representation and districting plans.

SSB 3173 Commerce

Relating to health benefit plans for members of certain agricultural organizations.

SUBCOMMITTEE ASSIGNMENTS**Senate File 42**
(Reassigned)

JUDICIARY: Garrett, Chair; Boulton and Zaun

Senate File 2154

STATE GOVERNMENT: Schultz, Chair; Bisignano and Carlin

Senate File 2156

COMMERCE: Chapman, Chair; Boulton and Feenstra

Senate File 2157

HUMAN RESOURCES: Segebart, Chair; Bolcom and Greene

Senate File 2159

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

Senate File 2182

COMMERCE: Zumbach, Chair; Feenstra and Lykam

Senate File 2183

TRANSPORTATION: Smith, Chair; Danielson and Zumbach

Senate File 2184

APPROPRIATIONS: Schneider, Chair; Kraayenbrink and Mathis

Senate File 2187

TRANSPORTATION: Brown, Chair; Kraayenbrink and Lykam

Senate File 2188

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Dvorsky and Kapucian

Senate File 2189

JUDICIARY: Sinclair, Chair; Kinney and Zaun

Senate File 2190

LABOR AND BUSINESS RELATIONS: Breitbach, Chair; Dotzler and Guth

Senate File 2191

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

Senate File 2192

TRANSPORTATION: Bertrand, Chair; Brown and Danielson

Senate File 2193

COMMERCE: Sinclair, Chair; McCoy and Zaun

Senate File 2194

HUMAN RESOURCES: Chelgren, Chair; Bolkcom and Segebart

Senate File 2195

JUDICIARY: Garrett, Chair; Bisignano and Edler

Senate File 2196

JUDICIARY: Dawson, Chair; Kinney and Zaun

Senate File 2197

JUDICIARY: Garrett, Chair; Edler and Kinney

Senate File 2199

JUDICIARY: Dawson, Chair; Petersen and Shipley

Senate File 2204

AGRICULTURE: Edler, Chair; Brown and Hart

Senate File 2205

WAYS AND MEANS: Feenstra, Chair; Bolkom and Edler

Senate File 2206

EDUCATION: Sinclair, Chair; Chelgren and Quirmbach

Senate File 2207

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

Senate File 2209

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

Senate File 2210

WAYS AND MEANS: Feenstra, Chair; Brown and Dotzler

Senate File 2212

HUMAN RESOURCES: Segebart, Chair; Chelgren and Mathis

Senate File 2219

STATE GOVERNMENT: Feenstra, Chair; Bisignano and Zaun

SSB 3166

JUDICIARY: Schneider, Chair; Shipley and Taylor

SSB 3167

JUDICIARY: Zaun, Chair; Sinclair and Taylor

SSB 3168

HUMAN RESOURCES: Shipley, Chair; Costello and Jochum

SSB 3169

HUMAN RESOURCES: Chapman, Chair; Costello and Jochum

SSB 3170

TRANSPORTATION: Kraayenbrink, Chair; Bowman and Smith

SSB 3171

LOCAL GOVERNMENT: Guth, Chair; Garrett and Hogg

SSB 3172

LOCAL GOVERNMENT: Chelgren, Chair; Garrett and Hogg

SSB 3173

COMMERCE: Feenstra, Chair; Allen and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: SENATE FILE 2228 (SSB 3005), a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 2222 (formerly SF 426), a bill for an act prohibiting persons from intentionally blocking the movement of traffic on certain highways, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2229 (SSB 3100), a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2230 (SSB 3026), a bill for an act relating to kidnapping in the second degree, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2230, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2226 (SSB 3069), a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Garrett, Lofgren, Hogg, Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirnbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2227 (SSB 3083), a bill for an act relating to the publication of county resolutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Garrett, Lofgren, Hogg, Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on Senate File 2227, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE JOINT RESOLUTION 2006 (SSB 3133), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Smith, Chapman, Brown, Carlin, Dawson, Feenstra, Schneider, Schultz, and Zaun. Nays, 6: Bisignano, Bowman, Danielson, Dvorsky, Horn, and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2213 (formerly SF 494), a bill for an act relating to the examination and copying of a public record under Iowa's open records law and federal copyright law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Smith, Chapman, Bowman, Brown, Carlin, Danielson, Dawson, Feenstra, Jochum, Schneider, Schultz, and Zaun. Nays, 3: Bisignano, Dvorsky, and Horn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2214 (SSB 3118), a bill for an act relating to horse racing regulated by the racing and gaming commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2215 (SSB 3090), a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Feenstra, Horn, Schneider, Schultz, and Zaun. Nays, 2: Dvorsky and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

Senator Ragan welcomed the following visitors who were present in the Senate gallery:

30 girls from Girl Scouts of Greater Iowa and Girl Scouts of Eastern Iowa/Western Illinois, here to participate in the 9th Annual Capitol Girls program.

AMENDMENTS FILED

S-5004	S.F.	2117	Charles Schneider
S-5005	S.F.	2117	Charles Schneider
S-5006	S.F.	2117	Herman C. Quirmbach
S-5007	S.F.	2117	Joe Bolcom
S-5008	S.F.	2117	Robert E. Dvorsky

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 12, 2018

The Senate met in regular session at 1:05 p.m., President Whitver presiding.

Prayer was offered by Pastor Joshua Graber of Cornerstone Baptist Church in Vinton, Iowa. He was the guest of Senator Kapucian.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Armaan Kumar.

The Journal of Thursday, February 8, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 1:15 p.m. until 9:00 a.m., Tuesday, February 13, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual Report, pursuant to Iowa Code section 312.3B. Report received on February 12, 2018.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Monday, February 12, 2018, 2:25 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Passed SSBs 3001 and 3088; and approved SFs 2160 and 2174.

Adjourned: 3:15 p.m.

INTRODUCTION OF BILLS

Senate File 2231, by committee on Transportation, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

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

Senate File 2232, by committee on Transportation, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

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

Senate File 2233, by committee on Transportation, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license.

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

Senate File 2234, by committee on Judiciary, a bill for an act relating to probate, by amending the court fees in probate and including applicability provisions.

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

Senate File 2235, by committee on Judiciary, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties.

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

Senate File 2236, by committee on Judiciary, a bill for an act relating to mechanics' liens, public construction liens, and the early release of retained funds.

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

Senate File 2237, by committee on Judiciary, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent.

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

Senate File 2238, by committee on Judiciary, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

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

Senate File 2239, by committee on Judiciary, a bill for an act relating to going armed with, carrying, or transporting a firearm when transporting a person to or from school or delivering an item to the school.

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

Senate File 2240, by committee on Judiciary, a bill for an act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution.

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

Senate File 2241, by committee on Judiciary, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

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

Senate File 2242, by committee on Agriculture, a bill for an act regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties.

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

Senate File 2243, by committee on Commerce, a bill for an act prohibiting the use of false or misleading caller identification information to certain persons, and making penalties applicable.

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

Senate File 2244, by McCoy, a bill for an act relating to the transfer of the mental health and disability services regions to the department of public health.

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

Senate File 2245, by Bolkcom, a bill for an act relating to the funding of the office of long-term care ombudsman.

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

Senate File 2246, by Bolkcom, a bill for an act relating to the regulation of medical cannabidiol under the medical cannabidiol Act, including provisions relating to altering the list of debilitating medical conditions for which the use of medical cannabidiol would be medically beneficial, the form and quantity in which medical cannabidiol may be dispensed, and the definition of medical cannabidiol.

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

Senate File 2247, by committee on Judiciary, a bill for an act relating to grandparent and great-grandparent visitation.

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

Senate File 2248, by committee on Commerce, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

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

Senate File 2249, by committee on Commerce, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

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

Senate File 2250, by Dvorsky, a bill for an act relating to unauthorized departures by persons involuntarily hospitalized, including notification requirements, the creation of a statewide database, and call location information from wireless communications service providers.

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

Senate File 2251, by Edler, a bill for an act relating to the psychiatric bed tracking system.

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

Senate File 2252, by Edler, a bill for an act relating to mental health and disability services and funding.

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

Senate File 2253, by Carlin, a bill for an act requiring school districts to establish security plans for school buildings.

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

Senate File 2254, by Carlin, a bill for an act relating to criminal penalties for individuals engaged in human trafficking of victims who are under the age of eighteen.

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

Senate File 2255, by committee on State Government, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

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

Senate File 2256, by committee on State Government, a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

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

Senate File 2257, by committee on Commerce, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

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

Senate File 2258, by Zaun, a bill for an act relating to the removal powers of mayors, city managers, city councils, and county boards of supervisors regarding certain appointees.

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

Senate File 2259, by Petersen, a bill for an act relating to Medicaid managed care, including process and contract requirements, and oversight.

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

Senate File 2260, by Petersen, Bolkcom, Quirmbach, Boulton, Jochum, Dotzler, Dvorsky, Allen, Bowman, Kinney, McCoy, Mathis, Ragan, Danielson, Lykam, and Hart, a bill for an act establishing a neighborhood housing revitalization assistance program within the Iowa finance authority.

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

Senate File 2261, by D. Johnson, a bill for an act authorizing counties to adopt county legislation relating to the regulation of confinement feeding operations to preserve areas of vital economic value or environmental significance, and including effective date provisions.

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

Senate File 2262, by committee on Commerce, a bill for an act relating to final-stage motor vehicle manufacturers.

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

STUDY BILLS RECEIVED

SSB 3174 State Government

Relating to allowable forms for payment for amusement concessions at a fair.

SSB 3175 State Government

Relating to investment direction of participants and beneficiaries in the Iowa educational savings plan trust.

SSB 3176 Ways and Means

Requiring the licensure of unsecured consumer loan lenders, and making civil penalties applicable.

SSB 3177 Human Resources

Relating to health insurance coverage for mammograms and including effective date and applicability provisions.

SSB 3178 Human Resources

Relating to the recovery of Medicaid payments by the department of human services following the death of a designated beneficiary of an ABLE savings account, and providing for contingent implementation.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2216**

WAYS AND MEANS: Dawson, Chair; Dotzler and Feenstra

Senate File 2221

HUMAN RESOURCES: Chelgren, Chair; Greene and Ragan

Senate File 2244

HUMAN RESOURCES: Segebart, Chair; Chelgren and Jochum

Senate File 2245

HUMAN RESOURCES: Costello, Chair; Bolkom and Shipley

Senate File 2246

HUMAN RESOURCES: Chelgren, Chair; Bolkom and Chapman

Senate File 2250

HUMAN RESOURCES: Chelgren, Chair; Bolkom and Chapman

Senate File 2251

HUMAN RESOURCES: Chelgren, Chair; Greene and Mathis

Senate File 2252

HUMAN RESOURCES: Chelgren, Chair; Bolkcom, Greene, Ragan, and Segebart

SSB 3174

STATE GOVERNMENT: Brown, Chair; Bisignano and Carlin

SSB 3175

STATE GOVERNMENT: Smith, Chair; Bowman and Brown

SSB 3176

WAYS AND MEANS: Feenstra, Chair; Breitbach and Jochum

SSB 3177

HUMAN RESOURCES: Shipley, Chair; Jochum and C. Johnson

SSB 3178

HUMAN RESOURCES: Segebart, Chair; Costello and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 2242 (SSB 3145), a bill for an act regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zumbach, Brown, Kinney, Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, and Shipley. Nays, none. Absent, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2242, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 2243 (formerly SF 2126), a bill for an act prohibiting the use of false or misleading caller identification information to certain persons, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2248 (SSB 3130), a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2249 (SSB 3131), a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2257 (SSB 3058), a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Chapman, Breitbach, Allen, Feenstra, Guth, C. Johnson, Sinclair, Zaun, and Zumbach. Nays, 5: Boulton, Lykam, Mathis, McCoy, and Petersen. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2257, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2262 (SSB 3132), a bill for an act relating to final-stage motor vehicle manufacturers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2262, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 2234 (SSB 3016), a bill for an act relating to probate, by amending the court fees in probate and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2234, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2235 (SSB 3062), a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2235, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2236 (SSB 3039), a bill for an act relating to mechanics' liens, public construction liens, and the early release of retained funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2236, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2237 (SSB 3037), a bill for an act relating to the statute of limitations period for executing judgments on claims for rent.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2237, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2238 (SSB 3018), a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2238, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2239 (formerly SF 2086), a bill for an act relating to going armed with, carrying, or transporting a firearm when transporting a person to or from school or delivering an item to the school.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2239, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2240 (SSB 3061), a bill for an act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2240, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2241 (SSB 3060), a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2247 (formerly SF 281), a bill for an act relating to grandparent and great-grandparent visitation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Zaun, Dawson, Taylor, Edler, Garrett, Kinney, Schneider, Schultz, Shipley, and Sinclair. Nays, 3: Bisignano, Boulton, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2247, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2255 (SSB 3117), a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2255, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2256 (SSB 3111), a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2256, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 2231 (formerly SF 296), a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2231, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2232 (formerly SF 2093), a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Bertrand, Brown, Carlin, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 2: Bisignano and Danielson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2232, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2233 (SSB 3046), a bill for an act relating to the administration of driving skills tests required for a commercial driver's license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 13, 2018

The Senate met in regular session at 9:00 a.m., President Whitver presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Haley Ledford.

The Journal of Monday, February 12, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:05 a.m. until 9:00 a.m., Wednesday, February 14, 2018.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Nicole Frisbie, Muscatine—For earning the Gold Award in Girl Scouting. Senator Lofgren.

Cassidy Kolwey, Walcott—For earning the Gold Award in Girl Scouting. Senator Lofgren.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 13, 2018, 10:00 a.m.

Members Present: Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Hart, Kapucian, Ragan, Rozenboom, and Shipley.

Members Absent: Costello, Edler, Segebart, and Taylor (all excused).

Committee Business: Distributed subcommittee assignments.

Adjourned: 10:05 a.m.

COMMERCE

Convened: Tuesday, February 13, 2018, 11:05 a.m.

Recessed: 11:10 a.m.

Reconvened: 12:20 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: None.

Committee Business: Passed SSBs 3093 3160, 3165, all as amended.

Adjourned: 1:05 p.m.

HUMAN RESOURCES

Convened: Monday, February 12, 2018, 4:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: None.

Committee Business: Approved SF 2092, as amended. Presentation by Richard Shults.

Adjourned: 5:05 p.m.

JUDICIARY

Convened: Monday, February 12, 2018, 5:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Passed SSBs 1177, 3008, and 3143; and approved SFs 2050 and 2153; and SJR 2003.

Adjourned: 6:10 p.m.

ALSO:

Convened: Tuesday, February 13, 2018, 2:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: Tuesday, February 13, 2018, 3:00 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Passed SSB 3140.

Adjourned: 3:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 13, 2018, 1:10 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Bertrand (excused).

Committee Business: Passed SSBs 3091 and 3108, both as amended.

Adjourned: 1:30 p.m.

TRANSPORTATION

Convened: Monday, February 12, 2018, 4:00 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: None.

Committee Business: Passed SSB 3147; and approved SF 2037.

Adjourned: 4:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2007, by committee on Judiciary, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

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

INTRODUCTION OF BILLS

Senate File 2263, by Brown, a bill for an act creating the criminal offense of sexual exploitation of a student with a developmental disability by a college employee, and providing penalties.

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

Senate File 2264, by D. Johnson, a bill for an act authorizing counties to adopt county legislation relating to the regulation of confinement feeding operations to preserve drinking water sources, and including effective date provisions.

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

Senate File 2265, by Schneider, a bill for an act expanding the practice of cosmetology to include shaving or trimming a beard.

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

Senate File 2266, by Carlin, a bill for an act establishing a homestead adjustment property tax credit for certain property of persons who have attained the age of sixty-five or who are totally disabled, applying income limitations, providing a penalty, making appropriations, and including retroactive and other applicability provisions.

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

Senate File 2267, by Chapman, a bill for an act relating to the operation and use of urban renewal areas and urban revitalization areas and including effective date and applicability provisions.

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

Senate File 2268, by Hart, a bill for an act requiring practitioners to discuss the dangers of opioid abuse with patients.

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

Senate File 2269, by Hart, a bill for an act providing for a feasibility study regarding the establishment of a modern working farm tourist attraction and including effective date provisions.

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

Senate File 2270, by Bertrand, a bill for an act concerning public employee organization elections conducted by the public employment relations board and including effective date and applicability provisions.

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

Senate File 2271, by committee on Transportation, a bill for an act relating to motor carriers, and making penalties applicable.

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

Senate File 2272, by committee on Education, a bill for an act relating to community college accreditation.

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

Senate File 2273, by committee on Education, a bill for an act relating to the conditions for which a student enrolled in grades one through twelve may be excused from physical education requirements.

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

Senate File 2274, by committee on Education, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

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

Senate File 2275, by committee on Commerce, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

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

Senate File 2276, by committee on Education, a bill for an act relating to the posting by public schools of the department of human services' child abuse hotline telephone number.

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

STUDY BILLS RECEIVED

SSB 3179 Education

Establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions.

SSB 3180 Education

Providing for a dyslexia response task force and report.

SSB 3181 Education

Specifying procedures for boundary changes involving the severance from and attachment of territory to a school district by petition and election.

SSB 3182 Judiciary

Relating to the appointment of a special prosecutor after a peace officer discharges a firearm while on duty that results in a bodily injury, serious injury, or death.

SSB 3183 Judiciary

Relating to the boards of directors of public corporations, and including effective date provisions.

SSB 3184 Human Resources

Relating to the substitute decision maker Act.

SSB 3185 Human Resources

Relating to the programs and services under the purview of the department on aging.

SSB 3186 Transportation

Allowing pickups to be used as school buses.

SSB 3187 Judiciary

Providing for juvenile court jurisdiction over minor guardianship proceedings.

SSB 3188 State Government

Relating to the expenditure of public funds and funds held in trust by statewide elected officials, members of the general assembly, or local officials on certain forms of advertisement and imposing penalties.

SSB 3189 Labor and Business Relations

Relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

SSB 3190 Labor and Business Relations

Relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

SSB 3191 State Government

Relating to the conduct of election activities, including the sending of certain electronic messages, ballot arrangement for certain partisan offices, and imposing penalties.

SSB 3192 Transportation

Relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2211**

COMMERCE: Feenstra, Chair; Allen and Sinclair

Senate File 2217

APPROPRIATIONS: Schneider, Chair; Dotzler and Kraayenbrink

Senate File 2218

LOCAL GOVERNMENT: Guth, Chair; Chelgren and Hogg

Senate File 2220

JUDICIARY: Schultz, Chair; Petersen and Sinclair

Senate File 2223

EDUCATION: Sinclair, Chair; Chelgren and Dvorsky

Senate File 2224

JUDICIARY: Schultz, Chair; Bisignano and Dawson

Senate File 2225

APPROPRIATIONS: Lofgren, Chair; Dotzler and C. Johnson

Senate File 2253

EDUCATION: Kraayenbrink, Chair; Bowman and Lofgren

Senate File 2254

JUDICIARY: Shipley, Chair; Garrett and Kinney

Senate File 2259

HUMAN RESOURCES: Chelgren, Chair; Mathis and Segebart

Senate File 2261

LOCAL GOVERNMENT: Guth, Chair; Hogg and Segebart

Senate File 2266

WAYS AND MEANS: Feenstra, Chair; McCoy and Schultz

Senate File 2267

WAYS AND MEANS: Feenstra, Chair; Brown and Quirmbach

Senate File 2269

AGRICULTURE: Costello, Chair; Hart and Kapucian

Senate File 2270

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Chapman

SSB 3168
(Reassigned)

HUMAN RESOURCES: Shipley, Chair; Costello and Quirmbach

SSB 3175
(Reassigned)

STATE GOVERNMENT: Smith, Chair; Brown and Jochum

SSB 3179

EDUCATION: Kraayenbrink, Chair; Dvorsky and Edler

SSB 3180

EDUCATION: Sinclair, Chair; C. Johnson and Quirmbach

SSB 3181

EDUCATION: Chelgren, Chair; Greene and Hogg

SSB 3182

JUDICIARY: Zaun, Chair; Kinney and Shipley

SSB 3183

JUDICIARY: Schneider, Chair; Boulton and Sinclair

SSB 3184

HUMAN RESOURCES: Costello, Chair; Quirnbach and Segebart

SSB 3185

HUMAN RESOURCES: Costello, Chair; Ragan and Segebart

SSB 3186

TRANSPORTATION: Brown, Chair; Bowman and Zumbach

SSB 3187

JUDICIARY: Garrett, Chair; Petersen and Sinclair

SSB 3188

STATE GOVERNMENT: Smith, Chair; Brown and Dvorsky

SSB 3189

LABOR AND BUSINESS RELATIONS: Brown, Chair; Dotzler and Guth

SSB 3190

LABOR AND BUSINESS RELATIONS: Brown, Chair; Dotzler and Guth

SSB 3191

STATE GOVERNMENT: Chapman, Chair; Bisignano and Feenstra

SSB 3192

TRANSPORTATION: Breitbach, Chair; Brown and Danielson

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 2275 (SSB 3129), a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2275, and they were attached to the committee report.

EDUCATION

Bill Title: SENATE FILE 2272 (SSB 3088), a bill for an act relating to community college accreditation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2273 (formerly SF 2174), a bill for an act relating to the conditions for which a student enrolled in grades one through twelve may be excused from physical education requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2274 (SSB 3001), a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sinclair, Edler, Behn, Bowman, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 4: Danielson, Dvorsky, Hart, and Hogg. Present, 1: Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2276 (formerly SF 2160), a bill for an act relating to the posting by public schools of the department of human services' child abuse hotline telephone number.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE JOINT RESOLUTION 2007 (formerly SJR 2003), a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2037, a bill for an act relating to the minimum standard of transparency for motor vehicle window tint, providing penalties, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Carlin. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2271 (SSB 3147), a bill for an act relating to motor carriers, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Danielson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 14, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jaelyn Lentz.

The Journal of Tuesday, February 13, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:06 a.m. until 9:00 a.m., Thursday, February 15, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF MEDICINE

Board of Medicine and Board of Physicians Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on February 14, 2018.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, February 14, 2018, 11:05 a.m.

Recessed: 11:10 a.m.

Reconvened: 11:55 a.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: None.

Committee Business: Passed SSBs 3057, 3158, and 3159, all as amended; and SSBs 3087 and 3164; approved SF 2128.

Adjourned: 12:45 p.m.

HUMAN RESOURCES

Convened: Tuesday, February 13, 2018, 5:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: None.

Committee Business: Passed SSBs 3072, 3073, 3074, 3122, 3125, 3126, and 3127; deferred SFs 2083 and 2120.

Adjourned: 5:25 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, February 14, 2018, 2:10 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Passed SSBs 3171 and 3172.

Adjourned: 3:15 p.m.

STATE GOVERNMENT

Convened: Tuesday, February 13, 2018, 3:05 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Passed SSBs 3085, 3086, 3107, 3112, 3113, 3114, and 3157; approved SJR 8.

Adjourned: 4:30 p.m.

ALSO:

Convened: Wednesday, February 14, 2018, 2:20 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Discussed SSBs 3019, 3023, 3084, 3116, 3128, 3146, and 3174.

Adjourned: 3:20 p.m.

TRANSPORTATION

Convened: Tuesday, February 13, 2018, 4:30 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Bertrand (excused).

Committee Business: Passed SSB 3170.

Adjourned: 4:55 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 108, by Mathis and D. Johnson, a resolution for recognizing and congratulating Art Cullen on winning the 2017 Pulitzer Prize in editorial writing.

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

INTRODUCTION OF BILLS

Senate File 2277, by Mathis, a bill for an act requesting the establishment of a pay for success bond interim study committee.

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

Senate File 2278, by Zaun, a bill for an act relating to animal feeding operations, by providing for certain air and water quality regulations, including when two or more related confinement feeding operations are deemed to be a single operation, making penalties applicable, and including effective date and applicability provisions.

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

Senate File 2279, by D. Johnson, a bill for an act relating to confinement feeding operations, by providing for the use of the master matrix when approving a permit to construct a confinement feeding operation structure, and including effective date and applicability provisions.

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

Senate File 2280, by committee on Judiciary, a bill for an act relating to law enforcement profiling by standardizing collection and centralizing the compilation and reporting of officer stop and compliant data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

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

Senate File 2281, by committee on Judiciary, a bill for an act relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties.

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

Senate File 2282, by committee on Judiciary, a bill for an act providing for the constitutionality of statutes and including effective date provisions.

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

Senate File 2283, by committee on Judiciary, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

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

Senate File 2284, by committee on Human Resources, a bill for an act relating to the provision of health home services under Medicaid managed care, and including effective date provisions.

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

Senate File 2285, by committee on Judiciary, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

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

Senate File 2286, by Bowman, a bill for an act providing for internet neutrality, and making penalties applicable.

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

Senate File 2287, by Bowman, a bill for an act related to the high quality jobs program by allowing additional tax incentives for businesses locating in specified areas, and including applicability provisions.

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

Senate File 2288, by committee on Local Government, a bill for an act relating to municipal utility retirement systems.

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

Senate File 2289, by committee on State Government, a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes.

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

Senate File 2290, by committee on State Government, a bill for an act relating to boards of trustees for county and city hospitals.

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

Senate File 2291, by committee on State Government, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist.

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

Senate File 2292, by committee on Natural Resources and Environment, a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

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

Senate File 2293, by committee on Transportation, a bill for an act relating to motor vehicle dealers, franchisers, and franchisees.

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

Senate File 2294, by committee on Judiciary, a bill for an act relating to the criminal offense of manufacturing, delivering, selling, or possessing drug paraphernalia by exempting hypodermic needles or syringes delivered, sold, or possessed through an approved needle exchange program.

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

Senate File 2295, by Bertrand, a bill for an act relating to feticide, making penalties applicable, and providing for a repeal.

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

Senate File 2296, by Carlin, a bill for an act prohibiting persons from entering multiple occupancy toilet facilities in elementary and secondary schools that do not correspond with the person's biological sex.

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

STUDY BILLS RECEIVED

SSB 3193 Labor and Business Relations

Relating to public assistance program oversight and including effective date provisions.

SSB 3194 Education

Relating to assessment scores set by the board of educational examiners for successful completion of a practitioner preparation program and for initial licensure.

SSB 3195 Ways and Means

Relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2260

COMMERCE: Chapman, Chair; Allen and Feenstra

Senate File 2264

LOCAL GOVERNMENT: Guth, Chair; Chelgren and Hogg

Senate File 2268

HUMAN RESOURCES: Chelgren, Chair; Greene and Mathis

Senate File 2287

WAYS AND MEANS: Feenstra, Chair; Dotzler and Smith

SSB 3193

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Chapman and Dotzler

SSB 3194

EDUCATION: Sinclair, Chair; Bowman and Chelgren

SSB 3195

WAYS AND MEANS: Feenstra, Chair; Bolkcom, Breitbach, Dawson, and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: *SENATE FILE 2284 (formerly SF 2092), a bill for an act relating to the provision of health home services under Medicaid managed care, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2284, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 2280 (SSB 1177), a bill for an act relating to law enforcement profiling by standardizing collection and centralizing the compilation and reporting of officer stop and compliant data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Zaun, Taylor, Bisignano, Boulton, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 4: Dawson, Edler, Garrett, and Kinney. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2280, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2281 (SSB 3143), a bill for an act relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2282 (formerly SF 2153), a bill for an act providing for the constitutionality of statutes and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Zaun, Dawson, Edler, Garrett, Schultz, Shipley, and Sinclair. Nays, 6: Taylor, Bisignano, Boulton, Kinney, Petersen, and Schneider. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2283 (formerly SF 2050), a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2285 (SSB 3007), a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2294 (SSB 3008), a bill for an act relating to the criminal offense of manufacturing, delivering, selling, or possessing drug paraphernalia by exempting hypodermic needles or syringes delivered, sold, or possessed through an approved needle exchange program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Edler. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2288 (SSB 3140), a bill for an act relating to municipal utility retirement systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Garrett, Lofgren, Hogg, Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 2292 (SSB 3108), a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rozenboom, Shipley, Dvorsky, Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2292, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2289 (SSB 3157), a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2290 (SSB 3114), a bill for an act relating to boards of trustees for county and city hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2291 (SSB 3113), a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Smith, Chapman, Bowman, Brown, Carlin, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, 2: Bisignano and Danielson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2293 (SSB 3170), a bill for an act relating to motor vehicle dealers, franchisers, and franchisees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kapucian, Breitbach, Bowman, Brown, Carlin, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 3: Bisignano, Danielson, and Horn. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 15, 2018

The Senate met in regular session at 9:05 a.m., President Whitver presiding.

Prayer was offered by Rabbi Emily Barton of the Tifereth Israel Synagogue in Des Moines, Iowa. She was the guest of Senator Schneider.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabella O'Connor.

The Journal of Wednesday, February 14, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:58 a.m. until 1:00 p.m., Monday, February 19, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

LEGISLATIVE SERVICES AGENCY

Urban Renewal Report–Tax Increment Financing (TIF), pursuant to Iowa Code section 331.403. Report received on February 15, 2018.

DEPARTMENT OF REVENUE

Corporate Income Tax—Research Activities Credit Report, pursuant to Iowa Code section 422.33. Report received on February 15, 2018.

Economic Development Award—Research Activities Credit Report, pursuant to Iowa Code section 15.335. Report received on February 15, 2018.

Individual Income Tax—Research Activities Credit Report, pursuant to Iowa Code section 422.10. Report received on February 15, 2018.

DEPARTMENT OF TRANSPORTATION

Iowa Early Education Block Grant Program, pursuant to Iowa Code section 256D.3. Report received on February 15, 2018.

Replacement and Repair of Structurally Deficient Secondary Bridges, pursuant to Iowa Code section 307.32. Report received on February 15, 2018.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, February 14, 2018, 1:00 p.m.

Recessed: 2:00 p.m.

Reconvened: 7:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Approved SFs 2046 and 2085; passed SSBs 3119, 3120, and 3162.

Adjourned: 7:15 p.m.

ALSO:

Convened: Thursday, February 15, 2018, 10:00 a.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Approved SFs 270, 2191, and 2253; passed SSBs 3179, 3180, and 3194.

Adjourned: 11:25 a.m.

HUMAN RESOURCES

Convened: Wednesday, February 14, 2018, 3:30 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: None.

Committee Business: Approved SFs 2221 and 2252; passed SSB 3168, as amended.

Adjourned: 4:35 p.m.

ALSO:

Convened: Thursday, February 15, 2018, 12:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: None.

Committee Business: Passed SSBs 3177 and 3196.

Adjourned: 12:55 p.m.

JUDICIARY

Convened: Wednesday, February 14, 2018, 4:40 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Discussed SSB 3040.

Adjourned: 7:00 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 31, 2018, 4:05 p.m.

Members Present: Schultz, Chair; Zaun, Vice Chair; Boulton, Ranking Member; Bisignano, Breitbart, Brown, Chapman, Costello, Dotzler, Guth, and Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 4:15 p.m.

ALSO:

Convened: Wednesday, February 14, 2018, 1:00 p.m.

Members Present: Schultz, Chair; Zaun, Vice Chair; Boulton, Ranking Member; Bisignano, Breitbart, Brown, Chapman, Costello, Dotzler, Guth, and Taylor.

Members Absent: None.

Committee Business: Passed SSB 3156; approved SFs 2110 and 2190.

Adjourned: 2:05 p.m.

ALSO:

Convened: Thursday, February 15, 2018, 10:05 a.m.

Members Present: Schultz, Chair; Zaun, Vice Chair; Boulton, Ranking Member; Bisignano, Breitbart, Brown, Chapman, Costello, Dotzler, Guth, and Taylor.

Members Absent: None.

Committee Business: Passed SSBs 3189 and 3193.

Adjourned: 11:10 a.m.

STATE GOVERNMENT

Convened: Thursday, February 15, 2018, 1:05 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Passed SSBs 3138, 3188, and 3191; approved SFs 192 and 2219.

Adjourned: 2:10 p.m.

TRANSPORTATION

Convened: Wednesday, February 14, 2018, 3:30 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: None.

Committee Business: Approved SF 157; passed SSBs 3186 and 3192.

Adjourned: 4:25 p.m.

VETERANS AFFAIRS

Convened: Thursday, February 15, 2018, 11:30 a.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member; Allen, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart.

Members Absent: Bertrand (excused).

Committee Business: Passed SSBs 3021, 3148, 3149.

Adjourned: 11:50 a.m.

INTRODUCTION OF BILLS

Senate File 2297, by Hart, a bill for an act relating to supervised child labor for purposes of career and technical education.

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

Senate File 2298, by committee on Human Resources, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

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

Senate File 2299, by committee on Human Resources, a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals.

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

Senate File 2300, by committee on Human Resources, a bill for an act requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements.

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

Senate File 2301, by committee on Human Resources, a bill for an act relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

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

Senate File 2302, by committee on Natural Resources and Environment, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

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

Senate File 2303, by committee on Judiciary, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

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

Senate File 2304, by Danielson, a bill for an act relating to professional standards for the certification or designation of music therapists and providing penalties.

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

Senate File 2305, by committee on Commerce, a bill for an act relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing appropriations and penalties, and including effective date and applicability provisions.

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

Senate File 2306, by committee on State Government, a bill for an act concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate.

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

Senate File 2307, by committee on State Government, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

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

Senate File 2308, by committee on Human Resources, a bill for an act relating to controlled substances and precursor substances, including provisions relating to the registration of persons who manufacture, distribute, or dispense controlled substances, adding substances to the controlled substance schedules, expanding the list of precursor substances for which reporting is required, providing penalties, and including effective date provisions.

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

Senate File 2309, by committee on Human Resources, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

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

Senate File 2310, 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 under Rule 28 and **placed on calendar**.

Senate File 2311, by committee on Commerce, a bill for an act modifying various provisions relating to public utilities.

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

Senate File 2312, by committee on Human Resources, a bill for an act relating to the electronic prescribing of prescription drugs including controlled substances, making penalties applicable, and providing penalties.

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

Senate File 2313, by committee on Judiciary, a bill for an act relating to the medical cannabidiol Act, including by granting the department of public health the authority to alter the definition of medical cannabidiol and to alter the list of debilitating medical conditions for which the use of medical cannabidiol would be medically beneficial, and including conforming changes.

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

Senate File 2314, by committee on Judiciary, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

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

Senate File 2315, by Greene, a bill for an act relating to the amounts paid to a receiving district for a pupil participating in open enrollment and including applicability provisions.

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

STUDY BILL RECEIVED

SSB 3196 Human Resources

Relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2005

STATE GOVERNMENT: Dawson, Chair; Bisignano and Brown

Senate File 2263

JUDICIARY: Schultz, Chair; Kinney and Schneider

Senate File 2265

STATE GOVERNMENT: Schultz, Chair; Brown and Danielson

Senate File 2278

AGRICULTURE: Edler, Chair; Bowman and Costello

Senate File 2279

AGRICULTURE: Rozenboom, Chair; Segebart and Taylor

Senate File 2295

JUDICIARY: Schultz, Chair; Edler and Petersen

SSB 3196

HUMAN RESOURCES: Segebart, Chair; Bolkcom, Chapman, Chelgren, Costello, Garrett, Greene, Jochum, C. Johnson, Mathis, Quirmbach, Ragan, and Shipley

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 2305 (SSB 3165), a bill for an act relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing appropriations and penalties, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Chapman, Breitbach, Bertrand, Feenstra, Guth, C. Johnson, Sinclair, Zaun, and Zumbach. Nays, 6: Allen, Boulton, Lykam, Mathis, McCoy, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2305, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2311 (SSB 3093), a bill for an act modifying various provisions relating to public utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Chapman, Breitbach, Feenstra, Guth, C. Johnson, Sinclair, Zaun, and Zumbach. Nays, 7: Allen, Bertrand, Boulton, Lykam, Mathis, McCoy, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2311, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 2298 (SSB 3072), a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2299 (SSB 3125), a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2299, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2300 (SSB 3127), a bill for an act requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2301 (SSB 3122), a bill for an act relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2308 (SSB 3073), a bill for an act relating to controlled substances and precursor substances, including provisions relating to the registration of persons who manufacture, distribute, or dispense controlled substances, adding substances to the controlled substance schedules, expanding the list of precursor substances for which reporting is required, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2309 (SSB 3126), a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2309, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2312 (SSB 3074), a bill for an act relating to the electronic prescribing of prescription drugs including controlled substances, making penalties applicable, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2312, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 2303 (SSB 3015), a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2313 (SSB 3106), a bill for an act relating to the medical cannabidiol Act, including by granting the department of public health the authority to alter the definition of medical cannabidiol and to alter the list of debilitating medical conditions for which the use of medical cannabidiol would be medically beneficial, and including conforming changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Dawson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2313, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2314 (SSB 3105), a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 2302 (SSB 3091), a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rozenboom, Shipley, Dvorsky, Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2302, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2306 (SSB 3085), a bill for an act concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2306, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2307 (SSB 3107), a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2310 (SSB 3112), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2310, and they were attached to the committee report.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of January, 2018.

Senate File 512.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on January 31, 2018, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 512 – Relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on February 15, 2018:

I am withdrawing the name of Teresa Garman to serve as a member of the Board of Medicine from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on February 15, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Medicine, formerly held by Teresa Garman. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 19, 2018

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

Prayer was offered by the Honorable Jim Carlin, member of the Senate from Woodbury County, Sioux City, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jakem Ostrander.

The Journal of Thursday, February 15, 2018, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Katie Averill, the Governor's appointee to be the Superintendent of Credit Unions. She was the guest of Senators Breitbach and Boulton and the committee on Commerce.

The Senate stood at ease at 1:12 p.m. until the fall of the gavel for the purpose of party caucuses.

APPENDIX—1**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Iowa Early Education Block Grant Program, pursuant to Iowa Code section 256D.3. Report received on February 15, 2018.

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received on February 16, 2018.

CERTIFICATE OF RECOGNITION

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

Jacob Hunter, Davenport—For being named the 2018 Emerging Iowa Leader by the Iowa State University College of Agricultural and Life Sciences. Senator Lofgren.

REPORT OF COMMITTEE MEETING**JUDICIARY**

Convened: Thursday, February 15, 2018, 2:20 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 4:05 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2008, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the consideration of bills by each house of the general assembly.

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

Senate Joint Resolution 2009, by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

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

INTRODUCTION OF BILLS

Senate File 2316, by committee on Commerce, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers.

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

Senate File 2317, by committee on Commerce, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

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

Senate File 2318, by committee on Education, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

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

Senate File 2319, by committee on Labor and Business Relations, a bill for an act limiting the number of rules that can be included in the Iowa administrative code, providing for related duties of the department of management and other agencies, and including effective date provisions.

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

Senate File 2320, by committee on Local Government, a bill for an act relating to county supervisor representation and districting plans.

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

Senate File 2321, by committee on Judiciary, a bill for an act excluding persons going armed with certain portable devices or weapons that direct an electric current from the criminal offense of carrying weapons under certain circumstances.

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

Senate File 2322, by committee on State Government, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

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

Senate File 2323, by committee on State Government, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

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

Senate File 2324, by committee on Transportation, a bill for an act allowing pickups to be used as school buses.

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

Senate File 2325, by committee on Transportation, a bill for an act relating to the notation of discharges of motor vehicle security interests.

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

Senate File 2326, by committee on Transportation, a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

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

Senate File 2327, by committee on Commerce, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

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

Senate File 2328, by committee on Commerce, a bill for an act relating to the sale or acquisition of certain utilities.

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

Senate File 2329, by committee on Commerce, a bill for an act relating to health benefit plans for members of certain agricultural organizations.

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

Senate File 2330, by committee on Commerce, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

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

Senate File 2331, by committee on Commerce, a bill for an act relating to permissible interest rates and charges for certain loans.

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

Senate File 2332, by committee on State Government, a bill for an act relating to allowable forms for payment for amusement concessions at a fair.

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

Senate File 2333, by committee on State Government, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions.

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

Senate File 2334, by committee on State Government, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

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

Senate File 2335, 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 retroactive applicability provisions.

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

Senate File 2336, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

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

Senate File 2337, by committee on Judiciary, a bill for an act relating to electronic and mechanical eavesdropping.

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

Senate File 2338, by committee on Local Government, 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 under Rule 28 and **placed on calendar**.

Senate File 2339, by committee on Labor and Business Relations, a bill for an act permitting employers to provide employees with wage statements by electronic means.

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

Senate File 2340, by committee on Human Resources, a bill for an act relating to Medicaid managed care resolution of payment and notice of change.

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

Senate File 2341, by committee on Education, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions.

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

Senate File 2342, by committee on Judiciary, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation.

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

Senate File 2343, by committee on Judiciary, a bill for an act allowing law enforcement agencies to retain possession of motor vehicles suspected to have been used to elude law enforcement vehicles.

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

Senate File 2344, by committee on Education, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

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

Senate File 2345, by committee on State Government, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

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

Senate File 2346, by committee on State Government, a bill for an act relating to the conduct of election activities, including the sending of certain electronic messages, ballot arrangement for certain partisan offices, and imposing penalties.

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

Senate File 2347, by committee on State Government, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

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

Senate File 2348, by committee on Education, a bill for an act relating to the individual income tax by creating a tax credit for community college students pursuing a credential leading to a high-demand occupation and including applicability provisions.

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

Senate File 2349, by committee on Commerce, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers.

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

Senate File 2350, by committee on Human Resources, a bill for an act relating to educational assistance programs administered by the college student aid commission for certain nurses, physician assistants, advanced registered nurse practitioners, doctors of nursing practice, and nurse educators.

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

SUBCOMMITTEE ASSIGNMENT

Senate File 2286

COMMERCE: Chapman, Chair; Allen and Feenstra

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: *SENATE FILE 2316 (SSB 3160), a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Chapman, Breitbart, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2316, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2317 (SSB 3164), a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Chapman, Breitbart, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2317, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2327 (SSB 3087), a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Chapman, Breitbart, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2328 (SSB 3057), a bill for an act relating to the sale or acquisition of certain utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Chapman, Breitbach, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2328, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2329 (SSB 3173), a bill for an act relating to health benefit plans for members of certain agricultural organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Chapman, Breitbach, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, Sinclair, Zaun, and Zumbach. Nays, 2: McCoy and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2330 (SSB 3159), a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Chapman, Breitbach, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2330, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2331 (SSB 3158), a bill for an act relating to permissible interest rates and charges for certain loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Chapman, Breitbach, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2331, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2349 (formerly SF 2182), a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Chapman, Breitbach, Bertrand, Feenstra, Guth, C. Johnson, Sinclair, Zaun, and Zumbach. Nays, 6: Allen, Boulton, Lykam, Mathis, McCoy, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2349, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 2318 (formerly SF 2085), a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Greene, Hart, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 2: Dvorsky and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2318, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2341 (SSB 3119), a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sinclair, Edler, Behn, Chelgren, Danielson, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 5: Quirmbach, Bowman, Dvorsky, Hart, and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2344 (SSB 3120), a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sinclair, Edler, Quirmbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 1: Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2344, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2348 (formerly SF 2046), a bill for an act relating to the individual income tax by creating a tax credit for community college students pursuing a credential leading to a high-demand occupation and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sinclair, Edler, Behn, Bowman, Chelgren, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 2: Quirmbach and Danielson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2348, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 2340 (formerly SF 2221), a bill for an act relating to Medicaid managed care resolution of payment and notice of change.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2340, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2350 (SSB 3168), a bill for an act relating to educational assistance programs administered by the college student aid commission for certain nurses, physician assistants, advanced registered nurse practitioners, doctors of nursing practice, and nurse educators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2350, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE JOINT RESOLUTION 2009 (SSB 3155), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate Joint Resolution 2009, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2321 (SSB 3101), a bill for an act excluding persons going armed with certain portable devices or weapons that direct an electric current from the criminal offense of carrying weapons under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2321, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2335 (SSB 3167), 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 retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2336 (SSB 3141), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5013.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2337 (formerly SF 2189), a bill for an act relating to electronic and mechanical eavesdropping.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2342 (SSB 3063), a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Zaun, Dawson, Bisignano, Edler, Garrett, Kinney, Schneider, Schultz, Shipley, and Sinclair. Nays, 3: Taylor, Boulton, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2342, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2343 (formerly SF 284), a bill for an act allowing law enforcement agencies to retain possession of motor vehicles suspected to have been used to elude law enforcement vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2343, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2197, a bill for an act relating to theft of motor vehicles subsequently used in the commission of a felony, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 2319 (formerly SF 2190), a bill for an act limiting the number of rules that can be included in the Iowa administrative code, providing for related duties of the department of management and other agencies, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Schultz, Zaun, Breitbach, Brown, Chapman, Costello, and Guth. Nays, 4: Boulton, Bisignano, Dotzler, and Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2339 (SSB 3156), a bill for an act permitting employers to provide employees with wage statements by electronic means.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schultz, Zaun, Boulton, Bisignano, Breitbach, Brown, Chapman, Costello, Dotzler, Guth, and Taylor. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2320 (SSB 3172), a bill for an act relating to county supervisor representation and districting plans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Garrett, Lofgren, Chelgren, Greene, Guth, Kraayenbrink, and Segebart. Nays, 4: Hogg, Allen, McCoy, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2338 (SSB 3171), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Garrett, Lofgren, Chelgren, Greene, Guth, Kraayenbrink, and Segebart. Nays, 4: Hogg, Allen, McCoy, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE JOINT RESOLUTION 2008 (SSB 3116), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the consideration of bills by each house of the general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Smith, Chapman, Bowman, Brown, Carlin, Dawson, Feenstra, Schultz, and Zaun. Nays, none. Present, 5: Bisignano, Danielson, Dvorsky, Horn, and Jochum. Absent, 1: Schneider.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 192, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5009.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2322 (SSB 3146), a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2323 (SSB 3086), a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2323, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2332 (SSB 3174), a bill for an act relating to allowable forms for payment for amusement concessions at a fair.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2333 (SSB 3023), a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2333, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2334 (SSB 3128), a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2334, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2345 (SSB 3019), a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2345, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2346 (SSB 3191), a bill for an act relating to the conduct of election activities, including the sending of certain electronic messages, ballot arrangement for certain partisan offices, and imposing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Smith, Chapman, Brown, Carlin, Dawson, Feenstra, Schneider, Schultz, and Zaun. Nays, 6: Bisignano, Bowman, Danielson, Dvorsky, Horn, and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2347 (SSB 3084), a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2347, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 2324 (SSB 3186), a bill for an act allowing pickups to be used as school buses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2325 (formerly SF 157), a bill for an act relating to the notation of discharges of motor vehicle security interests.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2325, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2326 (SSB 3192), a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Danielson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2326, and they were attached to the committee report.

RESUMED

The Senate resumed session at 2:23 p.m., President Whitver presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she arrives, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2020, 2059, 2067, 2098, and 2099.

Senate File 2020

On motion of Senator Shipley, **Senate File 2020**, a bill for an act relating to the percentage of campsites in a state park or preserve that may be reserved through a centralized reservation system, with report of committee recommending passage, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2020), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2059

On motion of Senator Lofgren, **Senate File 2059**, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2059), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2067

On motion of Senator Kraayenbrink, **Senate File 2067**, a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Zumbach offered amendment S-5012, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5012 was adopted by a voice vote.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2067), the vote was:

Yeas, 48:

Allen	Costello	Hogg	Petersen
Behn	Danielson	Horn	Quirnbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Smith
Carlin	Greene	Lykam	Taylor
Chapman	Guth	Mathis	Whitver
Chelgren	Hart	McCoy	Zumbach

Nays, 1:

Zaun

Absent, 1:

Sinclair

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

Senate File 2098

On motion of Senator Shipley, **Senate File 2098**, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards, was taken up for consideration.

Senator Petersen offered amendment S-5011, filed by her from the floor to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-5011 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2098), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2099

On motion of Senator Schultz, **Senate File 2099**, a bill for an act relating to probate and the administration of small estates and including applicability provisions, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2099), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor

Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2020, 2059, 2067, 2098, and 2099** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2118, 2139, 2163, and 2167.

Senate File 2118

On motion of Senator Rozenboom, **Senate File 2118**, a bill for an act relating to youth deer hunting license seasonal use restrictions, was taken up for consideration.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2118), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz

Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2139

On motion of Senator Garrett, **Senate File 2139**, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2139), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2163

On motion of Senator Carlin, **Senate File 2163**, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal, was taken up for consideration.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2163), the vote was:

Yeas, 45:

Allen	Costello	Horn	Rozenboom
Behn	Dawson	Jochum	Schneider
Bertrand	Dix	Johnson, C.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Whitver
Breitbach	Garrett	Lykam	Zaun
Brown	Greene	Mathis	Zumbach
Carlin	Guth	Petersen	
Chapman	Hart	Quirmbach	
Chelgren	Hogg	Ragan	

Nays, 4:

Danielson	Johnson, D.	McCoy	Taylor
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Absent, 1:

Sinclair

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

Senate File 2167

On motion of Senator Dawson, **Senate File 2167**, a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2167), the vote was:

Yeas, 48:

Allen	Costello	Hogg	Quirnbach
Behn	Danielson	Horn	Ragan
Bertrand	Dawson	Jochum	Rozenboom
Bisignano	Dix	Johnson, C.	Schneider
Bolkcom	Dotzler	Johnson, D.	Schultz
Boulton	Dvorsky	Kapucian	Segebart
Bowman	Edler	Kinney	Shiple
Breitbach	Feenstra	Kraayenbrink	Smith
Brown	Garrett	Lofgren	Taylor
Carlin	Greene	Lykam	Whitver
Chapman	Guth	Mathis	Zaun
Chelgren	Hart	Petersen	Zumbach

Nays, 1:

McCoy

Absent, 1:

Sinclair

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2118, 2139, 2163, and 2167** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2201, 2227, 2257, and 2271.

Senate File 2201

On motion of Senator Lofgren, **Senate File 2201**, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2201), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2227

On motion of Senator Garrett, **Senate File 2227**, a bill for an act relating to the publication of county resolutions, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2227), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

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

Senate File 2257

On motion of Senator Zumbach, **Senate File 2257**, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances, was taken up for consideration.

Senator Zumbach offered amendment S-5010, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5010 was adopted by a voice vote.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2257), the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dix	Johnson, D.	Schneider
Bolkcom	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Lykam	Taylor
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hart	Petersen	Zumbach

Nays, 1:

Hogg

Absent, 1:

Sinclair

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

Senate File 2271

On motion of Senator Brown, **Senate File 2271**, a bill for an act relating to motor carriers, and making penalties applicable, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2271), the vote was:

Yeas, 47:

Allen	Costello	Horn	Ragan
Behn	Dawson	Jochum	Rozenboom
Bertrand	Dix	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Smith
Breitbach	Garrett	Lofgren	Taylor
Brown	Greene	Lykam	Whitver
Carlin	Guth	Mathis	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	

Nays, 2:

Danielson	McCoy
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Absent, 1:

Sinclair

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2201, 2227, 2257, and 2271** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 4:00 p.m. until 9:00 a.m., Tuesday, February 20, 2018.

APPENDIX—2

INTRODUCTION OF BILLS

Senate File 2351, by committee on Human Resources, a bill for an act relating to mental health and mental health and disability services and funding.

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

Senate File 2352, by committee on Education, a bill for an act relating to the establishment of a working group to collaboratively develop a cohesive policy on academic ineligibility for participation in extracurricular activities.

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

Senate File 2353, by committee on Labor and Business Relations, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

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

Senate File 2354, by committee on Labor and Business Relations, a bill for an act concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct.

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

Senate File 2355, by committee on State Government, a bill for an act providing for the sale or lease of the Iowa communications network.

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

Senate File 2356, by committee on Judiciary, a bill for an act relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

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

Senate File 2357, by committee on Judiciary, a bill for an act relating to jurisdictional changes to small claims court cases.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2296

EDUCATION: Sinclair, Chair; Chelgren and Dvorsky

Senate File 2304

STATE GOVERNMENT: Danielson, Chair; Chapman and Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 2352 (SSB 3162), a bill for an act relating to the establishment of a working group to collaboratively develop a cohesive policy on academic ineligibility for participation in extracurricular activities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2352, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 2351 (formerly SF 2252), a bill for an act relating to mental health and mental health and disability services and funding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2351, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 2356 (formerly SF 2147), a bill for an act relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2356, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2357 (formerly SF 42), a bill for an act relating to jurisdictional changes to small claims court cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2357, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 2353 (SSB 3189), a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Schultz, Zaun, Breitbach, Brown, Chapman, Costello, Dotzler, and Guth. Nays, 3: Boulton, Bisignano, and Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2354 (formerly SF 2110), a bill for an act concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Schultz, Zaun, Breitbach, Brown, Chapman, Costello, and Guth. Nays, 4: Boulton, Bisignano, Dotzler, and Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Labor and Business Relations Committee on Senate File 2354, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2355 (formerly SF 2219), a bill for an act providing for the sale or lease of the Iowa communications network.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Smith, Chapman, Brown, Carlin, Dawson, Feenstra, Horn, Schneider, Schultz, and Zaun. Nays, 5: Bisignano, Bowman, Danielson, Dvorsky, and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5009	S.F.	192	State Government
S-5010	S.F.	2257	Dan Zumbach
S-5011	S.F.	2098	Janet Petersen
S-5012	S.F.	2067	Dan Zumbach
S-5013	S.F.	2336	Judiciary
S-5014	S.F.	2236	Julian B. Garrett

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 20, 2018

The Senate met in regular session at 9:04 a.m., President Whitver presiding.

Prayer was offered by Pastor Kent Hillesland of the Community Chapel in Lakota, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

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

The Journal of Monday, February 19, 2018, was approved.

SPECIAL GUEST

Senator Rozenboom introduced to the Senate chamber Mr. Kesnel Tondereau of Jacmel, Haiti. He is an elected official and supervisor of the southeast region of Haiti.

The Senate rose and expressed its welcome.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 2018, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 455, a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions. (S-5017)

ALSO: That the House has on February 19, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2197, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license.

Read first time and attached to **companion Senate File 2233**.

House File 2231, a bill for an act relating to the development and maintenance of specified policies by the department of natural resources.

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

House File 2281, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

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

House File 2297, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

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

House File 2338, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

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

The Senate stood at ease at 9:11 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:41 a.m., President Whitver presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn and Zumbach, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2037, 2113, 2114, 2131, and 2135.

Senate File 2037

On motion of Senator Bertrand, **Senate File 2037**, a bill for an act relating to the minimum standard of transparency for motor vehicle window tint, providing penalties, and making penalties applicable. , was taken up for consideration.

Senator Bertrand moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2037), the vote was:

Yeas, 35:

Allen	Danielson	Horn	Schultz
Bertrand	Dawson	Johnson, C.	Segebart
Bowman	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Lykam	Taylor
Chapman	Greene	Ragan	Whitver
Chelgren	Guth	Rozenboom	Zaun
Costello	Hart	Schneider	

Nays, 13:

Bisignano	Dvorsky	Kinney	Quirmbach
Bolkcom	Hogg	Mathis	
Boulton	Jochum	McCoy	
Dotzler	Johnson, D.	Petersen	

Absent, 2:

Behn Zumbach

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

Senate File 2113

On motion of Senator C. Johnson, **Senate File 2113**, a bill for an act providing for school employee training relating to suicide awareness and prevention, was taken up for consideration.

Senator C. Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2113), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

Behn Zumbach

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

Senate File 2114

On motion of Senator Lofgren, **Senate File 2114**, a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2114), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shiple
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

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

Senate File 2131

On motion of Senator Edler, **Senate File 2131**, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, was taken up for consideration.

Senator Edler offered amendment S-5015, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5015 was adopted by a voice vote.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2131), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

Behn Zumbach

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

Senate File 2135

On motion of Senator Sinclair, **Senate File 2135**, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2135), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shiple
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2037, 2113, 2114, 2131, and 2135** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2155, 2175, 2177, and 2200.

Senate File 2155

On motion of Senator Smith, **Senate File 2155**, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2155), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shiple
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

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

Senate File 2175

On motion of Senator Schultz, **Senate File 2175**, a bill for an act relating to partition of property in kind and partition of property by sale, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2175), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom

Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

Behn Zumbach

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

Senate File 2177

On motion of Senator Zaun, **Senate File 2177**, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2177), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirnbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

Behn Zumbach

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

Senate File 2200

On motion of Senator Rozenboom, **Senate File 2200**, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable, was taken up for consideration.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2200), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

Behn Zumbach

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2155, 2175, 2177, and 2200** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2274, 2289, and 2137.

Senate File 2274

On motion of Senator Chelgren, **Senate File 2274**, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department, was taken up for consideration.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2274), the vote was:

Yeas, 37:

Allen	Dix	Johnson, D.	Schultz
Bertrand	Dvorsky	Kapucian	Segebart
Bowman	Edler	Kinney	Shiple
Breitbach	Feenstra	Kraayenbrink	Sinclair
Brown	Garrett	Lofgren	Smith
Carlin	Greene	Lykam	Whitver
Chapman	Guth	Mathis	Zaun
Chelgren	Hart	Ragan	
Costello	Horn	Rozenboom	
Dawson	Johnson, C.	Schneider	

Nays, 11:

Bisignano	Danielson	Jochum	Quirmbach
Bolkcom	Dotzler	McCoy	Taylor
Boulton	Hogg	Petersen	

Absent, 2:

Behn Zumbach

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

Senate File 2289

On motion of Senator Schneider, **Senate File 2289**, a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes, was taken up for consideration.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2289), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dawson	Jochum	Ragan
Bisignano	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shipley
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun

Nays, none.

Absent, 2:

Behn Zumbach

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he returns, on request of Senator Dix.

Senate File 2137

On motion of Senator Rozenboom, **Senate File 2137**, a bill for an act relating to school bus route ride time limitations, was taken up for consideration.

Senator Hart offered amendment S-5018, filed by her from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5018 be adopted?" (S.F. 2137), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 26:

Breitbach	Dix	Kapucian	Shipley
Brown	Edler	Kraayenbrink	Sinclair
Carlin	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	
Dawson	Johnson, C.	Segebart	

Absent, 3:

Behn	Bertrand	Zumbach
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Amendment S-5018 lost.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2137), the vote was:

Yeas, 30:

Bertrand	Dawson	Johnson, C.	Segebart
Bowman	Dix	Kapucian	Shiple
Breitbach	Dvorsky	Kinney	Sinclair
Brown	Edler	Kraayenbrink	Smith
Carlin	Feenstra	Lofgren	Whitver
Chapman	Garrett	Rozenboom	Zaun
Chelgren	Greene	Schneider	
Costello	Guth	Schultz	

Nays, 18:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Hart	Lykam	Ragan
Bolkcom	Hogg	Mathis	Taylor
Boulton	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 2:

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2137, 2274, and 2289** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 12:33 p.m. until 9:00 a.m., Wednesday, February 21, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Earcel Larson, Corydon— For celebrating her 100th birthday. Senator Sinclair.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Tuesday, February 20, 2018, 2:05 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkom, Ranking Member; Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Whitver.

Members Absent: Zumbach (excused).

Committee Business: IPERS presentation.

Adjourned: 2:55 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2010, by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

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

INTRODUCTION OF BILLS

Senate File 2358, by Feenstra, a bill for an act relating to authorized expenditures of moneys received by school districts for at-risk programs, alternative schools, and dropout prevention programming, and including effective and applicability dates.

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

Senate File 2359, by committee on Education, a bill for an act relating to voluntary diversity plans under the state's open enrollment law.

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

Senate File 2360, by committee on Education, a bill for an act providing for a dyslexia response task force and report.

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

Senate File 2361, by committee on Education, a bill for an act relating to academic programs of regents institutions.

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

Senate File 2362, by committee on Education, a bill for an act establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions.

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

Senate File 2363, by committee on Education, a bill for an act relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial licensure.

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

Senate File 2364, by committee on Education, a bill for an act requiring school districts to conduct emergency operations planning for school buildings.

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

Senate File 2365, by committee on Veterans Affairs, a bill for an act relating to assistance animals, assistive animals, and service dogs and providing penalties for misrepresenting oneself as entitled to an assistance animal or an assistive animal in housing and for misrepresenting an animal as an assistive animal or a service dog and including applicability provisions.

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

Senate File 2366, by committee on Veterans Affairs, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

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

Senate File 2367, by committee on Veterans Affairs, a bill for an act relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations, and providing for state aid for such children under the state school foundation program.

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

Senate File 2368, by committee on Human Resources, a bill for an act relating to health insurance coverage for mammograms and including effective date and applicability provisions.

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

Senate File 2369, by committee on Human Resources, a bill for an act relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services.

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

Senate File 2370, by committee on Labor and Business Relations, a bill for an act relating to public assistance program oversight and including effective date provisions.

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

Senate File 2371, by committee on Judiciary, a bill for an act relating to criminal penalties for individuals engaged in human trafficking of victims who are under the age of eighteen.

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

Senate File 2372, by committee on Judiciary, a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

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

Senate File 2373, by committee on Judiciary, a bill for an act relating to the criminal offense of child endangerment by prohibiting a sex offender convicted of a sex offense against a minor access to a child or certain minors and by prohibiting a parent or guardian from allowing such access, and providing penalties.

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

Senate File 2374, by committee on Judiciary, a bill for an act relating to the awarding of joint custody and joint physical care.

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

Senate File 2375, by committee on Judiciary, a bill for an act modifying the periods of time to bring criminal actions for sexual abuse offenses against a minor, providing penalties, and including effective date provisions.

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

Senate File 2376, by committee on Judiciary, a bill for an act relating to reporting burn injuries to law enforcement.

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

Senate File 2377, by committee on Judiciary, a bill for an act authorizing an administrator in charge of any facility for the detention or custody of juveniles to lock the facility.

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

Senate File 2378, by committee on Judiciary, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

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

Senate File 2379, by Smith, a bill for an act exempting from the Iowa individual income tax the amount of income resulting from prize money and medals received from competition in the olympic or paralympic games, and including retroactive applicability provisions.

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

Senate File 2380, by committee on State Government, a bill for an act relating to energy conservation requirements contained within the state building code or adopted by governmental subdivisions, and including effective date provisions.

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

Senate File 2381, by committee on State Government, a bill for an act relating to the expenditure of public funds and funds held in trust by statewide elected officials, members of the general assembly, or local officials on certain forms of advertisement and imposing penalties.

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

Senate File 2382, by committee on Judiciary, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions.

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

SUBCOMMITTEE ASSIGNMENT

House File 2338

JUDICIARY: Shipley, Chair; Kinney and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 2359 (formerly SF 270), a bill for an act relating to voluntary diversity plans under the state's open enrollment law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, and Rozenboom. Nays, 7: Quirnbach, Bowman, Danielson, Dvorsky, Hart, Hogg, and Lofgren. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2359, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2360 (SSB 3180), a bill for an act providing for a dyslexia response task force and report.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2361 (formerly SF 2191), a bill for an act relating to academic programs of regents institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2361, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2362 (SSB 3179), a bill for an act establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sinclair, Edler, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Present, 1: Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2362, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2363 (SSB 3194), a bill for an act relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial licensure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2363, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2364 (formerly SF 2253), a bill for an act requiring school districts to conduct emergency operations planning for school buildings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2364, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 2368 (SSB 3177), a bill for an act relating to health insurance coverage for mammograms and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2369 (SSB 3196), a bill for an act relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE JOINT RESOLUTION 2010 (SSB 3040), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate Joint Resolution 2010, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2371 (formerly SF 2254), a bill for an act relating to criminal penalties for individuals engaged in human trafficking of victims who are under the age of eighteen.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2372 (SSB 3135), a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Dawson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2373 (SSB 3102), a bill for an act relating to the criminal offense of child endangerment by prohibiting a sex offender convicted of a sex offense against a minor access to a child or certain minors and by prohibiting a parent or guardian from allowing such access, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2373, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2374 (SSB 3154), a bill for an act relating to the awarding of joint custody and joint physical care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2375 (formerly SF 2199), a bill for an act modifying the periods of time to bring criminal actions for sexual abuse offenses against a minor, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2376 (formerly SF 2146), a bill for an act relating to reporting burn injuries to law enforcement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2377 (formerly SF 2132), a bill for an act authorizing an administrator in charge of any facility for the detention or custody of juveniles to lock the facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2377, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2378 (SSB 3183), a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2378, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2382 (formerly SF 2196), a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Zaun, Dawson, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Shipley. Nays, 3: Taylor, Boulton, and Sinclair. Present, 1: Bisignano. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2382, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 2370 (SSB 3193), a bill for an act relating to public assistance program oversight and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Schultz, Zaun, Breitbach, Brown, Chapman, Costello, and Guth. Nays, 4: Boulton, Bisignano, Dotzler, and Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2380 (SSB 3138), a bill for an act relating to energy conservation requirements contained within the state building code or adopted by governmental subdivisions, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Smith, Chapman, Brown, Carlin, Dawson, Feenstra, Schneider, Schultz, and Zaun. Nays, 6: Bisignano, Bowman, Danielson, Dvorsky, Horn, and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2380, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2381 (SSB 3188), a bill for an act relating to the expenditure of public funds and funds held in trust by statewide elected officials, members of the general assembly, or local officials on certain forms of advertisement and imposing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Smith, Chapman, Bowman, Brown, Carlin, Dawson, Feenstra, Schneider, Schultz, and Zaun. Nays, 5: Bisignano, Danielson, Dvorsky, Horn, and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: *SENATE FILE 2365 (SSB 3148), a bill for an act relating to assistance animals, assistive animals, and service dogs and providing penalties for misrepresenting oneself as entitled to an assistance animal or an assistive animal in housing and for misrepresenting an animal as an assistive animal or a service dog and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Costello, Rozenboom, Horn, Allen, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on Senate File 2365, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2366 (SSB 3021), a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Costello, Rozenboom, Horn, Allen, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on Senate File 2366, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2367 (SSB 3149), a bill for an act relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations, and providing for state aid for such children under the state school foundation program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Costello, Rozenboom, Horn, Allen, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on Senate File 2367, and they were attached to the committee report.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

Rebecca Guinn – Environmental Protection Commission
Barbara Hovland – Environmental Protection Commission

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Rebecca Guinn to Environmental Protection Commission be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

DAVID JOHNSON

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Barbara Hovland to Environmental Protection Commission be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

DAVID JOHNSON

AMENDMENTS FILED

S-5015	S.F.	2131	Jeff Edler
S-5016	S.F.	2235	Tom Shipley
S-5017	S.F.	455	House
S-5018	S.F.	2137	Rita Hart
S-5019	S.F.	2235	Tom Shipley
S-5020	S.F.	2236	Julian B. Garrett

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 21, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Reverend Paul Hoekstra of the First Christian Reformed Church in Oskaloosa, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Greer Simmons.

The Journal of Tuesday, February 20, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2117, a bill for an act relating to the assessment of fees when a public defender or designee requests copies of certain documents.

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

House File 2175, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

Read first time and attached to **companion Senate File 2172**.

House File 2199, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

Read first time and attached to **similar Senate File 2238**.

House File 2235, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

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

House File 2239, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

Read first time and attached to **companion Senate File 2275**.

House File 2285, a bill for an act relating to supplemental reimbursement for eligible ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

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

House File 2286, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

Read first time and attached to **companion Senate File 2215**.

House File 2302, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

Read first time and attached to **companion Senate File 2232**.

House File 2340, a bill for an act relating to controversies involving fence viewers.

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

House File 2370, a bill for an act relating to the provision of information regarding postadoption services to all adoptive families.

Read first time and attached to **similar Senate File 2283**.

House File 2383, a bill for an act relating to private employer alcohol testing policies.

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

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Timon Oujiri, the Governor's appointee to be the Commandant of the Iowa Veterans Home. He was the guest of Senator Bertrand and the committee on Veterans Affairs.

The Senate stood at ease at 9:11 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:31 a.m., President Whitver presiding.

RECESS

On motion of Senator Dix, the Senate recessed at 10:32 a.m. until 5:30 p.m.

RECONVENED

The Senate reconvened at 6:22 p.m., President Whitver presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2172, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

Read first time and attached to **companion Senate File 2178**.

House File 2193, a bill for an act establishing a text messaging notification and payment system for certain citations and informations.

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

House File 2195, a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

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

House File 2196, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

Read first time and attached to **companion Senate File 2162**.

House File 2200, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

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

House File 2232, a bill for an act relating to mortgage releases.

Read first time and attached to **companion Senate File 2138**.

House File 2236, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

Read first time and attached to **companion Senate File 2248**.

House File 2237, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

Read first time and attached to **companion Senate File 2249**.

House File 2238, a bill for an act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution.

Read first time and attached to **companion Senate File 2240**.

House File 2240, a bill for an act permitting employers to provide employees with wage statements by electronic means.

Read first time and attached to **companion Senate File 2339**.

House File 2256, a bill for an act relating to the submission of certain reports by the department of transportation and county engineers.

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

House File 2309, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Read first time and attached to **companion Senate File 2309**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator D. Johnson, until he returns, on request of Senator Petersen.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2229, 2235, 2256, and 2169.

Senate File 2229

On motion of Senator Shipley, **Senate File 2229**, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2229), the vote was:

Yeas, 48:

Allen	Costello	Hogg	Quirnbach
Behn	Danielson	Horn	Ragan
Bertrand	Dawson	Jochum	Rozenboom
Bisignano	Dix	Johnson, C.	Schneider
Bolkcom	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hart	Petersen	Zumbach

Nays, 1:

Taylor

Absent, 1:

Johnson, D.

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

Senate File 2235

On motion of Senator Shipley, **Senate File 2235**, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, was taken up for consideration.

Senator Hogg withdrew amendment S-5022, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Shipley withdrew amendment S-5019, filed by him on February 20, 2018, to page 3 and amending the title page of the bill.

Senator Shipley offered amendment S-5021, filed by him from the floor to page 3 and amending the title page of the bill, and moved its adoption.

Amendment S-5021 was adopted by a voice vote.

Senator Hogg withdrew amendment S-5023, filed by him from the floor to page 3 of the bill.

Senator Shipley withdrew amendment S-5016, filed by him on February 20, 2018, to page 3 of the bill.

Senator Hogg offered amendment S-5024, filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5024 be adopted?" (S.F. 2235), the vote was:

Yeas, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, 1:

Johnson, D.

Amendment S-5024 lost.

Senator Hogg offered amendment S-5036, filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5036 be adopted?" (S.F. 2235), the vote was:

Yeas, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, 1:

Johnson, D.

Amendment S-5036 lost.

Senator Hogg offered amendment S-5026, filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5026 be adopted?" (S.F. 2235), the vote was:

Yeas, 21:

Allen	Danielson	Jochum	Quirmbach
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hart	Mathis	
Bowman	Hogg	McCoy	
Chelgren	Horn	Petersen	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 1:

Johnson, D.

Amendment S-5026 lost.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2235), the vote was:

Yeas, 33:

Allen	Costello	Kapucian	Shipley
Behn	Dawson	Kinney	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Bowman	Edler	Lofgren	Whitver
Breitbach	Feenstra	Mathis	Zaun
Brown	Garrett	Rozenboom	Zumbach

Carlin	Greene	Schneider
Chapman	Guth	Schultz
Chelgren	Johnson, C.	Segebart

Nays, 16:

Bisignano	Dotzler	Horn	Petersen
Bolkcom	Dvorsky	Jochum	Quirmbach
Boulton	Hart	Lykam	Ragan
Danielson	Hogg	McCoy	Taylor

Absent, 1:

Johnson, D.

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

Senate File 2256

On motion of Senator Brown, **Senate File 2256**, a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2256), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Schneider
Behn	Dawson	Johnson, C.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	Zumbach
Chapman	Hart	Quirmbach	
Chelgren	Hogg	Ragan	
Costello	Horn	Rozenboom	

Nays, none.

Absent, 1:

Johnson, D.

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

Senate File 2169

On motion of Senator Breitbach, **Senate File 2169**, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries, was taken up for consideration.

Senator Hogg asked and received unanimous consent to withdraw amendment S-5027, filed by Senators Hogg and Boulton from the floor to page 1 of the bill.

Senator Hogg offered amendment S-5029, filed by Senator Hogg, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5029 be adopted?" (S.F. 2169), the vote was:

Yeas, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, 1:

Johnson, D.

Amendment S-5029 lost.

Senator Schultz took the chair at 7:43 p.m.

President Whitver took the chair at 7:46 p.m.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2169), the vote was:

Yeas, 29:

Behn	Dix	Kapucian	Sinclair
Bertrand	Dotzler	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Chapman	Garrett	Schneider	Zumbach
Chelgren	Greene	Schultz	
Danielson	Guth	Segebart	
Dawson	Johnson, C.	Shipley	

Nays, 20:

Allen	Carlin	Horn	McCoy
Bisignano	Costello	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 1:

Johnson, D.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2169, 2229, 2235, and 2256** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2262, 2148, and 2306.

Senate File 2262

On motion of Senator Feenstra, **Senate File 2262**, a bill for an act relating to final-stage motor vehicle manufacturers, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2262), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Schneider
Behn	Dawson	Johnson, C.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	Zumbach
Chapman	Hart	Quirmbach	
Chelgren	Hogg	Ragan	
Costello	Horn	Rozenboom	

Nays, none.

Absent, 1:

Johnson, D.

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

Senate File 2148

On motion of Senator Zaun, **Senate File 2148**, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that action on **Senate File 2148** be **deferred**.

Senate File 2306

On motion of Senator Smith, **Senate File 2306**, a bill for an act concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate, was taken up for consideration.

(Senate File 2306 was deferred.)

The Senate stood at ease at 8:14 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 8:39 p.m., President Whitver presiding.

The Senate resumed consideration of Senate File 2306, previously deferred.

Senator Smith offered amendment S-5031, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5031 was adopted by a voice vote.

Senator Boulton offered amendment S-5037, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Smith raised the point of order that amendment S-5037 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5037 out of order.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2306), the vote was:

Yeas, 49:

Allen	Danielson	Jochum	Schneider
Behn	Dawson	Johnson, C.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	Zumbach
Chapman	Hart	Quirnbach	
Chelgren	Hogg	Ragan	
Costello	Horn	Rozenboom	

Nays, none.

Absent, 1:

Johnson, D.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2262** and **2306** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 8:55 p.m. until 9:00 a.m., Thursday, February 22, 2018.

APPENDIX

CERTIFICATES OF RECOGNITION

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

New Hampton Wrestling Team—For winning the Back to Back State Dual Wrestling Championship. Senator Brown.

Nolan Bernau, Manchester—For reaching the rank of Eagle Scout, Troup #34. Senator Zumbach.

Andrew Buelow, Manchester—For reaching the rank of Eagle Scout, Troup #34. Senator Zumbach.

Noah Crumton, Manchester—For reaching the rank of Eagle Scout, Troup #34. Senator Zumbach.

Melvin and Irene Duwa, Lost Nation—For celebrating their 75th wedding anniversary. Senator Hart.

James and Marlene Robertson, Camanche—For celebrating their 50th wedding anniversary. Senator Hart.

Tristan Voelker, Manchester—For reaching the rank of Eagle Scout, Troup #34. Senator Zumbach.

Caleb Zehr, Manchester—For reaching the rank of Eagle Scout, Troup #34. Senator Zumbach.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 20, 2018, 1:00 p.m.

Members Present: Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, Shipley, and Taylor.

Members Absent: Zumbach, Chair (excused).

Committee Business: Presentation on consumer options.

Adjourned: 1:40 p.m.

COMMERCE

Convened: Wednesday, February 21, 2018, 11:10 a.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, and Zumbach.

Members Absent: Zaun (excused).

Committee Business: Governor's appointees.

Adjourned: 11:15 a.m.

HUMAN RESOURCES

Convened: Wednesday, February 21, 2018, 1:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Presentation by Jerry Bartruff, Director of the Iowa Department of Corrections.

Adjourned: 1:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 20, 2018, 3:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Behn and Bertrand (both excused).

Committee Business: Governor's appointees. DNR presentation.

Adjourned: 3:50 p.m.

VETERANS AFFAIRS

Convened: Wednesday, February 21, 2018, 10:40 a.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member; Allen, Bertrand, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart.

Members Absent: None.

Committee Business: Governor's appointees. Presentation on Iowa Veterans Home.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 109, by Schneider, a resolution for honoring the Iowa Resource for International Service.

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

STUDY BILL RECEIVED

SSB 3197 Ways and Means

Relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the moneys and credits tax, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2379

WAYS AND MEANS: Smith, Chair; Feenstra and Hogg

House File 2281

AGRICULTURE: Brown, Chair; Hart and Kapucian

House File 2297

LABOR AND BUSINESS RELATIONS: Brown, Chair; Guth and Taylor

House File 2383

LABOR AND BUSINESS RELATIONS: Guth, Chair; Bisignano and Brown

SSB 3197

WAYS AND MEANS: Feenstra, Chair; Bolkom, Breitbach, Dawson, and Jochum

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Katie Averill – Superintendent of Credit Unions

Gilbert Thomas – Iowa Finance Authority

Jason Froehlich – Title Guaranty Division Board

JUDICIARY

Sam Kooiker – Iowa State Civil Rights Commission

W. Thomas Phillips – Board of Corrections

William Brown – Commission on Judicial Qualifications

Dr. Leah Johnson – Commission on Judicial Qualifications

O. Jay Tomson – Commission on Judicial Qualifications

VETERANS AFFAIRS

Steve Lukan – Executive Director of the Commission of Veterans Affairs

John Kost – Commission of Veterans Affairs

Timon Oujiri – Commandant of the Iowa Veterans Home

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

JUDICIARY

Jeff Wright – Chairperson of Board of Parole

Jeff Wright – Board of Parole

Larry Johnson – State Public Defender

AMENDMENTS FILED

S-5021	S.F.	2235	Tom Shipley
S-5022	S.F.	2235	Robert M. Hogg
S-5023	S.F.	2235	Robert M. Hogg
S-5024	S.F.	2235	Robert M. Hogg
S-5025	S.F.	2305	Jake Chapman
S-5026	S.F.	2235	Robert M. Hogg
S-5027	S.F.	2169	Robert M. Hogg Nate Boulton
S-5028	S.F.	2148	Brad Zaun
S-5029	S.F.	2169	Robert M. Hogg Nate Boulton Rita Hart Jim Lykam
S-5030	S.F.	2148	Tony Bisignano
S-5031	S.F.	2306	Roby Smith
S-5032	S.F.	2326	Jeff Danielson
S-5033	S.F.	2326	Jeff Danielson
S-5034	S.F.	2326	Jeff Danielson
S-5035	S.F.	2326	Jeff Danielson
S-5036	S.F.	2235	Robert M. Hogg
S-5037	S.F.	2306	Nate Boulton

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 22, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Senator Dawson's secretary, Isabelle Hermann, of West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Wednesday, February 21, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:10 a.m. until 1:00 p.m., Monday, February 26, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Jerry Carlson—For celebrating his 80th birthday. Entire Senate staff and all senators.

REPORTS OF COMMITTEE MEETINGS

LABOR AND BUSINESS RELATIONS

Convened: Thursday, February 22, 2018, 1:05 p.m.

Members Present: Schultz, Chair; Zaun, Vice Chair; Boulton, Ranking Member; Bisignano, Breitbart, Brown, Chapman, Costello, Guth, and Taylor.

Members Absent: Dotzler (excused).

Committee Business: Governor's appointees.

Adjourned: 1:10 p.m.

WAYS AND MEANS

Convened: Thursday, February 22, 2018, 2:00 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkom, Breitbart, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith.

Members Absent: None.

Committee Business: Passed SSB 3197. Governor's appointee.

Adjourned: 2:55 p.m.

INTRODUCTION OF BILL

Senate File 2383, by committee on Ways and Means, a bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the moneys and credits tax, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2081

APPROPRIATIONS: Schneider, Chair; Bolkom and Chelgren

Senate File 2315

APPROPRIATIONS: Schneider, Chair; Danielson and Greene

Senate File 2358

APPROPRIATIONS: Kraayenbrink, Chair; Hart and Schneider

House File 2235

EDUCATION: Chelgren, Chair; Dvorsky, Quirmbach, Rozenboom, and Sinclair

House File 2285

HUMAN RESOURCES: Chapman, Chair; Bolkcom and Segebart

FINAL COMMITTEE REPORT OF BILL ACTION**WAYS AND MEANS**

Bill Title: SENATE FILE 2383 (SSB 3197), a bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the moneys and credits tax, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Feenstra, Behn, Breitbach, Brown, Carlin, Dawson, Edler, Schultz, and Smith. Nays, 6: Jochum, Bolkcom, Dotzler, Hogg, McCoy, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Kelly Barrick – Iowa Workforce Development Board
 Gina Bettini – Iowa Workforce Development Board
 Jeff DeVries – Iowa Workforce Development Board
 Steven Gilbert – Iowa Workforce Development Board
 Quentin Hart – Iowa Workforce Development Board
 Carmen Heck – Iowa Workforce Development Board
 Jayson Henry – Iowa Workforce Development Board
 Jay Iverson – Iowa Workforce Development Board

Becky Jacobsen – Iowa Workforce Development Board
 Amy Larsen – Iowa Workforce Development Board
 Ruby Mateos – Iowa Workforce Development Board
 Nancy McDowell – Iowa Workforce Development Board
 Sondra Meyers – Iowa Workforce Development Board
 Richard Moon – Iowa Workforce Development Board
 Randy Moore – Iowa Workforce Development Board
 Anne Parmley – Iowa Workforce Development Board
 Cara Sanders – Iowa Workforce Development Board
 Philip Tuning – Iowa Workforce Development Board

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

Ways and Means

Phil Kooima – Economic Development Authority

AMENDMENTS FILED

S-5038	S.F.	2311	Michael Breitbach
S-5039	S.F.	2311	Michael Breitbach

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 26, 2018

The Senate met in regular session at 1:06 p.m., President Whitver presiding.

Prayer was offered by Rajan Zed, the President of Universal Society of Hinduism in Reno, Nevada. He was the guest of Senator Hogg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Spencer Short.

The Journal of Thursday, February 22, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2171, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Read first time and attached to **companion Senate File 2170**.

House File 2255, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Read first time and attached to **companion Senate File 2179**.

House File 2300, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations and including effective date provisions.

Read first time and attached to **similar Senate File 2173**.

House File 2348, a bill for an act relating to nonsubstantive Code corrections.

Read first time and attached to **similar Senate File 2336**.

House File 2351, a bill for an act relating to continuation of health care coverage for certain surviving spouses and children of peace officers killed in the line of duty, and including effective date and retroactive applicability provisions.

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

House File 2356, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

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

House File 2379, a bill for an act relating to municipal utility retirement systems.

Read first time and attached to **companion Senate File 2288**.

House File 2392, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications.

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

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Steve Lukan, the Governor's appointee to be the Executive Director of the Commission of Veterans Affairs. He was the guest of Senators Bertrand and Bowman and the committee on Veterans Affairs.

RECESS

On motion of Senator Dix, the Senate recessed at 1:16 p.m. until the conclusion of the meeting of the committee on Commerce.

RECONVENED

The Senate reconvened at 5:16 p.m., President Whitver presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Chelgren, until he arrives, on request of Senator Dix.

SENATE RECEDES

House File 2230

Senator Dix called up for consideration **House File 2230**, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions, amended by the Senate, and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate **receded** from its amendment.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2230), the vote was:

Yeas, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 1:

Chelgren

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

HOUSE AMENDMENT CONSIDERED

Senate File 455

Senator Dix called up for consideration **Senate File 455**, a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions, amended by the House in House amendment S-5017, filed February 20, 2018.

Senator Sinclair moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 455), the vote was:

Yeas, 29:

Behn	Dix	Kinney	Sinclair
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Whitver
Brown	Garrett	Rozenboom	Zaun
Carlin	Greene	Schneider	Zumbach
Chapman	Guth	Schultz	
Costello	Johnson, C.	Segebart	
Dawson	Kapucian	Shipley	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Johnson, D.	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 1:

Chelgren

The motion prevailed and the Senate **concurred** in the House amendment.

Senator Sinclair moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 455), the vote was:

Yeas, 45:

Allen	Dawson	Jochum	Schultz
Behn	Dix	Johnson, C.	Segebart
Bertrand	Dotzler	Kapucian	Shipley
Bolkcom	Dvorsky	Kinney	Sinclair
Boulton	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Taylor
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	Quirnbach	Zumbach
Chapman	Hart	Ragan	
Costello	Hogg	Rozenboom	
Danielson	Horn	Schneider	

Nays, 4:

Bisignano

Johnson, D.

McCoy

Petersen

Absent, 1:

Chelgren

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2172.

Senate File 2172

On motion of Senator Sinclair, **Senate File 2172**, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that **House File 2175** be **substituted** for **Senate File 2172**.

House File 2175

On motion of Senator Sinclair, **House File 2175**, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2175), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Chelgren

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 455** and **House Files 2175** and **2230** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2228, 2233, and 2334.

Senate File 2228

On motion of Senator Greene, **Senate File 2228**, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions, was taken up for consideration.

Senator Greene moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2228), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Behn	Dawson	Jochum	Ragan
Bertrand	Dix	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Costello	Hogg	Petersen	Zumbach

Nays, 1:

Schneider

Absent, 1:

Chelgren

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

WITHDRAWN

Senator Sinclair asked and received unanimous consent that **Senate File 2172** be **withdrawn** from further consideration of the Senate.

Senate File 2233

On motion of Senator Zumbach, **Senate File 2233**, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that **House File 2197** be **substituted** for **Senate File 2233**.

House File 2197

On motion of Senator Zumbach, **House File 2197**, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license, was taken up for consideration.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2197), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Chelgren

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

Senate File 2334

On motion of Senator Smith, **Senate File 2334**, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2334), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Chelgren

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

WITHDRAWN

Senator Zumbach asked and received unanimous consent that **Senate File 2233** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2228** and **2334** and **House File 2197** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2339, 2345, and 2341.

Senate File 2339

On motion of Senator Chapman, **Senate File 2339**, a bill for an act permitting employers to provide employees with wage statements by electronic means, was taken up for consideration.

Senator Chapman asked and received unanimous consent that **House File 2240** be **substituted** for **Senate File 2339**.

House File 2240

On motion of Senator Chapman, **House File 2240**, a bill for an act permitting employers to provide employees with wage statements by electronic means, was taken up for consideration.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2240), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bertrand	Dix	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Whitver
Carlin	Hart	McCoy	Zaun
Chapman	Hogg	Petersen	Zumbach
Costello	Horn	Quirmbach	

Nays, 2:

Dotzler

Taylor

Absent, 1:

Chelgren

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

Senate File 2345

On motion of Senator Schneider, **Senate File 2345**, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **Senate File 2345** be **deferred**.

WITHDRAWN

Senator Chapman asked and received unanimous consent that **Senate File 2339** be **withdrawn** from further consideration of the Senate.

Senate File 2341

On motion of Senator Behn, **Senate File 2341**, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions, was taken up for consideration.

Senator Bowman asked and received unanimous consent that action on **Senate File 2341** be **deferred**.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **House File 2240** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 6:01 p.m. until 9:00 a.m., Tuesday, February 27, 2018.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Monday, February 26, 2018, 1:20 p.m.

Members Present: Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Hart, Kapucian, Ragan, Rozenboom, Shipley, and Taylor.

Members Absent: Edler and Segebart (both excused).

Committee Business: Governor's appointees.

Adjourned: 1:25 p.m.

COMMERCE

Convened: Monday, February 26, 2018, 4:05 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand and Feenstra (both excused).

Committee Business: Governor's appointees.

Adjourned: 4:10 p.m.

EDUCATION

Convened: Monday, February 26, 2018, 1:30 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: Chelgren (excused).

Committee Business: Governor's appointees.

Adjourned: 1:40 p.m.

HUMAN RESOURCES

Convened: Monday, February 26, 2018, 3:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: Chelgren (excused).

Committee Business: Governor's appointees.

Adjourned: 3:40 p.m.

STATE GOVERNMENT

Convened: Monday, February 26, 2018, 2:10 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: Monday, February 26, 2018, 3:05 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Bertrand (excused).

Committee Business: Governor's appointee.

Adjourned: 3:25 p.m.

INTRODUCTION OF BILLS

Senate File 2384, by Bowman, Allen, Kinney, Ragan, and Hart, a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain bonus depreciation provisions and qualified business income provisions, and including effective date and retroactive applicability provisions.

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

Senate File 2385, by Dotzler, a bill for an act exempting from the state sales tax the purchase price of tangible personal property sold and services furnished to a nonprofit food bank.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2117

JUDICIARY: Garrett, Chair; Bisignano and Edler

House File 2193

TRANSPORTATION: Smith, Chair; Bowman and Carlin

House File 2195

TRANSPORTATION: Kapucian, Chair; Danielson and Kraayenbrink

House File 2231

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Behn and Kinney

House File 2256

TRANSPORTATION: Breitbach, Chair; Bowman and Zumbach

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Steve Hofmann – State Soil Conservation Committee

COMMERCE

Bob Holz – Telecommunications and Technology Commission

EDUCATION

Kathryn Dorsey – Early Childhood Iowa State Board

David Schipper – Board of Educational Examiners

Beverly Wharton – Iowa Higher Education Loan Authority

Martha Bruckner – School Budget Review Committee

HUMAN RESOURCES

Suzanne Heckenlaible – Commission on Aging

Dennis Bush – Mental Health and Disability Services Commission

Albert Mingo – Board of Sign Language Interpreters and Translitterators

STATE GOVERNMENT

Matthew Gibson – Commission on the Status of African Americans

Scott Hatfield – Architectural Examining Board

Cynthia Hummel – Board of Cosmetology Arts and Sciences

Daniel Wood – Electrical Examining Board

Todde Folkerts – Engineering and Land Surveying Examining Board

Nicholas Woolley – Board of Hearing Aid Specialists

Joan Birk – Interior Design Examining Board

Danielle Williams – Interior Design Examining Board

Sherrae Hanson – Iowa Lottery Authority Board of Directors

Dr. Warren Gall – Board of Medicine

Sue Putnam – Board of Nursing

Gwen Suntken – Board of Nursing

Monica McHugh – Iowa Public Information Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Jerry Foxhoven – Director of the Department of Human Services

TRANSPORTATION

Mark Lowe – Director of Transportation

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar without recommendation for confirmation:

STATE GOVERNMENT

David Langkamp – Board of Mortuary Science

Bradley Earp – Board of Physical and Occupational Therapy

Elizabeth Hansen – Real Estate Commission

AMENDMENTS FILED

S-5040	S.F.	2272	Amy Sinclair
S-5041	S.F.	2311	Michael Breitbach

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 27, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by the Most Reverend R. Walker Nickless, bishop of the Diocese of Sioux City, Iowa. He was the guest of Senators D. Johnson and Bertrand.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Talise Tesar.

The Journal of Monday, February 26, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 26, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2163, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

ALSO: That the House has on February 26, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2125, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

Read first time and attached to **companion Senate File 2285**.

House File 2254, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

Read first time and attached to **companion Senate File 2307**.

House File 2305, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

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

House File 2377, a bill for an act relating to the regulation of certain substances, including the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

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

House File 2381, a bill for an act relating to the disposition of a child found to have committed a delinquent act.

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

House File 2407, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

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

House File 2408, a bill for an act regulating the sale of eggs by grocery stores participating in a federal program.

Read first time and attached to **similar Senate File 2242**.

House File 2417, a bill for an act relating to allowable forms for payment for amusement concessions at a fair.

Read first time and attached to **companion Senate File 2332**.

House File 2422, a bill for an act providing for the management of weeds, including noxious weeds, and making penalties applicable.

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

House File 2440, a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions.

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

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

The Senate resumed session at 11:05 a.m., President Whitver presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2272, 2378, 2298, 2323, and 2305.

Senate File 2272

On motion of Senator Sinclair, **Senate File 2272**, a bill for an act relating to community college accreditation, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that action on **Senate File 2272** be **deferred**.

Senate File 2378

On motion of Senator Schneider, **Senate File 2378**, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions, was taken up for consideration.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2378), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2298

On motion of Senator Greene, **Senate File 2298**, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties, was taken up for consideration.

Senator Greene moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2298), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz

Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2323

On motion of Senator Smith, **Senate File 2323**, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2323), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2305

On motion of Senator Chapman, **Senate File 2305**, a bill for an act relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing appropriations and penalties, and including effective date and applicability provisions, was taken up for consideration.

Senator Chapman offered amendment S-5047, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bolkcom raised the point of order that Senate File 2305 should be referred to the committee on Appropriations under Senate Rule 38.

Senator Boulton asked and received unanimous consent that action on amendment S-5047 and **Senate File 2305** be **deferred**.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2298, 2323, and 2378** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2332, 2333, 2347, 2230, and 2373.

Senate File 2332

On motion of Senator Brown, **Senate File 2332**, a bill for an act relating to allowable forms for payment for amusement concessions at a fair, was taken up for consideration.

Senator Brown asked and received unanimous consent that **House File 2417** be **substituted** for **Senate File 2332**.

House File 2417

On motion of Senator Brown, **House File 2417**, a bill for an act relating to allowable forms for payment for amusement concessions at a fair, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2417), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2333

On motion of Senator Dawson, **Senate File 2333**, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2333), the vote was:

Yeas, 45:

Allen	Danielson	Jochum	Schneider
Behn	Dawson	Johnson, C.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Boulton	Dvorsky	Kraayenbrink	Sinclair
Bowman	Edler	Lofgren	Smith
Breitbach	Feenstra	Lykam	Whitver
Brown	Garrett	Mathis	Zaun
Carlin	Greene	McCoy	Zumbach
Chapman	Guth	Petersen	
Chelgren	Hart	Ragan	
Costello	Horn	Rozenboom	

Nays, 5:

Bolkcom	Johnson, D.	Taylor
Hogg	Quirmbach	

Absent, none.

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

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 2332** be **withdrawn** from further consideration of the Senate.

Senate File 2347

On motion of Senator Smith, **Senate File 2347**, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2347), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, 1:

Costello

Absent, none.

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

Senate File 2230

On motion of Senator Dawson, **Senate File 2230**, a bill for an act relating to kidnapping in the second degree, and providing penalties, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2230), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2373

On motion of Senator Garrett, **Senate File 2373**, a bill for an act relating to the criminal offense of child endangerment by prohibiting a sex offender convicted of a sex offense against a minor access to a child or certain minors and by prohibiting a parent or guardian from allowing such access, and providing penalties, was taken up for consideration.

Senator Garrett asked and received unanimous consent that action on **Senate File 2373** be **deferred**.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2230, 2333, and 2347** and **House File 2417** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2356.

Senate File 2356

On motion of Senator Edler, **Senate File 2356**, a bill for an act relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2356), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiplee
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

UNFINISHED BUSINESS
(Deferred February 21, 2018)

Senate File 2148

The Senate resumed consideration of **Senate File 2148**, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions, deferred February 21, 2018.

Senator Bisignano offered amendment S-5030, filed by him on February 21, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5030 be adopted?" (S.F. 2148), the vote was:

Yeas, 22:

Allen	Dawson	Jochum	Petersen
Bisignano	Dvorsky	Johnson, D.	Quirnbach
Bolkcom	Greene	Kinney	Ragan
Boulton	Hart	Lykam	Zumbach
Bowman	Hogg	Mathis	
Danielson	Horn	McCoy	

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shipley
Breitbach	Dotzler	Kraayenbrink	Sinclair
Brown	Edler	Lofgren	Smith
Carlin	Feenstra	Rozenboom	Taylor
Chapman	Garrett	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun

Absent, none.

Amendment S-5030 lost.

Senator Bisignano offered amendment S-5044, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5044 be adopted?” (S.F. 2148), the vote was:

Yeas, 22:

Allen	Dawson	Jochum	Petersen
Bisignano	Dvorsky	Johnson, D.	Quirmbach
Bolkcom	Greene	Kinney	Ragan
Boulton	Hart	Lykam	Zumbach
Bowman	Hogg	Mathis	
Danielson	Horn	McCoy	

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shipley
Breitbach	Dotzler	Kraayenbrink	Sinclair
Brown	Edler	Lofgren	Smith
Carlin	Feenstra	Rozenboom	Taylor
Chapman	Garrett	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun

Absent, none.

Amendment S–5044 lost.

Senator Bisignano offered amendment S–5045, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A nonrecord roll call was requested.

Amendment S–5045 lost.

Senator Zaun withdrew amendment S–5028, filed by him on February 21, 2018, to page 1 and amending the title page of the bill.

Senator Sinclair took the chair at 12:56 p.m.

President Whitver took the chair at 12:58 p.m.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2148), the vote was:

Yeas, 32:

Allen	Chelgren	Guth	Schultz
Behn	Costello	Horn	Segebart
Bertrand	Dix	Johnson, C.	Sinclair
Bolkcom	Dotzler	Kapucian	Smith
Breitbach	Edler	Lofgren	Taylor
Brown	Feenstra	Quirmbach	Whitver
Carlin	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	Zumbach

Nays, 18:

Bisignano	Dvorsky	Kinney	Petersen
Boulton	Hart	Kraayenbrink	Ragan
Bowman	Hogg	Lykam	Shipley
Danielson	Jochum	Mathis	
Dawson	Johnson, D.	McCoy	

Absent, none.

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

UNFINISHED BUSINESS (Deferred February 26, 2018)

Senate File 2341

The Senate resumed consideration of **Senate File 2341**, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions, deferred February 26, 2018.

Senator Hogg deferred amendment S-5049, filed by him from the floor to page 1 of the bill.

Senator D. Johnson offered amendment S-5048, filed by him from the floor to page 1 of the bill

Senator Behn raised the point of order that amendment S-5048 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S–5048 in order.

Senator D. Johnson moved the adoption of amendment S–5048.

A record roll call was requested.

On the question “Shall amendment S–5048 be adopted?” (S.F. 2341), the vote was:

Yeas, 22:

Allen	Dotzler	Johnson, D.	Petersen
Bisignano	Dvorsky	Kapucian	Quirmbach
Bolkcom	Hart	Kinney	Ragan
Boulton	Hogg	Lykam	Taylor
Bowman	Horn	Mathis	
Danielson	Jochum	McCoy	

Nays, 28:

Behn	Costello	Guth	Segebart
Bertrand	Dawson	Johnson, C.	Shipley
Breitbach	Dix	Kraayenbrink	Sinclair
Brown	Edler	Lofgren	Smith
Carlin	Feenstra	Rozenboom	Whitver
Chapman	Garrett	Schneider	Zaun
Chelgren	Greene	Schultz	Zumbach

Absent, none.

Amendment S–5048 lost.

Senator Bowman offered amendment S–5046, filed by Senators Bowman and Boulton from the floor to page 2 and amending the title page of the bill.

Senator Bowman asked and received unanimous consent that action on amendment S–5046 and **Senate File 2341** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2375.

Senate File 2375

On motion of Senator Dawson, **Senate File 2375**, a bill for an act modifying the periods of time to bring criminal actions for sexual abuse offenses against a minor, providing penalties, and including effective date provisions, was taken up for consideration.

Senator Kinney offered amendment S-5043, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5043 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2375), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiplee
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2148, 2356, and 2375** be **immediately messaged** to the House.

SPECIAL GUEST

President Whitver introduced the Honorable Harold Van Maanen, former Speaker of the House from Mahaska County, Oskaloosa, Iowa.

The Senate rose and expressed its welcome.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2233, a bill for an act relating to mechanics' liens, public construction liens, and the early release of retained funds.

Read first time and attached to **similar Senate File 2236**.

House File 2343, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without clear authorization.

Read first time and attached to **similar Senate File 2342**.

House File 2355, a bill for an act establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans.

Read first time and referred to committee on **Veterans Affairs**.

House File 2402, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney.

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

House File 2456, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Joint Resolution 2007.

Senate Joint Resolution 2007

On motion of Senator Dawson, **Senate Joint Resolution 2007**, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions, was taken up for consideration.

Senator Dawson moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

Senate Joint Resolution 2007, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions. WHEREAS, 23 U.S.C. §159 and 23 C.F.R. pt. 192 require each state to annually certify the state's compliance with 23 U.S.C. §159 to the secretary of the United States department of transportation and authorize the secretary to annually withhold federal highway funds if a state does not meet the requirements set forth in 23 U.S.C. §159(a)(3); and WHEREAS, 23 U.S.C. §159(a)(3)(B) provides that a state may demonstrate compliance if the governor of the state submits to the secretary a

written certification stating that the governor is opposed to the enactment or enforcement in the state of a law that meets the requirements of a law described in 23 U.S.C. §159(a)(3)(A), relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and further submits to the secretary a written certification that the state's legislature has adopted a resolution expressing its opposition to such a law; and WHEREAS, the general assembly finds that enforcement of a law in this state that meets the requirements of a law described in 23 U.S.C. §159(a)(3)(A) is unrelated to, and does not promote, highway safety; is an unnecessary obstacle to the mobility, employability, and rehabilitation of convicted drug offenders; is an unnecessary use of state resources; and should be opposed.

On the question "Shall the resolution be adopted?" (S.J.R. 2007), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2382.

Senate File 2382

On motion of Senator Dawson, **Senate File 2382**, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions, was taken up for consideration.

Senator Dawson offered amendment S-5051, filed by him from the floor to pages 1-3, 5, 17-19, and 22 of the bill.

Senator Kinney asked and received unanimous consent that action on amendment S-5051 and **Senate File 2382** be **deferred**.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Joint Resolution 2007** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2272

The Senate resumed consideration of **Senate File 2272**, a bill for an act relating to community college accreditation, previously deferred.

Senator Sinclair offered amendment S-5040, filed by her on February 26, 2018, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5040 be adopted?” (S.F. 2272), the vote was:

Yeas, 33:

Behn	Dawson	Johnson, D.	Shiple
Bertrand	Dix	Kapucian	Sinclair
Bisignano	Dvorsky	Kinney	Smith
Breitbach	Edler	Kraayenbrink	Whitver
Brown	Feenstra	Lofgren	Zaun
Carlin	Garrett	Rozenboom	Zumbach
Chapman	Greene	Schneider	
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Nays, 17:

Allen	Dotzler	Lykam	Ragan
Bolkcom	Hart	Mathis	Taylor
Boulton	Hogg	McCoy	
Bowman	Horn	Petersen	
Danielson	Jochum	Quirmbach	

Absent, none.

Amendment S–5040 was adopted.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2272), the vote was:

Yeas, 30:

Behn	Dawson	Johnson, D.	Shiple
Bertrand	Dix	Kapucian	Sinclair
Breitbach	Edler	Kraayenbrink	Smith
Brown	Feenstra	Lofgren	Whitver
Carlin	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	Zumbach
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 2272** be **immediately messaged** to the House.

The Senate stood at ease at 2:28 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:44 p.m., President Whitver presiding.

BUSINESS PENDING

Senate File 2341

The Senate resumed consideration of **Senate File 2341**, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions, previously deferred.

Senator Behn offered amendment S-5061, filed by him from the floor to page 1 of the bill.

Senator Bowman asked and received unanimous consent that action on amendment S-5061 and **Senate File 2341** be **deferred**.

BUSINESS PENDING

Senate File 2305

The Senate resumed consideration of **Senate File 2305**, a bill for an act relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing appropriations and penalties, and including effective date and applicability provisions, and amendment S-5047, previously deferred.

Senator Boulton offered amendment S-5052, filed by him from the floor to page 1 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5052 to S-5047 be adopted?" (S.F. 2305), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5052 to amendment S-5047 lost.

Senator Boulton offered amendment S-5053, filed by him from the floor to page 1 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5053 to S-5047 be adopted?" (S.F. 2305), the vote was:

Yeas, 23:

Allen	Danielson	Jochum	McCoy
Bisignano	Dotzler	Johnson, D.	Petersen
Bolkcom	Dvorsky	Kapucian	Quirmbach
Boulton	Hart	Kinney	Ragan
Bowman	Hogg	Lykam	Taylor
Carlin	Horn	Mathis	

Nays, 27:

Behn	Dawson	Johnson, C.	Shipley
Bertrand	Dix	Kraayenbrink	Sinclair
Breitbach	Edler	Lofgren	Smith
Brown	Feenstra	Rozenboom	Whitver
Chapman	Garrett	Schneider	Zaun
Chelgren	Greene	Schultz	Zumbach
Costello	Guth	Segebart	

Absent, none.

Amendment S-5053 to amendment S-5047 lost.

Senator Boulton offered amendment S-5054, filed by Senators Boulton and Dotzler from the floor to pages 2, 7, and 8 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5054 to S-5047 be adopted?" (S.F. 2305), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith

Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, none.

Amendment S-5054 to amendment S-5047 lost.

Senator Boulton asked and received unanimous consent to withdraw amendment S-5055, filed by Senators Boulton and Dotzler from the floor to page 3 of amendment S-5047.

Senator Boulton offered amendment S-5062, filed by Senators Boulton and Dotzler from the floor to page 3 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5062 to S-5047 be adopted?" (S.F. 2305), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5062 to amendment S-5047 lost.

Senator Boulton offered amendment S-5056, filed by him from the floor to page 3 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5056 to S-5047 be adopted?" (S.F. 2305), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, none.

Amendment S-5056 to amendment S-5047 lost.

Senator Boulton offered amendment S-5063, filed by him from the floor to pages 5 and 6 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5063 to S-5047 be adopted?" (S.F. 2305), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair

Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, none.

Amendment S-5063 to amendment S-5047 lost.

Senator Boulton offered amendment S-5057, filed by him from the floor to page 6 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5057 to S-5047 be adopted?” (S.F. 2305), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, none.

Amendment S-5057 to amendment S-5047 lost.

Senator Boulton offered amendment S-5058, filed by Senators Boulton and Dotzler from the floor to page 7 of amendment S-5047, and moved its adoption.

Senator Chapman raised the point of order that amendment S-5058 to S-5047 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5058 out of order.

Senator Boulton offered amendment S-5059, filed by Senators Boulton and Dotzler from the floor to page 7 of amendment S-5047, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5059 to S-5047 be adopted?” (S.F. 2305), the vote was:

Yeas, 23:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	Zaun
Carlin	Horn	McCoy	

Nays, 27:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zumbach
Costello	Guth	Schultz	

Absent, none.

Amendment S-5059 to amendment S-5047 lost.

Senator Zaun took the chair at 6:01 p.m.

President Whitver took the chair at 6:04 p.m.

Senator Chapman moved the adoption of amendment S-5047.

Amendment S-5047 was adopted by a voice vote.

With the adoption of amendment S-5047, the Chair ruled amendment S-5025, filed by Senator Chapman on February 25, 2018, to pages 6 and 12 and amending the title page of the bill, out of order.

With the adoption of amendment S-5047, any references to an “appropriation” were removed from the bill and the title of the bill. As such, it was not a bill that required referral to the Appropriations Committee. If amendment S-5047 had not passed, S.F. 2305 would have been referred to the Appropriations Committee prior to final passage.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2305), the vote was:

Yeas, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Nays, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 2305** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 6:23 p.m. until 9:00 a.m., Wednesday, February 28, 2018.

APPENDIX

STUDY BILLS RECEIVED

SSB 3198 Ways and Means

Concerning the apportionment of certain business income of an airline or a qualified air freight forwarder for purposes of Iowa corporate income tax, and including effective date and retroactive applicability provisions.

SSB 3199 Ways and Means

Prohibiting the office of secretary of state from imposing a fee for filing biennial reports by business entities.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2384

WAYS AND MEANS: Feenstra, Chair; Hogg and Smith

Senate File 2385

WAYS AND MEANS: Feenstra, Chair; Dawson and Dotzler

House File 2356

HUMAN RESOURCES: Garrett, Chair; Chapman and Ragan

House File 2377

HUMAN RESOURCES: Greene, Chair; Chapman and Jochum

SSB 3198

WAYS AND MEANS: Feenstra, Chair; Quirmbach and Schultz

SSB 3199

WAYS AND MEANS: Feenstra, Chair; McCoy and Schultz

AMENDMENTS FILED

S-5042	S.F.	2341	Herman C. Quirmbach
S-5043	S.F.	2375	Kevin Kinney
S-5044	S.F.	2148	Tony Bisignano
S-5045	S.F.	2148	Tony Bisignano
S-5046	S.F.	2341	Tod R. Bowman Nate Boulton
S-5047	S.F.	2305	Jake Chapman
S-5048	S.F.	2341	David Johnson
S-5049	S.F.	2341	Robert M. Hogg
S-5050	S.F.	2341	Robert M. Hogg
S-5051	S.F.	2382	Dan Dawson
S-5052	S.F.	2305	Nate Boulton
S-5053	S.F.	2305	Nate Boulton
S-5054	S.F.	2305	Nate Boulton William A. Dotzler, Jr.
S-5055	S.F.	2305	Nate Boulton William A. Dotzler, Jr.
S-5056	S.F.	2305	Nate Boulton
S-5057	S.F.	2305	Nate Boulton
S-5058	S.F.	2305	Nate Boulton William A. Dotzler, Jr.
S-5059	S.F.	2305	Nate Boulton William A. Dotzler, Jr.
S-5060	S.F.	2382	Kevin Kinney
S-5061	S.F.	2341	Jerry Behn
S-5062	S.F.	2305	Nate Boulton William A. Dotzler, Jr.
S-5063	S.F.	2305	Nate Boulton
S-5064	S.F.	2373	Julian B. Garrett
S-5065	S.F.	2382	Robert M. Hogg

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 28, 2018

The Senate met in regular session at 9:04 a.m., President Whitver presiding.

Prayer was offered by Pastor Dan Rude of Walnut Creek Church in Des Moines, Iowa. He was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

The Journal of Tuesday, February 27, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2378, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

ALSO: That the House has on February 27, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2131, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees. (S-5068)

ALSO: That the House has on February 27, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2405, a bill for an act prohibiting a cause of action for wrongful birth or wrongful life, and including effective date and applicability provisions.

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

House File 2457, 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 retroactive applicability provisions.

Read first time and attached to **companion Senate File 2335**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Jeff Wright, the Governor's appointee to be the Chairperson of the Board of Parole. He was the guest of Senator Zaun and the committee on Judiciary.

BILLS REFERRED TO COMMITTEE

President Whitver announced that the following bills were referred from the Regular Calendar to the committee on Ways and Means:

Senate File 2202
Senate File 2234
Senate File 2283 and attached House File 2370
Senate File 2292
Senate File 2301
Senate File 2317
Senate File 2348
Senate File 2351
Senate File 2372

ALSO: President Whitver announced that Senate File 2307 and attached House File 2254 were referred from the Regular Calendar to the committee on Appropriations.

RECESS

On motion of Senator Dix, the Senate recessed at 9:15 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:47 p.m., President Whitver presiding.

The Senate stood at ease at 1:48 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:29 p.m., President Whitver presiding.

UNFINISHED BUSINESS
(Deferred February 27, 2018)**Senate File 2373**

The Senate resumed consideration of **Senate File 2373**, a bill for an act relating to the criminal offense of child endangerment by prohibiting a sex offender convicted of a sex offense against a minor access to a child or certain minors and by prohibiting a parent or guardian from allowing such access, and providing penalties, deferred February 27, 2018.

Senator Garrett offered amendment S-5064, filed by him on February 27, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5064 was adopted by a voice vote.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2373), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2310 and 2353.

Senate File 2310

On motion of Senator Carlin, **Senate File 2310**, 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.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2310), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2353

On motion of Senator Brown, **Senate File 2353**, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2353), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Quirmbach
Behn	Dawson	Jochum	Ragan
Bertrand	Dix	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider
Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shiple

Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Whitver
Chelgren	Hart	McCoy	Zaun
Costello	Hogg	Petersen	Zumbach

Nays, 2:

Bisignano	Taylor
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Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2310, 2353, and 2373** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred February 27, 2018)

Senate File 2341

The Senate resumed consideration of **Senate File 2341**, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions, and amendment S-5061, deferred February 27, 2018.

Senator Hogg offered amendment S-5072, filed by him from the floor to pages 1-2 and amending the title provisions of amendment S-5061, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5072 to S-5061 be adopted?" (S.F. 2341), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor

Boulton	Hogg	Mathis
Bowman	Horn	McCoy
Danielson	Jochum	Petersen

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S–5072 to amendment S–5061 lost.

Senator Behn moved the adoption of amendment S–5061.

Amendment S–5061 was adopted by a voice vote.

With the adoption of amendment S–5061, the Chair ruled amendment S–5070, filed by Senator Hogg from the floor, to pages 1–2 and amending the title page of the bill, out of order.

Senator Hogg offered amendment S–5050, filed by him on February 27, 2018, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5050 be adopted?” (S.F. 2341), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver

Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5050 lost.

Senator Bowman offered amendment S-5075, filed by Senators Bowman and Boulton from the floor to page 2 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5075 be adopted?" (S.F. 2341), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5075 lost.

Senator Quirmbach offered amendment S-5042, filed by him on February 27, 2018, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5042 be adopted?" (S.F. 2341), the vote was:

Yeas, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Nays, 30:

Behn	Dawson	Johnson, D.	Shipley
Bertrand	Dix	Kapucian	Sinclair
Breitbach	Edler	Kraayenbrink	Smith
Brown	Feenstra	Lofgren	Whitver
Carlin	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	Zumbach
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Absent, none.

Amendment S-5042 lost.

The Senate resumed consideration of amendment S-5049, previously deferred.

Senator Hogg moved the adoption of amendment S-5049.

A record roll call was requested.

On the question "Shall amendment S-5049 be adopted?" (S.F. 2341), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver

Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5049 lost.

Senator Bowman asked and received unanimous consent to withdraw amendment S-5046, previously deferred.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2341), the vote was:

Yeas, 38:

Allen	Danielson	Johnson, C.	Schultz
Behn	Dawson	Kapucian	Segebart
Bertrand	Dix	Kinney	Shipley
Bisignano	Dotzler	Kraayenbrink	Sinclair
Breitbach	Edler	Lofgren	Smith
Brown	Feenstra	Lykam	Whitver
Carlin	Garrett	Mathis	Zaun
Chapman	Greene	Ragan	Zumbach
Chelgren	Guth	Rozenboom	
Costello	Hart	Schneider	

Nays, 12:

Bolkcom	Dvorsky	Jochum	Petersen
Boulton	Hogg	Johnson, D.	Quirnbach
Bowman	Horn	McCoy	Taylor

Absent, none.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2281.

Senate File 2281

On motion of Senator Sinclair, **Senate File 2281**, a bill for an act relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties, was taken up for consideration.

Senator Sinclair offered amendment S-5067, filed by her from the floor to page 3 of the bill, and moved its adoption.

Amendment S-5067 was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2281), the vote was:

Yeas, 30:

Behn	Dawson	Johnson, D.	Shipley
Bertrand	Dix	Kapucian	Sinclair
Breitbart	Edler	Kraayenbrink	Smith
Brown	Feenstra	Lofgren	Whitver
Carlin	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	Zumbach
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, none.

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

The Senate stood at ease at 5:13 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:38 p.m., President Whitver presiding.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2383.

Senate File 2383

On motion of Senator Feenstra, **Senate File 2383**, a bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the moneys and credits tax, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-5074, filed by him from the floor to pages 10-12, 22, 25, 33, 35, 39, 55-58, 61, 62, 64, 67-74, 76-79, 81-88, 90-94, 97, 98, and 106 and amending the title page of the bill.

Senator Jochum raised the point of order that Senate File 2383 should be referred to the committee on Appropriations.

An objection was raised.

Senator Jochum made a motion to refer Senate File 2383 to the committee on Appropriations under Senate Rule 38.

A record roll call was requested.

On the question “Shall the motion to refer Senate File 2383 to the committee on Appropriations pass?” the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

The motion lost.

Senator Feenstra offered amendment S-5076, filed by him from the floor to page 3 of amendment S-5074, and moved its adoption.

Amendment S-5076 to amendment S-5074 was adopted by a voice vote.

Senator Feenstra moved the adoption of amendment S-5074, as amended.

A record roll call was requested.

On the question “Shall amendment S-5074, as amended, be adopted?” (S.F. 2383), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley

Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

Amendment S-5074, as amended, was adopted.

Senator Allen withdrew amendment S-5073, filed by him from the floor to page 29 of the bill.

Senator Greene withdrew amendment S-5069, filed by him from the floor to pages 31-33 of the bill.

Senator Zaun withdrew amendment S-5077, filed by him from the floor to pages 33-42 and amending the title page of the bill.

Senator Sinclair took the chair at 7:01 p.m.

President Whitver took the chair at 7:05 p.m.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2383), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2281, 2341, and 2383** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano, until he returns, on the request of Senator Petersen.

CONSIDERATION OF BILL (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2357.

Senate File 2357

On motion of Senator Garrett, **Senate File 2357**, a bill for an act relating to jurisdictional changes to small claims court cases, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2357), the vote was:

Yeas, 32:

Allen	Costello	Johnson, C.	Schultz
Behn	Dawson	Kapucian	Segebart
Bertrand	Dix	Kraayenbrink	Shipley
Breitbach	Edler	Lofgren	Sinclair
Brown	Feenstra	Mathis	Smith
Carlin	Garrett	McCoy	Whitver
Chapman	Greene	Rozenboom	Zaun
Chelgren	Guth	Schneider	Zumbach

Nays, 17:

Bolkcom	Dvorsky	Johnson, D.	Ragan
Boulton	Hart	Kinney	Taylor
Bowman	Hogg	Lykam	
Danielson	Horn	Petersen	
Dotzler	Jochum	Quirnbach	

Absent, 1:

Bisignano

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

UNFINISHED BUSINESS
(Deferred February 27, 2018)

Senate File 2382

The Senate resumed consideration of **Senate File 2382**, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions, and amendment S-5051, deferred February 27, 2018.

Senator Dawson offered amendment S-5071, filed by him from the floor to page 1 of amendment S-5051, and moved its adoption.

Amendment S-5071 to amendment S-5051 was adopted by a voice vote.

With the adoption of amendment S-5071 to amendment S-5051, the Chair ruled amendment S-5060, filed by Senator Kinney on February 27, 2018, to page 1 of the bill, out of order.

Senator Hogg offered amendment S-5065, filed by him on February 27, 2018, to page 1 of amendment S-5051, and moved its adoption.

Amendment S-5065 to amendment S-5051 lost by a voice vote.

Senator Dawson moved the adoption of amendment S-5051, as amended.

Amendment S-5051, as amended, was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2382), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bertrand	Dix	Johnson, D.	Schneider
Bolkcom	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hart	Petersen	Zumbach
Costello	Horn	Quirmbach	

Nays, 2:

Hogg	Taylor
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Absent, 1:

Bisignano

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2325 and 2344.

Senate File 2325

On motion of Senator Smith, **Senate File 2325**, a bill for an act relating to the notation of discharges of motor vehicle security interests, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2325), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bisignano

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

Senate File 2344

On motion of Senator Sinclair, **Senate File 2344**, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions, was taken up for consideration.

Senator Sinclair offered amendment S-5066, filed by her from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5066 be adopted?" (S.F. 2344), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 20:

Allen	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirmbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Absent, 1:

Bisignano

Amendment S-5066 was adopted.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2344), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 20:

Allen	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirmbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Absent, 1:

Bisignano

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2325, 2344, 2357, and 2382** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 8:37 p.m. until 9:00 a.m., Thursday, March 1, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF PUBLIC DEFENSE

Offenses Reported to Civilian Law Enforcement Authorities, pursuant to Iowa Code section 29B.116B. Report received on February 28, 2018.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convended: Wednesday, February 28, 2018, 1:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: Quirnbach, Ranking Member (excused).

Committee Business: Presentation on the National Guard.

Adjourned: 1:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convended: Wednesday, February 28, 2018, 10:00 a.m.

Members Present: Guth, Chair; Chapman, Vice Chair; Mathis, Ranking Member; Lykam, and Zumbach.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convended: Wednesday, February 28, 2018, 10:10 a.m.

Members Present: Costello, Chair; Ragan, Ranking Member; Bolkom, and Edler.

Members Absent: Segebart, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 11:35 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, February 28, 2018, 10:10 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2200

STATE GOVERNMENT: Dvorsky, Chair; Carlin and Smith

House File 2407

AGRICULTURE: Shipley, Chair; Edler and Taylor

House File 2440

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Dvorsky, Kapucian, Kinney, and Shipley

House File 2456

HUMAN RESOURCES: Chelgren, Chair; Mathis and Segebart

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate on February 27, 2018:

I am withdrawing the name of Phil Kooima to serve as a member of the Economic Development Authority from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on February 27, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Economic Development Authority, formerly held by Phil Kooima. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

AMENDMENTS FILED

S-5066	S.F.	2344	Amy Sinclair
S-5067	S.F.	2281	Amy Sinclair
S-5068	S.F.	2131	House
S-5069	S.F.	2383	Thomas A. Greene
S-5070	S.F.	2341	Robert M. Hogg
S-5071	S.F.	2382	Dan Dawson
S-5072	S.F.	2341	Robert M. Hogg
S-5073	S.F.	2383	Chaz Allen
S-5074	S.F.	2383	Randy Feenstra
S-5075	S.F.	2341	Tod R. Bowman Nate Boulton
S-5076	S.F.	2383	Randy Feenstra
S-5077	S.F.	2383	Brad Zaun

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 1, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Pastor Stan Johnson of the Evangelical Free Church in Britt, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Wednesday, February 28, 2018, was approved.

SPECIAL GUEST

Senator Hogg introduced to the Senate chamber the Honorable Steve Sovern, former member of the Senate from Linn County, Cedar Rapids, Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Dix, the Senate recessed at 9:11 a.m. until 12:30 p.m.

RECONVENED

The Senate reconvened at 12:39 p.m., President Whitver presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2262, a bill for an act relating to final-stage motor vehicle manufacturers.

ALSO: That the House has on March 1, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2177, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions. (S-5083)

ALSO: That the House has on March 1, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2354, a bill for an act relating to student personal information protection.

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

House File 2397, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

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

House File 2406, a bill for an act establishing shared operational function supplemental weighting for certain licensed social workers and including effective date and applicability provisions.

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

House File 2446, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2238, 2171, and 2249.

Senate File 2238

On motion of Senator Zaun, **Senate File 2238**, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties, was taken up for consideration.

Senator Zaun offered amendment S-5080, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5080 was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that **House File 2199** be **substituted** for **Senate File 2238**.

House File 2199

On motion of Senator Zaun, **House File 2199**, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2199), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate File 2238** be **withdrawn** from further consideration of the Senate.

Senate File 2171

On motion of Senator Chelgren, **Senate File 2171**, a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters, was taken up for consideration.

Senator Chelgren offered amendment S-5078, filed by him from the floor to pages 1-2 of the bill, and moved its adoption.

Amendment S-5078 was adopted by a voice vote.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2171), the vote was:

Yeas, 46:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bisignano	Dix	Kapucian	Schultz
Bolkcom	Dotzler	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shiple
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Horn	Quirmbach	
Costello	Jochum	Ragan	

Nays, 3:

Dvorsky	Hogg	Taylor
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Absent, 1:

Bertrand

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

Senate File 2249

On motion of Senator Guth, **Senate File 2249**, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies, was taken up for consideration.

Senator Guth asked and received unanimous consent that **House File 2237** be **substituted** for **Senate File 2249**.

House File 2237

On motion of Senator Guth, **House File 2237**, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2237), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

WITHDRAWN

Senator Guth asked and received unanimous consent that **Senate File 2249** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 2171** and **House Files 2199** and **2237** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2290, 2299, and 2316.

Senate File 2290

On motion of Senator Schultz, **Senate File 2290**, a bill for an act relating to boards of trustees for county and city hospitals, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2290), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

Senate File 2299

On motion of Senator Segebart, **Senate File 2299**, a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals, was taken up for consideration.

Senator Segebart offered amendment S-5079, filed by him from the floor to pages 1-2 and amending the title page of the bill, and moved its adoption.

Amendment S-5079 was adopted by a voice vote.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2299), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

Senate File 2316

On motion of Senator Sinclair, **Senate File 2316**, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2316), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2290, 2299, and 2316** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 1:18 p.m. until 1:00 p.m., Monday, March 5, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2. Report received on March 1, 2018.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Comprehensive Public Safety Answering Point Cost and Expenditure Data, pursuant to 2017 Iowa Acts, Chapter 136, section 9, Senate File 500. Report received on March 1, 2018.

BOARD OF REGENTS

Data Collection of In-Field Agricultural Practices – Pilot Project Report, pursuant to 2015 Iowa Acts, Chapter 132, section 18. Report received on March 1, 2018.

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on March 1, 2018.

CERTIFICATES OF RECOGNITION

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

Cabin Coffee, Clear Lake—For receiving the Neal Smith Entrepreneur of the Year Award from the Iowa Small Business Development Center. Senator Ragan.

Ruth Fagen, Humbolt—For celebrating her 100th birthday. Senator Kraayenbrink.

Grace Johanns, Burlington—For receiving a 2018 Prudential Spirit of Community Award for her exemplary volunteer service. Senator Greene.

Doreen Roy, Burlington—For receiving the 2018 Deb Dalziel Woman Entrepreneurial Award from the Iowa Small Business Development Center. Senator Greene.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, March 1, 2018, 10:00 a.m.

Members Present: Guth, Chair; Chapman, Vice Chair; Lykam, and Zumbach.

Members Absent: Mathis, Ranking Member (excused).

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, March 1, 2018, 10:25 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; and Bolkcom.

Members Absent: Edler (excused).

Committee Business: Presentations on Certified Respite Program, Child Protection Centers, and Des Moines University-Psychiatric Training Proposal.

Adjourned: 11:25 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 110, by Bowman, a resolution for celebrating the 150th birthday of Robert A. Millikan by recognizing his significant contributions to the field of physics.

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

INTRODUCTION OF BILL

Senate File 2386, by Bolkcom, a bill for an act establishing an interim study committee to review and develop recommendations for the appointment of a special prosecutor for incidents involving the use of deadly force by a peace officer.

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

SUBCOMMITTEE ASSIGNMENTS**Senate File 2202**

WAYS AND MEANS: Carlin, Chair; Behn and Dotzler

Senate File 2234

WAYS AND MEANS: Carlin, Chair; Breitbach and Hogg

Senate File 2283

WAYS AND MEANS: Carlin, Chair; Edler and Jochum

Senate File 2292

WAYS AND MEANS: Feenstra, Chair; Hogg and Schultz

Senate File 2301

WAYS AND MEANS: Dawson, Chair; Bolkcom and Breitbach

Senate File 2317

WAYS AND MEANS: Brown, Chair; Hogg and Schultz

Senate File 2348

WAYS AND MEANS: Feenstra, Chair; Behn and Quirnbach

Senate File 2351

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

Senate File 2372

WAYS AND MEANS: Dawson, Chair; Bolkcom and Breitbach

House File 631

(Reassigned)

WAYS AND MEANS: Dawson, Chair; Brown and Dotzler

House File 2305

COMMERCE: Guth, Chair; Boulton and Zumbach

House File 2340

LOCAL GOVERNMENT: Garrett, Chair; Guth and Hogg

House File 2351

COMMERCE: Zaun, Chair; Boulton and Breitbach

House File 2355

VETERANS AFFAIRS: Costello, Chair; Edler and Ragan

House File 2381

JUDICIARY: Garrett, Chair; Kinney and Sinclair

House File 2392

JUDICIARY: Edler, Chair; Kinney and Shipley

House File 2402

JUDICIARY: Sinclair, Chair; Boulton and Schultz

House File 2405

JUDICIARY: Schultz, Chair; Petersen and Sinclair

House File 2422

AGRICULTURE: Kapucian, Chair; Brown and Hart

House File 2456

(Reassigned)

HUMAN RESOURCES: Chelgren, Chair; Bolkcom, Costello, Ragan, and Segebart

AMENDMENTS FILED

S-5078	S.F.	2171	Mark Chelgren
S-5079	S.F.	2299	Mark Segebart
S-5080	S.F.	2238	Brad Zaun
S-5081	S.F.	2242	Dan Zumbach
S-5082	S.F.	2367	Mark S. Lofgren
S-5083	S.F.	2177	House
S-5084	S.F.	2302	Tim L. Kapucian

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 5, 2018

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

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabela Gallegos.

The Journal of Thursday, March 1, 2018, was approved.

RECESS

On motion of Senator Dix, the Senate recessed at 1:10 p.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 3:09 p.m., President Whitver presiding.

The Senate stood at ease at 3:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:45 p.m., President Whitver presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hart, until she arrives, on request of Senator Petersen.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Commission on Aging, Suzanne Heckenlaible

Architectural Examining Board, Scott Hatfield

Iowa State Civil Rights Commission, Sam Kooiker

Board of Corrections, W. Thomas Phillips

Superintendent of Credit Unions, Katie Averill

Early Childhood Iowa State Board, Kathryn Dorsey

Board of Educational Examiners, David Schipper

Electrical Examining Board, Daniel Wood

Engineering and Land Surveying Examining Board, Todde Folkerts

Iowa Finance Authority, Gilbert Thomas

Board of Hearing Aid Specialists, Nicholas Woolley

Iowa Higher Education Loan Authority, Beverly Wharton

Interior Design Examining Board, Joan Birk

Interior Design Examining Board, Danielle Williams

Commission on Judicial Qualifications, Dr. Leah Johnson

Commission on Judicial Qualifications, O. Jay Tomson

Iowa Lottery Authority Board of Directors, Sherrae Hanson

Board of Medicine, Dr. Warren Gall

Mental Health and Disability Services Commission, Dennis Bush

Board of Nursing, Sue Putnam
Board of Nursing, Gwen Suntken

Iowa Public Information Board, Monica McHugh

School Budget Review Committee, Martha Bruckner

Board of Sign Language Interpreters and Transliterators, Albert Mingo

State Soil Conservation Committee, Steve Hofmann

Telecommunications and Technology Commission, Bob Holz

Title Guaranty Division Board, Jason Froehlich

Commission of Veterans Affairs, John Kost

Commandant of the Iowa Veterans Home, Timon Oujiri

Iowa Workforce Development Board, Kelly Barrick
Iowa Workforce Development Board, Gina Bettini
Iowa Workforce Development Board, Jeff DeVries
Iowa Workforce Development Board, Steven Gilbert
Iowa Workforce Development Board, Quentin Hart
Iowa Workforce Development Board, Carmen Heck
Iowa Workforce Development Board, Jayson Henry
Iowa Workforce Development Board, Jay Iverson
Iowa Workforce Development Board, Becky Jacobsen
Iowa Workforce Development Board, Amy Larsen
Iowa Workforce Development Board, Ruby Mateos
Iowa Workforce Development Board, Nancy McDowell
Iowa Workforce Development Board, Sondra Meyers
Iowa Workforce Development Board, Richard Moon
Iowa Workforce Development Board, Randy Moore
Iowa Workforce Development Board, Anne Parmley
Iowa Workforce Development Board, Cara Sanders
Iowa Workforce Development Board, Philip Tuning

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

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dix	Johnson, D.	Schneider
Bolkcom	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, 1:

Hart

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Dix called up the appointment of Jeff Wright as a member of the Board of Parole, placed on the Individual Confirmation Calendar on February 21, 2018, found on page 424 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dix	Johnson, D.	Schneider
Bolkcom	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley

Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, 1:

Hart

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

Senator Dix called up the appointment of Jeff Wright as Chairperson of the Board of Parole, placed on the Individual Confirmation Calendar on February 21, 2018, found on page 424 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dix	Johnson, D.	Schneider
Bolkcom	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shiplee
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, 1:

Hart

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

HOUSE AMENDMENT CONSIDERED

Senate File 2131

Senator Dix called up for consideration **Senate File 2131**, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, amended by the House in House amendment S-5068, filed February 28, 2018.

Senator McCoy offered amendment S-5089, filed by him from the floor to page 1 and amending the title provisions of amendment S-5068 and moved its adoption.

A nonrecord roll call was requested.

Amendment S-5089 to amendment S-5068 lost.

Senator McCoy deferred amendment S-5090, filed by him from the floor to page 1 and amending the title provisions of amendment S-5068.

Senator McCoy deferred amendment S-5091, filed by him from the floor to page 1 and amending the title provisions of amendment S-5068.

Senator McCoy offered amendment S-5092, filed by him from the floor to page 1 and amending the title provisions of amendment S-5068.

Senator McCoy asked and received unanimous consent that action on amendment S-5092 to amendment S-5068 and **Senate File 2131** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 192.

Senate File 192

On motion of Senator Dawson, **Senate File 192**, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dawson deferred amendment S-5009, filed by the committee on State Government on February 19, 2018, to pages 1-4 and 6-8 of the bill.

Senator Dawson offered amendment S-5087, filed by him from the floor to pages 1-8 of the bill, and moved its adoption.

Amendment S-5087 was adopted by a voice vote.

With the adoption of amendment S-5087, the Chair ruled amendment S-5009 out of order.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 192), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Hart

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 192** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2242, 2303, 2322, and 2215.

Senate File 2242

On motion of Senator Zumbach, **Senate File 2242**, a bill for an act regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties, was taken up for consideration.

Senator Zumbach offered amendment S-5081, filed by him on March 1, 2018, amending the title page of the bill, and moved its adoption.

Amendment S-5081 was adopted by a voice vote.

Senator Zumbach asked and received unanimous consent that **House File 2408** be **substituted** for **Senate File 2242**.

House File 2408

On motion of Senator Zumbach, **House File 2408**, a bill for an act regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties, was taken up for consideration.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2408), the vote was:

Yeas, 32:

Allen	Costello	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bowman	Edler	Kinney	Shipley
Breitbach	Feenstra	Kraayenbrink	Sinclair
Brown	Garrett	Lofgren	Smith
Carlin	Greene	Ragan	Whitver
Chelgren	Guth	Rozenboom	Zumbach

Nays, 17:

Bisignano	Dotzler	Lykam	Taylor
Bolkcom	Dvorsky	Mathis	Zaun
Boulton	Hogg	McCoy	
Chapman	Horn	Petersen	
Danielson	Jochum	Quirnbach	

Absent, 1:

Hart

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

Senate File 2303

On motion of Senator Edler, **Senate File 2303**, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2303), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Hart

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

WITHDRAWN

Senator Zumbach asked and received unanimous consent that **Senate File 2242** be **withdrawn** from further consideration of the Senate.

Senate File 2322

On motion of Senator Schultz, **Senate File 2322**, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs, was taken up for consideration.

Senator Schultz offered amendment S-5086, filed by him from the floor to pages 1-6 of the bill, and moved its adoption.

Amendment S-5086 was adopted by a voice vote.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2322), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Hart

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

Senate File 2215

On motion of Senator Feenstra, **Senate File 2215**, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property, was taken up for consideration.

Senator Feenstra asked and received unanimous consent that **House File 2286** be **substituted** for **Senate File 2215**.

House File 2286

On motion of Senator Feenstra, **House File 2286**, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2286), the vote was:

Yeas, 41:

Allen	Costello	Johnson, C.	Segebart
Behn	Danielson	Johnson, D.	Shiple
Bertrand	Dawson	Kapucian	Sinclair
Bisignano	Dix	Kinney	Smith
Boulton	Dotzler	Kraayenbrink	Taylor
Bowman	Edler	Lofgren	Whitver
Breitbach	Feenstra	Lykam	Zaun
Brown	Garrett	Mathis	Zumbach
Carlin	Greene	Rozenboom	
Chapman	Guth	Schneider	
Chelgren	Horn	Schultz	

Nays, 8:

Bolkcom	Hogg	McCoy	Quirmbach
Dvorsky	Jochum	Petersen	Ragan

Absent, 1:

Hart

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

WITHDRAWN

Senator Feenstra asked and received unanimous consent that **Senate File 2215** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2303** and **2322** and **House Files 2286** and **2408** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred February 26, 2018)

Senate File 2345

The Senate resumed consideration of **Senate File 2345**, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes, deferred February 26, 2018.

Senator Hogg offered amendment S-5093, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5093 be adopted?" (S.F. 2345), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Quirmbach
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Schultz
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	
Chelgren	Horn	Petersen	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Johnson, D.	Shipley
Breitbach	Edler	Kapucian	Sinclair
Brown	Feenstra	Kraayenbrink	Smith
Carlin	Garrett	Lofgren	Whitver
Chapman	Greene	Rozenboom	Zaun
Costello	Guth	Schneider	Zumbach

Absent, none.

Amendment S-5093 lost.

Senator Hogg offered amendment S-5094, filed by him from the floor to page 1 of the bill.

Senator Schneider raised the point of order that amendment S-5094 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-5094 in order.

Senator Hogg moved the adoption of amendment S-5094.

A record roll call was requested.

On the question "Shall amendment S-5094 be adopted?" (S.F. 2345), the vote was:

Yeas, 20:

Allen	Chelgren	Hogg	McCoy
Bisignano	Danielson	Jochum	Petersen
Bolkcom	Dotzler	Kinney	Quirmbach
Boulton	Dvorsky	Lykam	Ragan
Bowman	Hart	Mathis	Taylor

Nays, 30:

Behn	Dix	Johnson, D.	Shiple
Bertrand	Edler	Kapucian	Sinclair
Breitbach	Feenstra	Kraayenbrink	Smith
Brown	Garrett	Lofgren	Whitver
Carlin	Greene	Rozenboom	Zaun
Chapman	Guth	Schneider	Zumbach
Costello	Horn	Schultz	
Dawson	Johnson, C.	Segebart	

Absent, none.

Amendment S-5094 lost.

Senator Hogg offered amendment S-5095, filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5095 be adopted?" (S.F. 2345), the vote was:

Yeas, 21:

Allen	Danielson	Jochum	Quirmbach
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hart	Mathis	
Bowman	Hogg	McCoy	
Chelgren	Horn	Petersen	

Nays, 29:

Behn	Dix	Kapucian	Sinclair
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Whitver
Brown	Garrett	Rozenboom	Zaun
Carlin	Greene	Schneider	Zumbach
Chapman	Guth	Schultz	
Costello	Johnson, C.	Segebart	
Dawson	Johnson, D.	Shipley	

Absent, none.

Amendment S-5095 lost.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2345), the vote was:

Yeas, 41:

Allen	Dix	Johnson, D.	Segebart
Behn	Dotzler	Kapucian	Shipley
Bertrand	Dvorsky	Kraayenbrink	Sinclair
Bowman	Edler	Lofgren	Smith
Breitbach	Feenstra	Lykam	Taylor
Brown	Garrett	McCoy	Whitver
Carlin	Greene	Quirmbach	Zaun
Chapman	Guth	Ragan	Zumbach
Costello	Hart	Rozenboom	
Danielson	Horn	Schneider	
Dawson	Johnson, C.	Schultz	

Nays, 9:

Bisignano	Chelgren	Kinney
Bolkcom	Hogg	Mathis
Boulton	Jochum	Petersen

Absent, none.

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

Senate File 2314

On motion of Senator Edler, **Senate File 2314**, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations, was taken up for consideration.

Senator Edler withdrew amendment S-5085, filed by him from the floor to page 2 and amending the title page of the bill.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2314), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiplee
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2349

On motion of Senator Zumbach, **Senate File 2349**, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers, was taken up for consideration.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2349), the vote was:

Yeas, 33:

Behn	Dawson	Horn	ShIPLEY
Bertrand	Dix	Johnson, C.	SINCLAIR
Bowman	Dotzler	Kapucian	SMITH
Breitbach	Edler	Kraayenbrink	Whitver
Brown	Feenstra	Lofgren	Zaun
Carlin	Garrett	Rozenboom	Zumbach
Chapman	Greene	Schneider	
Chelgren	Guth	Schultz	
Costello	Hart	Segebart	

Nays, 17:

Allen	Dvorsky	Lykam	Ragan
Bisignano	Hogg	Mathis	Taylor
Bolkcom	Jochum	McCoy	
Boulton	Johnson, D.	Petersen	
Danielson	Kinney	Quirnbach	

Absent, none.

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

BUSINESS PENDING

Senate File 2131

The Senate resumed consideration of **Senate File 2131**, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, and amendments S-5068, S-5090, S-5091, and S-5092, previously deferred.

Senator McCoy withdrew amendment S-5090 to amendment S-5068.

The Senator resumed consideration of amendment S-5091 to amendment S-5068, previously deferred.

Senator McCoy withdrew amendment S-5091 to amendment S-5068 and amendment S-5092 to amendment S-5068.

Senator Edler moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Edler moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2131), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiplee
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2131, 2314, 2345, and 2349** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2059, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Senate File 2135, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

ALSO: That the House has on March 5, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2303, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

Read first time and attached to **similar Senate File 2302**.

House File 2304, a bill for an act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties.

Read first time and **passed on file**.

House File 2321, a bill for an act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

Read first time and **passed on file**.

House File 2349, a bill for an act relating to persons voluntarily excluded from gambling facilities.

Read first time and **passed on file**.

House File 2365, a bill for an act relating to conservation and recreation policies and programs within the department of natural resources.

Read first time and **passed on file**.

House File 2425, a bill for an act establishing a physical therapy licensure compact.

Read first time and **passed on file**.

House File 2466, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions.

Read first time and **passed on file**.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 6:27 p.m. until 9:00 a.m., Tuesday, March 6, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral, pursuant to Iowa Code section 12C.20. Report received on March 2, 2018.

CERTIFICATES OF RECOGNITION

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

Brodina Boussetot, Calamus-Wheatland FFA—For achieving the FFA American Degree. Senator Hart.

Jaelyn Diercks, Calamus-Wheatland FFA—For achieving the FFA American Degree. Senator Hart.

Zach Hamilton, Northeast-Goose Lake FFA—For achieving the FFA American Degree. Senator Hart.

Brad Holdgrafer, Northeast-Goose Lake FFA—For achieving the FFA American Degree. Senator Hart.

Iowa City West Girls Basketball Team—For winning the Class 5A State Title. Senator Dvorsky.

Cassidy Jacobsen, Northeast-Goose Lake FFA—For achieving the FFA American Degree. Senator Hart.

Chad Marlowe, DeWitt-Central FFA—For achieving the FFA American Degree. Senator Hart.

Bailey Jo Moellenbeck, Calamus-Wheatland FFA—For achieving the FFA American Degree. Senator Hart.

Justin Swanton, Northeast-Goose Lake FFA—For achieving the FFA American Degree. Senator Hart.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Monday, March 5, 2018, 2:05 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkom, Ranking Member; Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

Members Absent: Hart and Whitver (both excused).

Committee Business: Presentation by the Society of Actuaries' Blue Ribbon Panel on Public Pension Plan Funding.

Adjourned: 3:00 p.m.

STUDY BILL RECEIVED

SSB 3200 Ways and Means

Relating to the workforce housing tax incentives program.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2307

APPROPRIATIONS: Shipley, Chair; Danielson and Greene

House File 2446

WAYS AND MEANS: Feenstra, Chair; Behn and Hogg

SSB 3200

WAYS AND MEANS: Feenstra, Chair; Behn and Dotzler

AMENDMENTS FILED

S-5085	S.F.	2314	Jeff Edler
S-5086	S.F.	2322	Jason Schultz
S-5087	S.F.	192	Dan Dawson
S-5088	S.F.	2361	Amy Sinclair
S-5089	S.F.	2131	Matt McCoy
S-5090	S.F.	2131	Matt McCoy
S-5091	S.F.	2131	Matt McCoy
S-5092	S.F.	2131	Matt McCoy
S-5093	S.F.	2345	Robert M. Hogg
S-5094	S.F.	2345	Robert M. Hogg
S-5095	S.F.	2345	Robert M. Hogg
S-5096	S.F.	2311	Michael Breitbach

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 6, 2018

The Senate met in regular session at 9:05 a.m., President Whitver presiding.

Prayer was offered by Reverend Jon Nelson, pastor of the Central Reformed Church in Oskaloosa, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jaelyn Lentz.

The Journal of Monday, March 5, 2018, was approved.

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

The Senate resumed session at 11:33 a.m., President Whitver presiding.

QUORUM CALL

Senator Dix requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent, and a quorum present.

The Senate stood at ease at 11:42 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:53 a.m., President Whitver presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2165, 2176, 2226, and 2197.

Senate File 2165

On motion of Senator Dawson, **Senate File 2165**, a bill for an act concerning payments under the crime victim compensation program, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2165), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2176

On motion of Senator Garrett, **Senate File 2176**, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2176), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2226

On motion of Senator Lofgren, **Senate File 2226**, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2226), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2197

On motion of Senator Garrett, **Senate File 2197**, a bill for an act relating to theft of motor vehicles subsequently used in the commission of a felony, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2197), the vote was:

Yeas, 37:

Allen	Danielson	Johnson, C.	Segebart
Behn	Dawson	Johnson, D.	Shiple
Bertrand	Dix	Kapucian	Sinclair
Bowman	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Whitver
Brown	Garrett	Lykam	Zaun
Carlin	Greene	Ragan	Zumbach

Chapman	Guth	Rozenboom
Chelgren	Hart	Schneider
Costello	Horn	Schultz

Nays, 13:

Bisignano	Dvorsky	Mathis	Taylor
Bolkcom	Hogg	McCoy	
Boulton	Jochum	Petersen	
Dotzler	Kinney	Quirmbach	

Absent, none.

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Dix called up the appointment of Mark Lowe as a member of the Director of Transportation, placed on the Individual Confirmation Calendar on February 26, 2018, found on page 446 of the Senate Journal.

Senator Danielson asked and received unanimous consent that action on the confirmation of Mark Lowe be deferred.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2165, 2176, 2197, and 2226** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2255, 2243, and 2282.

Senate File 2255

On motion of Senator Brown, **Senate File 2255**, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2255), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2243

On motion of Senator Guth, **Senate File 2243**, a bill for an act prohibiting the use of false or misleading caller identification information to certain persons, and making penalties applicable, was taken up for consideration.

Senator Guth offered amendment S-5099, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5099 was adopted by a voice vote.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2243), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2282

On motion of Senator Garrett, **Senate File 2282**, a bill for an act providing for the constitutionality of statutes and including effective date provisions, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2282), the vote was:

Yeas, 26:

Behn	Dawson	Kapucian	Sinclair
Breitbach	Dix	Kraayenbrink	Smith
Brown	Edler	Lofgren	Whitver
Carlin	Feenstra	Rozenboom	Zaun
Chapman	Garrett	Schultz	Zumbach
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 24:

Allen	Danielson	Horn	McCoy
Bertrand	Dotzler	Jochum	Petersen
Bisignano	Dvorsky	Johnson, D.	Quirnbach
Bolkcom	Greene	Kinney	Ragan
Boulton	Hart	Lykam	Schneider
Bowman	Hogg	Mathis	Taylor

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2243, 2255, and 2282** be **immediately messaged** to the House.

RECESS

On motion of Senator Dix, the Senate recessed at 1:51 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:10 p.m., President Whitver presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2098, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

ALSO: That the House has on March 6, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2234, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

Read first time and attached to **companion Senate File 2168**.

House File 2253, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

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

House File 2258, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

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

House File 2277, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist or a county registrar.

Read first time and attached to **similar Senate File 2291**.

House File 2280, a bill for an act relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program, and including effective date and retroactive applicability provisions.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2330, 2335, 2343, and 2346.

Senate File 2330

On motion of Senator Guth, **Senate File 2330**, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2330), the vote was:

Yeas, 48:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider
Bisignano	Dix	Kapucian	Schultz
Bolkcom	Dotzler	Kinney	Segebart
Boulton	Dvorsky	Kraayenbrink	Shipley
Bowman	Edler	Lofgren	Sinclair
Breitbach	Feenstra	Lykam	Smith
Brown	Garrett	Mathis	Taylor
Carlin	Greene	McCoy	Whitver
Chapman	Guth	Petersen	Zaun
Chelgren	Hart	Quirmbach	Zumbach

Nays, 2:

Hogg Johnson, D.

Absent, none.

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

Senate File 2335

On motion of Senator Zaun, **Senate File 2335**, 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 retroactive applicability provisions, was taken up for consideration.

Senator Zaun asked and received unanimous consent that **House File 2457** be **substituted** for **Senate File 2335**.

House File 2457

On motion of Senator Zaun, **House File 2457**, 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 retroactive applicability provisions, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2457), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiplee
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate File 2335** be **withdrawn** from further consideration of the Senate.

Senate File 2343

On motion of Senator Dawson, **Senate File 2343**, a bill for an act allowing law enforcement agencies to retain possession of motor vehicles suspected to have been used to elude law enforcement vehicles, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **Senate File 2343** be **deferred**.

Senate File 2346

On motion of Senator Chapman, **Senate File 2346**, a bill for an act relating to the conduct of election activities, including the sending of certain electronic messages, ballot arrangement for certain partisan offices, and imposing penalties, was taken up for consideration.

Senator Chapman offered amendment S-5097, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator D. Johnson asked and received unanimous consent that action on amendment S-5097 and **Senate File 2346** be **deferred**.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 2330** and **House File 2457** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2311.

Senate File 2311

On motion of Senator Breitbach, **Senate File 2311**, a bill for an act modifying various provisions relating to public utilities, was taken up for consideration.

(Senate File 2311 was deferred.)

The Senate stood at ease at 4:47 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:26 p.m., President Whitver presiding.

RECESS

On motion of Senator Dix, the Senate recessed at 5:27 p.m. until 8:30 p.m.

RECONVENED

The Senate reconvened at 8:35 p.m., President Whitver presiding.

QUORUM CALL

Senator Dix requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent, and a quorum present.

The Senate stood at ease at 8:42 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:05 p.m., President Whitver presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2290, a bill for an act relating to boards of trustees for county and city hospitals.

ALSO: That the House has on March 6, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2333, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions. (S-5113)

ALSO: That the House has on March 6, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2283, a bill for an act relating to the expiration date of a license issued by the board of educational examiners.

Read first time and attached to **companion Senate File 2130**.

House File 2307, a bill for an act relating to the sale or acquisition of certain utilities.

Read first time and attached to **similar Senate File 2328**.

House File 2342, a bill for an act relating to the seizure and disposition of property by the department of natural resources and requiring a report.

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

House File 2371, a bill for an act exempting the state and municipalities from liability for claims involving honeybees on public property.

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

House File 2382, a bill for an act relating to the composition of the engineering and land surveying examining board.

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

House File 2441, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions.

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

House File 2449, a bill for an act relating to the substitute decision maker Act.

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

House File 2451, a bill for an act relating to the programs and services under the purview of the department on aging.

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

BUSINESS PENDING

Senate File 2311

The Senate resumed consideration of **Senate File 2311**, a bill for an act modifying various provisions relating to public utilities, previously deferred.

Senator Hogg offered amendment S-5115, filed by him from the floor to pages 2 and 6-12 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5115 be adopted?" (S.F. 2311), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bertrand	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	

Nays, 28:

Behn	Dawson	Johnson, C.	Segebart
Breitbach	Dix	Kapucian	Shipley
Brown	Edler	Kraayenbrink	Sinclair
Carlin	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, none.

Amendment S–5115 lost.

Senator Hogg withdrew amendment S–5107, filed by him from the floor to pages 3 and 15 of the bill.

Senator Hogg offered amendment S–5109, filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5109 be adopted?” (S.F. 2311), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S–5109 lost.

Senator Breitbach withdrew amendment S-5041, filed by him on February 26, 2018, to pages 6-12 of the bill.

Senator Breitbach offered amendment S-5096, filed by him on March 5, 2018, to pages 6-12 of the bill, and moved its adoption.

Amendment S-5096 was adopted by a voice vote.

Senator Hogg withdrew amendment S-5102, filed by him from the floor to page 8 of the bill.

Senator Hogg offered amendment S-5110, filed by him from the floor to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5110 be adopted?" (S.F. 2311), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5110 lost.

Senator Hogg offered amendment S-5116, filed by him from the floor to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5116 be adopted?” (S.F. 2311), the vote was:

Yeas, 20:

Allen	Danielson	Horn	Mathis
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Johnson, D.	Quirmbach
Boulton	Hart	Kinney	Ragan
Bowman	Hogg	Lykam	Taylor

Nays, 30:

Behn	Dawson	Kapucian	Shiple
Bertrand	Dix	Kraayenbrink	Sinclair
Breitbach	Edler	Lofgren	Smith
Brown	Feenstra	McCoy	Whitver
Carlin	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	Zumbach
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Absent, none.

Amendment S–5116 lost.

Senator Breitbach offered amendment S–5038, filed by him on February 22, 2018, to page 12 of the bill.

Senator Hogg offered amendment S–5108, filed by him from the floor to page 1 of amendment S–5038, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5108 to amendment S–5038 be adopted?” (S.F. 2311), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5108 to amendment S-5038 lost.

Senator Breitbach moved the adoption of amendment S-5038.

A record roll call was requested.

On the question "Shall amendment S-5038 be adopted?" (S.F. 2311), the vote was:

Yeas, 40:

Allen	Costello	Johnson, C.	Schneider
Behn	Danielson	Kapucian	Schultz
Bertrand	Dawson	Kinney	Segebart
Bisignano	Dix	Kraayenbrink	Shipley
Bowman	Edler	Lofgren	Sinclair
Breitbach	Feenstra	Lykam	Smith
Brown	Garrett	Mathis	Taylor
Carlin	Greene	McCoy	Whitver
Chapman	Guth	Ragan	Zaun
Chelgren	Hart	Rozenboom	Zumbach

Nays, 10:

Bolkcom	Dvorsky	Jochum	Quirmbach
Boulton	Hogg	Johnson, D.	
Dotzler	Horn	Petersen	

Absent, none.

Amendment S-5038 was adopted.

Senator Hogg withdrew amendment S-5100, filed by him from the floor to page 12 of the bill.

Senator Hogg offered amendment S–5101, filed by him from the floor to page 12 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5101 be adopted?” (S.F. 2311), the vote was:

Yeas, 20:

Allen	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirmbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Nays, 30:

Behn	Costello	Johnson, C.	Shiple
Bertrand	Dawson	Kapucian	Sinclair
Bisignano	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	

Absent, none.

Amendment S–5101 lost.

Senator McCoy withdrew amendment S–5104, filed by him from the floor to page 16 of the bill.

Senator Breitbach offered amendment S–5106, filed by him from the floor to page 16 of the bill, and moved its adoption.

Amendment S–5106 was adopted by a voice vote.

With the adoption of amendment S–5106, the Chair ruled amendment S–5039, filed by Senator Breitbach on February 22, 2018, to page 16 of the bill, out of order.

Senator Breitbach offered amendment S–5103, filed by him from the floor to pages 19–21 of the bill, and moved its adoption.

Amendment S–5103 was adopted by a voice vote.

Senator Zaun took the chair at 10:03 p.m.

President Whitver took the chair at 10:13 p.m.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311), the vote was:

Yeas, 27:

Behn	Dawson	Johnson, C.	ShIPLEY
Breitbach	Dix	Kapucian	SINCLAIR
Brown	Edler	Kraayenbrink	SMITH
Carlin	Feenstra	Lofgren	Whitver
Chapman	Garrett	Rozenboom	Zaun
Chelgren	Greene	Schultz	Zumbach
Costello	Guth	Segebart	

Nays, 23:

Allen	Danielson	Jochum	Petersen
Bertrand	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Schneider
Boulton	Hogg	Mathis	Taylor
Bowman	Horn	McCoy	

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2367, 2364, and 2377.

Senate File 2367

On motion of Senator Lofgren, **Senate File 2367**, a bill for an act relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations, and providing for state aid for such children under the state school foundation program, was taken up for consideration.

Senator Lofgren offered amendment S-5082, filed by him on March 1, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5082 was adopted by a voice vote.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2367), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2364

On motion of Senator Kraayenbrink, **Senate File 2364**, a bill for an act requiring school districts to conduct emergency operations planning for school buildings, was taken up for consideration.

Senator Kraayenbrink offered amendment S-5111, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bowman withdrew amendment S-5118, filed by him from the floor to page 2 of amendment S-5111.

Senator Bowman offered amendment S-5119, filed by him from the floor to page 2 of amendment S-5111, and moved its adoption.

Amendment S-5119 to amendment S-5111 lost by a voice vote.

Senator Kraayenbrink moved the adoption of amendment S-5111.

Amendment S-5111 was adopted by a voice vote.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2364), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiplee
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

Senate File 2377

On motion of Senator Dawson, **Senate File 2377**, a bill for an act authorizing an administrator in charge of any facility for the detention or custody of juveniles to lock the facility, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2377), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2311, 2364, 2367, and 2377** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2293.

Senate File 2293

On motion of Senator Kraayenbrink, **Senate File 2293**, a bill for an act relating to motor vehicle dealers, franchisers, and franchisees, was taken up for consideration.

Senator Kraayenbrink offered amendment S-5098, filed by him from the floor to pages 1-6 and amending the title page of the bill, and moved its adoption.

Amendment S-5098 was adopted by a voice vote.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2293), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

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

BUSINESS PENDING

Senate File 2343

The Senate resumed consideration of **Senate File 2343**, a bill for an act allowing law enforcement agencies to retain possession of motor vehicles suspected to have been used to elude law enforcement vehicles, previously deferred.

Senator Hogg withdrew amendment S-5117, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Hogg withdrew amendment S-5112, filed by him from the floor to page 1 of the bill.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2343), the vote was:

Yeas, 41:

Allen	Costello	Johnson, C.	Schultz
Behn	Danielson	Johnson, D.	Segebart
Bertrand	Dawson	Kapucian	Shipley
Bisignano	Dix	Kinney	Sinclair
Boulton	Dotzler	Kraayenbrink	Smith
Bowman	Edler	Lofgren	Whitver
Breitbach	Feenstra	Lykam	Zaun
Brown	Garrett	Mathis	Zumbach
Carlin	Greene	Ragan	
Chapman	Guth	Rozenboom	
Chelgren	Hart	Schneider	

Nays, 9:

Bolkcom	Horn	Petersen
Dvorsky	Jochum	Quirnbach
Hogg	McCoy	Taylor

Absent, none.

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

BUSINESS PENDING

Senate File 2346

The Senate resumed consideration of **Senate File 2346**, a bill for an act relating to the conduct of election activities, including the sending of certain electronic messages, ballot arrangement for certain partisan offices, and imposing penalties, and amendment S-5097, previously deferred.

Senator D. Johnson offered amendment S-5114, filed by him from the floor to pages 1 and 2 of amendment S-5097, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5114 to amendment S-5097 be adopted?" (S.F. 2346), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment S-5114 to amendment S-5097 lost.

Senator Chapman moved the adoption of amendment S-5097.

A record roll call was requested.

On the question "Shall amendment S-5097 be adopted?" (S.F. 2346), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach

Chapman	Greene	Schultz
Chelgren	Guth	Segebart
Costello	Johnson, C.	Shipley

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, none.

Amendment S-5097 was adopted.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2346), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2293, 2343, and 2346** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 11:48 p.m. until 9:00 a.m., Wednesday, March 7, 2018.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Charles and Mary Bries, Elkader—For celebrating their 50th wedding anniversary. Senator Bowman.

Gerald and Connie Breitbach, Cascade—For celebrating their 50th wedding anniversary. Senator Bowman.

John and Barbara Hacke, Cascade—For celebrating their 60th wedding anniversary. Senator Bowman.

Tom and Donna Lambe, Zwingle—For celebrating their 50th wedding anniversary. Senator Bowman.

Art and Marie Lehrman, Dubuque—For celebrating their 50th wedding anniversary. Senator Bowman.

Marion and Geraldine Wiest, LaMotte—For celebrating their 60th wedding anniversary. Senator Bowman.

Robert and LaVonne Wolf—For celebrating their 60th wedding anniversary. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, March 6, 2018, 2:40 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkom, Garrett, Greene, Jochum, C. Johnson, Ragan, and Shipley.

Members Absent: Chapman, Chelgren, and Quirmbach (all excused).

Committee Business: Presentation by Director Clabaugh, IDPH.

Adjourned: 3:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 6, 2018, 1:55 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Bertrand (excused).

Committee Business: Passed HF 2440.

Adjourned: 2:35 p.m.

TRANSPORTATION

Convened: Tuesday, March 6, 2018, 2:40 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Bertrand and Bisignano (both excused).

Committee Business: Discussed HFs 2195 and 2256.

Adjourned: 2:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, March 1, 2018, 10:10 a.m.

Members Present: C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman and Smith.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 111, by Schneider, Behn, Dotzler, Garrett, Hart, and Kapucian, a resolution for in support of strengthening and deepening the relationship between Taiwan and the State of Iowa.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2354

EDUCATION: Sinclair, Chair; Greene and Hart

House File 2370

WAYS AND MEANS: Carlin, Chair; Edler and Jochum

House File 2406

EDUCATION: Kraayenbrink, Chair; Danielson and Rozenboom

FINAL COMMITTEE REPORTS OF BILL ACTION

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 2440, a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rozenboom, Shipley, Behn, Carlin, Greene, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, 3: Dvorsky, Hart, and D. Johnson. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 2195, a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Bertrand and Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2256, a bill for an act relating to the submission of certain reports by the department of transportation and county engineers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Bertrand and Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS REFERRED TO COMMITTEE

President Whitver referred the following bills to committee:

House File 2304	Transportation
House File 2321	Labor and Business Relations
House File 2349	State Government
House File 2365	Natural Resources and Environment
House File 2425	State Government
House File 2466	Natural Resources and Environment

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 6th day of March, 2018.

Senate Files 455 and 2163.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

S-5097	S.F.	2346	Jake Chapman
S-5098	S.F.	2293	Tim Kraayenbrink
S-5099	S.F.	2243	Dennis Guth
S-5100	S.F.	2311	Robert M. Hogg
S-5101	S.F.	2311	Robert M. Hogg
S-5102	S.F.	2311	Robert M. Hogg
S-5103	S.F.	2311	Michael Breitbach
S-5104	S.F.	2311	Matt McCoy
S-5105	S.F.	2362	Amy Sinclair
S-5106	S.F.	2311	Michael Breitbach
S-5107	S.F.	2311	Robert M. Hogg
S-5108	S.F.	2311	Robert M. Hogg
S-5109	S.F.	2311	Robert M. Hogg
S-5110	S.F.	2311	Robert M. Hogg
S-5111	S.F.	2364	Tim Kraayenbrink
S-5112	S.F.	2343	Robert M. Hogg
S-5113	S.F.	2333	House
S-5114	S.F.	2346	David Johnson
S-5115	S.F.	2311	Robert M. Hogg
S-5116	S.F.	2311	Robert M. Hogg
S-5117	S.F.	2343	Robert M. Hogg
S-5118	S.F.	2364	Tod R. Bowman
S-5119	S.F.	2364	Tod R. Bowman
S-5120	S.J.R.	2006	Roby Smith

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 7, 2018

The Senate met in regular session at 9:04 a.m., President Whitver presiding.

Prayer was offered by the Honorable Thomas Greene, member of the Senate from Des Moines County, Burlington, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Armaan Kumar.

The Journal of Tuesday, March 6, 2018, was approved.

SPECIAL GUESTS

Senator Rozenboom introduced to the Senate chamber Queen Juliana Van Gorp and representatives from Pella's Eighty-third Annual Tulip Time Festival. Queen Van Gorp invited the Senate chamber to attend the Tulip Time Festival in Pella on May 3, 4, and 5, 2018.

The Senate rose and expressed its welcome.

Senator Rozenboom escorted the Queen and her court to the well. Queen Van Gorp introduced the following members of her court: Elise Beukelman; Tressa Vos; Lexi De Jong; and Naomi Trip. The Queen presented President Whitver with a package of the famous Pella Dutch pastries.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

RECESS

On motion of Senator Dix, the Senate recessed at 9:20 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:25 a.m., President Whitver presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 111, a resolution for in support of strengthening and deepening the relationship between Taiwan and the State of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dix, Whitver, Petersen, Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Resolution 111.

Senate Resolution 111

On motion of Senator Schneider, **Senate Resolution 111**, a resolution in support of strengthening and deepening the relationship between Taiwan and the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Schneider moved the adoption of Senate Resolution 111, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Schneider introduced to the Senate chamber Deputy Director General Edward Chen, from the Taipei Economic and Cultural Office in Chicago, Illinois.

He addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Dix, the Senate recessed at 9:33 a.m. until 2:15 p.m.

RECONVENED

The Senate reconvened at 2:28 p.m., President Whitver presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2101, 2203, 2231, and 2232.

Senate File 2101

On motion of Senator Edler, **Senate File 2101**, a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable, was taken up for consideration.

Senator Chapman offered amendment S-5125, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5125 was adopted by a voice vote.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2101), the vote was:

Yeas, 38:

Allen	Danielson	Johnson, C.	Schultz
Behn	Dawson	Johnson, D.	Segebart
Bisignano	Dix	Kapucian	Shipley
Bowman	Edler	Kinney	Sinclair
Breitbach	Feenstra	Kraayenbrink	Smith
Brown	Garrett	Lofgren	Whitver
Carlin	Greene	Lykam	Zaun
Chapman	Guth	Ragan	Zumbach
Chelgren	Hart	Rozenboom	
Costello	Horn	Schneider	

Nays, 11:

Bolkcom	Dvorsky	Mathis	Quirnbach
Boulton	Hogg	McCoy	Taylor
Dotzler	Jochum	Petersen	

Absent, 1:

Bertrand

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

Senate File 2203

On motion of Senator Greene, **Senate File 2203**, a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course, was taken up for consideration.

Senator Greene moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2203), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

Senate File 2231

On motion of Senator Brown, **Senate File 2231**, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2231), the vote was:

Yeas, 48:

Allen	Danielson	Horn	Ragan
Behn	Dawson	Jochum	Rozenboom
Bisignano	Dix	Johnson, C.	Schneider
Bolkcom	Dotzler	Johnson, D.	Schultz
Boulton	Dvorsky	Kapucian	Segebart
Bowman	Edler	Kinney	Shipley

Breitbach	Feenstra	Kraayenbrink	Sinclair
Brown	Garrett	Lofgren	Smith
Carlin	Greene	Lykam	Taylor
Chapman	Guth	Mathis	Whitver
Chelgren	Hart	McCoy	Zaun
Costello	Hogg	Petersen	Zumbach

Nays, 1:

Quirmbach

Absent, 1:

Bertrand

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

Senate File 2232

On motion of Senator Breitbach, **Senate File 2232**, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable, was taken up for consideration.

Senator Breitbach asked and received unanimous consent that **House File 2302** be **substituted** for **Senate File 2232**.

House File 2302

On motion of Senator Breitbach, **House File 2302**, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2302), the vote was:

Yeas, 35:

Allen	Dawson	Johnson, D.	Schultz
Behn	Dix	Kapucian	Segebart
Bowman	Edler	Kraayenbrink	Shiplee

Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	Ragan	Zaun
Chelgren	Hart	Rozenboom	Zumbach
Costello	Johnson, C.	Schneider	

Nays, 14:

Bisignano	Dotzler	Jochum	Quirmbach
Bolkcom	Dvorsky	Kinney	Taylor
Boulton	Hogg	McCoy	
Danielson	Horn	Petersen	

Absent, 1:

Bertrand

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

WITHDRAWN

Senator Breitbach asked and received unanimous consent that **Senate File 2232** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2101, 2203, and 2231** and **House File 2302** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2318, 2324, 2355, and 2362.

Senate File 2318

On motion of Senator Chelgren, **Senate File 2318**, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction, was taken up for consideration.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2318), the vote was:

Yeas, 47:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bisignano	Dix	Kapucian	Schultz
Bolkcom	Dotzler	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shiple
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach
Costello	Jochum	Ragan	

Nays, 2:

Dvorsky	Hogg
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Absent, 1:

Bertrand

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

Senate File 2324

On motion of Senator Brown, **Senate File 2324**, a bill for an act allowing pickups to be used as school buses, was taken up for consideration.

Senator Brown asked and received unanimous consent that action on **Senate File 2324** be **deferred**.

Senate File 2355

On motion of Senator Feenstra, **Senate File 2355**, a bill for an act providing for the sale or lease of the Iowa communications network, was taken up for consideration.

Senator Feenstra offered amendment S-5121, filed by him from the floor to pages 1 and 2 and amending the title page of the bill.

Senator McCoy offered amendment S-5127, filed by him from the floor to page 1 of amendment S-5121, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5127 to S-5121 be adopted?” (S.F. 2355), the vote was:

Yeas, 21:

Allen	Danielson	Jochum	Quirmbach
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hart	Mathis	
Bowman	Hogg	McCoy	
Carlin	Horn	Petersen	

Nays, 28:

Behn	Dix	Johnson, D.	Segebart
Breitbach	Edler	Kapucian	Shipley
Brown	Feenstra	Kraayenbrink	Sinclair
Chapman	Garrett	Lofgren	Smith
Chelgren	Greene	Rozenboom	Whitver
Costello	Guth	Schneider	Zaun
Dawson	Johnson, C.	Schultz	Zumbach

Absent, 1:

Bertrand

Amendment S-5127 to amendment S-5121 lost.

Senator Feenstra moved the adoption of amendment S-5121.

Amendment S-5121 was adopted by a voice vote.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2355), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

Senate File 2362

On motion of Senator Kraayenbrink, **Senate File 2362**, a bill for an act establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions, was taken up for consideration.

Senator Kraayenbrink offered amendment S-5123, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5123 was adopted by a voice vote.

With the adoption of amendment S-5123, the Chair ruled amendment S-5105, filed by Senator Sinclair on March 6, 2018, to page 2 of the bill, out of order.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2362), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2318, 2355, and 2362** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2329, 2365, and 2371.

Senate File 2329

On motion of Senator Feenstra, **Senate File 2329**, a bill for an act relating to health benefit plans for members of certain agricultural organizations, was taken up for consideration.

Senator Zaun took the chair at 3:50 p.m.

President Whitver took the chair at 4:13 p.m.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2329), the vote was:

Yeas, 40:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bowman	Dotzler	Kapucian	Segebart
Breitbach	Edler	Kinney	Shiple
Brown	Feenstra	Kraayenbrink	Sinclair
Carlin	Garrett	Lofgren	Smith
Chapman	Greene	Lykam	Taylor
Chelgren	Guth	Mathis	Whitver
Costello	Hart	Ragan	Zaun
Danielson	Horn	Rozenboom	Zumbach

Nays, 9:

Bisignano	Dvorsky	McCoy
Bolkcom	Hogg	Petersen
Boulton	Jochum	Quirnbach

Absent, 1:

Bertrand

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

Senate File 2365

On motion of Senator Dawson, **Senate File 2365**, a bill for an act relating to assistance animals, assistive animals, and service dogs and providing penalties for misrepresenting oneself as entitled to an assistance animal or an assistive animal in housing and for misrepresenting an animal as an assistive animal or a service dog and including applicability provisions, was taken up for consideration.

Senator Dawson offered amendment S-5124, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5124 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2365), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

Senate File 2371

On motion of Senator Shipley, **Senate File 2371**, a bill for an act relating to criminal penalties for individuals engaged in human trafficking of victims who are under the age of eighteen, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2371), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Joint Resolution 2006.

Senate Joint Resolution 2006

On motion of Senator Smith, **Senate Joint Resolution 2006**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession, was taken up for consideration.

Senator Smith offered amendment S-5120, filed by him on March 6, 2018, to page 1 of the bill.

Senator Bisignano offered amendment S-5126, filed by him from the floor to page 1 of amendment S-5120, and moved its adoption.

A nonrecord roll call was requested.

Amendment S-5126 to amendment S-5120 lost.

Senator Bowman asked and received unanimous consent that action on amendment S-5120 and **Senate Joint Resolution 2006** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 2361.

Senate File 2361

On motion of Senator Sinclair, **Senate File 2361**, a bill for an act relating to academic programs of regents institutions, was taken up for consideration.

Senator Sinclair offered amendment S-5088, filed by her on March 5, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5088 was adopted by a voice vote.

President Pro Tempore Behn took the chair at 5:28 p.m.

President Whitver took the chair at 5:35 p.m.

Senator Zaun took the chair at 5:41 p.m.

President Whitver took the chair at 5:45 p.m.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2361), the vote was:

Yeas, 39:

Allen	Costello	Jochum	Schneider
Behn	Dawson	Johnson, C.	Schultz
Bisignano	Dix	Kapucian	Segebart
Boulton	Edler	Kinney	Shiple
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Whitver
Carlin	Guth	Mathis	Zaun
Chapman	Hart	Ragan	Zumbach
Chelgren	Horn	Rozenboom	

Nays, 10:

Bolkcom	Dvorsky	McCoy	Taylor
Danielson	Hogg	Petersen	
Dotzler	Johnson, D.	Quirnbach	

Absent, 1:

Bertrand

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

BUSINESS PENDING

Senate Joint Resolution 2006

The Senate resumed consideration of **Senate Joint Resolution 2006**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession, and amendment S-5120, previously deferred.

Senator Bowman offered amendment S-5132, filed by him from the floor to page 2 of amendment S-5120, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5132 to amendment S–5120 be adopted?” (S.J.R. 2006), the vote was:

Yeas, 22:

Allen	Dotzler	Johnson, D.	Petersen
Bisignano	Dvorsky	Kapucian	Quirmbach
Bolkcom	Hart	Kinney	Ragan
Boulton	Hogg	Lykam	Taylor
Bowman	Horn	Mathis	
Danielson	Jochum	McCoy	

Nays, 27:

Behn	Dawson	Johnson, C.	ShIPLEY
Breitbach	Dix	Kraayenbrink	SINCLAIR
Brown	Edler	Lofgren	SMITH
Carlin	Feenstra	Rozenboom	Whitver
Chapman	Garrett	Schneider	Zaun
Chelgren	Greene	Schultz	Zumbach
Costello	Guth	Segebart	

Absent, 1:

Bertrand

Amendment S–5132 to amendment S–5120 lost.

Senator Smith moved the adoption of amendment S–5120.

Amendment S–5120 was adopted by a voice vote.

Senator Smith moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

Senate Joint Resolution 2006, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Section 1. The following amendment to the Constitution of the State of Iowa is proposed: Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952 and by amendment number 1 of the Amendments of 1988, is repealed and the following adopted in lieu thereof: Election by general assembly in case of tie — inability of governor-elect to qualify — succession by lieutenant governor —

inauguration of governor and lieutenant governor upon removal of inability of governor-elect to qualify. SEC. 4. The nominees for governor and lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor. If after the final canvass of votes but before inauguration the governor-elect has since died, does not qualify, or is permanently unable to assume office, the lieutenant governor-elect shall become governor upon inauguration, to the exclusion of any other office, for the residue of the term. In the event of a temporary inability of the governor-elect to assume office, the lieutenant governor-elect shall become governor upon inauguration, until the inability is removed, at which time, the governor-elect and lieutenant governor-elect shall be inaugurated as governor and lieutenant governor. Section 10 of Article IV of the Constitution of the State of Iowa is amended to read as follows: Vacancies. SEC. 10. When any office shall, from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have power to fill such vacancy, by granting a commission, which shall expire at the end of the next session of the general assembly, or at the next election by the people. The governor shall have the power to fill a vacancy in the office of lieutenant governor by appointment. Section 17 of Article IV of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof: Lieutenant governor to assume the office of governor — vacancy. SEC. 17. If the governor dies, resigns, is removed or impeached prior to acquittal or conviction, or is otherwise unable to serve, the lieutenant governor shall become governor, to the exclusion of any other office. If the preceding governor becomes able to serve, the succeeding governor shall again assume the office of lieutenant governor for the residue of the term, to the exclusion of any other office. Section 19 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 2 of the Amendments of 1952 and by amendment number 2 of the Amendments of 1988, is repealed and the following adopted in lieu thereof: Succession to office of governor and lieutenant governor — simultaneous inability to serve — qualification of successor governor to office. SEC. 19. If the governor and lieutenant governor are simultaneously unable to serve, the president of the senate shall

become governor, followed by the speaker of the house if the president of the senate is unable or unwilling to serve, each succeeding, to the exclusion of the powers and duties of any other office. If the governor or lieutenant governor so succeeded becomes able to serve, the governor or lieutenant governor shall assume the office to which the governor or lieutenant governor qualified prior to the inability, and any successor governor who has served during the period of inability may assume the office to which the successor governor previously qualified, if the successor governor served as governor for less than one hundred ten days. 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.

On the question "Shall the resolution be adopted?" (S.J.R. 2006), the vote was:

Yeas, 45:

Allen	Dawson	Johnson, D.	Schultz
Behn	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Shipley
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Boulton	Edler	Lofgren	Smith
Breitbach	Feenstra	Lykam	Taylor
Brown	Garrett	Mathis	Whitver
Carlin	Greene	Petersen	Zaun
Chapman	Guth	Quirnbach	Zumbach
Chelgren	Hart	Ragan	
Costello	Jochum	Rozenboom	
Danielson	Johnson, C.	Schneider	

Nays, 4:

Bowman	Hogg	Horn	McCoy
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Absent, 1:

Bertrand

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Joint Resolution 2006** and **Senate Files 2329, 2361, 2365, and 2371** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Dix called up the appointment of Jerry Foxhoven as Director of the Department of Human Services, placed on the Individual Confirmation Calendar on February 26, 2018, found on page 446 of the Senate Journal.

The Senate stood at ease at 6:19 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 6:54 p.m., President Whitver presiding.

Senator Petersen asked and received unanimous consent that action on the appointment of Jerry Foxhoven be deferred.

BUSINESS PENDING

Senate File 2324

The Senate resumed consideration of **Senate File 2324**, a bill for an act allowing certain vans and pickups to be used as school buses, previously deferred.

Senator Brown offered amendment S-5122, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5122 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2324), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

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

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate File 2324** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 7:00 p.m. until 9:00 a.m., Thursday, March 8, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Annual Report, pursuant to Iowa Code section 15.107B. Report received on March 7, 2018.

CERTIFICATES OF RECOGNITION

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

Maquoketa High School Men's Bowling Team—For their 4th place finish in the 2018 Class 1A State Bowling Tournament. Senator Bowman.

Maquoketa High School Women's Bowling Team—For their 4th place finish in the 2018 Class 1A State Bowling Tournament. Senator Bowman.

Western Dubuque Men's Bowling Team, Epworth—For their 1st place finish in the 2018 Class 2A State Bowling Tournament. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, March 7, 2018, 1:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Passed HF 2235.

Adjourned: 1:55 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, March 7, 2018, 2:00 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Greene, Guth, Quirnbach, and Segebart.

Members Absent: Chelgren, Kraayenbrink, and McCoy (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 7, 2018, 9:20 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Petersen, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Passed SR 111.

Adjourned: 9:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 28, 2018, 10:10 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirnbach, and Schultz.

Members Absent: None.

Committee Business: Presentation by the Iowa Jobs for American Graduates (iJAG) program.

Adjourned: 9:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 28, 2018, 10:10 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett and Hogg.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:40 a.m.

STUDY BILL RECEIVED

SSB 3201 Ways and Means

Relating to an extension granted by the economic development authority for certain agreements with eligible housing businesses.

SUBCOMMITTEE ASSIGNMENTS

House File 2253

STATE GOVERNMENT: Chapman, Chair; Danielson and Smith

House File 2254

APPROPRIATIONS: Shipley, Chair; Danielson and Greene

House File 2258

LOCAL GOVERNMENT: Garrett, Chair; Hogg and Lofgren

House File 2280

EDUCATION: Chelgren, Chair; Bowman and Rozenboom

House File 2321

LABOR AND BUSINESS RELATIONS: Guth, Chair; Brown and Dotzler

House File 2349

STATE GOVERNMENT: Smith, Chair; Bisignano and Dawson

House File 2365

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Lykam and Shipley

House File 2371

LOCAL GOVERNMENT: Lofgren, Chair; Allen and Guth

House File 2382

STATE GOVERNMENT: Carlin, Chair; Brown and Danielson

House File 2397

JUDICIARY: Dawson, Chair; Boulton and Zaun

House File 2425

STATE GOVERNMENT: Schultz, Chair; Carlin and Jochum

House File 2441

EDUCATION: Sinclair, Chair; Hart and Lofgren

House File 2449

HUMAN RESOURCES: Greene, Chair; Mathis and Segebart

House File 2451

HUMAN RESOURCES: Costello, Chair; Mathis and Segebart

House File 2466

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Kapucian and Kinney

SSB 3201

WAYS AND MEANS: Feenstra, Chair; Brown and Dotzler

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: HOUSE FILE 2281, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zumbach, Brown, Kinney, Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, Shipley, and Taylor. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2407, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Zumbach, Brown, Kinney, Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, and Shipley. Nays, 1: Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2422, a bill for an act providing for the management of weeds, including noxious weeds, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zumbach, Brown, Kinney, Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, Shipley, and Taylor. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 2235, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Sinclair, Edler, Behn, Bowman, Chelgren, Dvorsky, Greene, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 3: Quirmbach, Danielson, and Hart. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 7, 2018, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2163 – Relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

AMENDMENTS FILED

S-5121	S.F.	2355	Randy Feenstra
S-5122	S.F.	2324	Waylon Brown
S-5123	S.F.	2362	Tim Kraayenbrink
S-5124	S.F.	2365	Dan Dawson

S-5125	S.F.	2101	Jake Chapman
S-5126	S.J.R.	2006	Tony Bisignano
S-5127	S.F.	2355	Matt McCoy
S-5128	S.F.	2276	Matt McCoy
S-5129	H.F.	2440	David Johnson
S-5130	S.F.	2276	Matt McCoy
S-5131	S.F.	2276	Matt McCoy
S-5132	S.J.R.	2006	Tod R. Bowman

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 8, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Ron Husted and Theresa Taylor of the Newton Fire Department and Jasper County Fire Guard in Newton, Iowa. They played “Amazing Grace” and “America the Beautiful” on the bagpipes. They were the guests of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Haley Ledford.

The Journal of Wednesday, March 7, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2139, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Senate File 2201, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2284, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent.

Read first time and attached to **similar Senate File 2237**.

House File 2318, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Read first time and attached to **companion Senate File 2166**.

House File 2372, a bill for an act concerning county supervisor representation and districting plans.

Read first time and attached to **similar Senate File 2320**.

House File 2399, a bill for an act relating to the state training school at Eldora.

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

House File 2401, a bill for an act relating to sexual offenses, including provisions relating to sex offenders and sexually violent predators and sexual offenses involving a child, providing penalties, and including effective date provisions.

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

House File 2420, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

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

House File 2442, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

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

House File 2450, a bill for an act relating to DNA profiling of certain criminal offenders.

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

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Larry Johnson, the Governor's appointee to be the State Public Defender. He was the guest of Senator Schneider and the committee on Judiciary.

RECESS

On motion of Senator Dix, the Senate recessed at 9:17 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:19 a.m., President Whitver presiding.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:20 a.m. until 1:00 p.m., Monday, March 12, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Eli Oregon, Oto—For reaching the rank of Eagle Scout, Iowa Troop #269. Senator Schultz.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, March 8, 2018, 11:00 a.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Feenstra, Guth, C. Johnson, Mathis, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand, Boulton, Lykam, and McCoy (all excused).

Committee Business: Governor's appointees.

Adjourned: 11:05 a.m.

JUDICIARY

Convened: Thursday, March 8, 2018, 1:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:20 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 112, by Sinclair, a resolution for requesting the legislative council to establish an interim committee to study the state of education in the arts in Iowa.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2200
(Reassigned)

STATE GOVERNMENT: Smith, Chair; Carlin and Dvorsky

House File 2304

TRANSPORTATION: Smith, Chair; Danielson and Kraayenbrink

House File 2342

JUDICIARY: Garrett, Chair; Kinney and Zaun

House File 2382
(Reassigned)

STATE GOVERNMENT: Carlin, Chair; Brown and Dvorsky

House File 2399

HUMAN RESOURCES: Shipley, Chair; Mathis and Segebart

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: HOUSE FILE 2381, a bill for an act relating to the disposition of a child found to have committed a delinquent act.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2392, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2402, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542.4)

Lesley Bartholomew, Sioux City	05/01/2018 – 04/30/2021
Rudolfo Reyes, Johnston	05/01/2018 – 04/30/2021
Robert Snodgrass, Creston	05/01/2018 – 04/30/2021

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)

Kenneth Morris, Jr., Cedar Rapids	05/01/2018 – 04/30/2022
Veronica Sutton, Dubuque	05/01/2018 – 04/30/2022

AGRICULTURAL DEVELOPMENT BOARD (Sec. 16.2C)

Mark Leonard, Holstein	05/01/2018 – 04/30/2024
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ALCOHOLIC BEVERAGES DIVISION, ADMINISTRATOR OF THE (Sec. 123.10)

Stephen Larson, Polk City	05/01/2018 – 04/30/2022
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ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5)

Jason Wilson, Johnston	05/01/2018 – 04/30/2023
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ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)

Linda Alfson Schemmel, West Des Moines	05/01/2018 – 04/30/2021
Anna Harmon, Everly	05/01/2018 – 04/30/2019
Scott Hatfield, West Des Moines	05/01/2018 – 04/30/2021

ASIAN AND PACIFIC ISLANDER AFFAIRS, COMMISSION OF (Sec. 216A.152)

Suresh Basnet, Cedar Rapids	05/01/2018 – 04/30/2022
Dr. Ritu Gurung, Davenport	05/01/2018 – 04/30/2020
Karlai Thornburg, Ames	05/01/2018 – 04/30/2022
Michelle Yoshimura-Smith, Des Moines	05/01/2018 – 04/30/2022

ATHLETIC TRAINING, BOARD OF (Sec. 147.14(1)(R))

Brenda Easter, Indianola	05/01/2018 – 04/30/2021
Dr. Andrew Peterson, Iowa City	05/01/2018 – 04/30/2020
Dr. Audra Ramsey, Urbandale	05/01/2018 – 04/30/2021
Dr. Lisa Woodroffe, Iowa City	05/01/2018 – 04/30/2020

AUTISM COUNCIL, IOWA (Sec. 256.35A)

Jane Brown, Des Moines	05/01/2018 – 04/30/2021
Erika Hertel, Homestead	05/01/2018 – 04/30/2021
Evelyn Horton, Pleasant Hill	05/01/2018 – 04/30/2021

Jenny Phan, Ankeny	05/01/2018 – 04/30/2021
Caleb Primrose, Des Moines	05/01/2018 – 04/30/2021
BARBERING, BOARD OF (Sec. 147.14(1)(A))	
Rebecca Brockmann, Hartley	05/01/2018 – 04/30/2021
Maureen Hardy, Waterloo	05/01/2018 – 04/30/2019
Scott Sales, Pella	05/01/2018 – 04/30/2021
BEHAVIORAL SCIENCE, BOARD OF (Sec. 147.14(1)(M))	
Dr. Kevin Allemagne, Johnston	05/01/2018 – 04/30/2021
Amy Crow Sunleaf, Dubuque	05/01/2018 – 04/30/2021
Wade Leuwerke, Indianola	05/01/2018 – 04/30/2020
BLIND, COMMISSION FOR THE (Sec. 216B.2)	
Sandra Ryan, Ames	05/01/2018 – 04/30/2021
BOILER AND PRESSURE VESSEL BOARD (Sec. 89.14)	
Frank Ballantini, Des Moines	05/01/2018 – 04/30/2022
Thomas Dye, Norwalk	05/01/2018 – 04/30/2022
Lynne Rush, Victor	05/01/2018 – 04/30/2022
CHILD ADVOCACY BOARD (Sec. 237.16)	
Mark Hargrafen, Grimes	05/01/2018 – 04/30/2022
Beth Myers, Garner	05/01/2018 – 04/30/2022
William Owens, Ottumwa	05/01/2018 – 04/30/2022
Michael Steele, Mt Pleasant	05/01/2018 – 04/30/2022
CHIROPRACTIC, BOARD OF (Sec. 147.14(1)(H))	
Dr. Aaron Martin, Polk City	05/01/2018 – 04/30/2021
Stephanie Netolicky, Ankeny	05/01/2018 – 04/30/2021
Dr. Randall Stange, Orange City	05/01/2018 – 04/30/2021
CITY DEVELOPMENT BOARD (Sec. 368.9)	
Chris McKee, Gilmore	05/01/2018 – 04/30/2022
Dennis Plautz, Fort Dodge	05/01/2018 – 04/30/2022
COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A)	
Kelly Busch, Creston	05/01/2018 – 04/23/2021
Anna Hilpipre, Brooklyn	05/01/2018 – 04/30/2021
Leland Shipley, Nodaway	05/01/2018 – 04/30/2021
CORRECTIONS, BOARD OF (Sec. 904.104)	
Dr. Mary Chapman, Des Moines	05/01/2018 – 04/30/2022
COSMETOLOGY ARTS AND SCIENCES, BOARD OF (Sec. 147.14(1)(N))	
Don Nguyen, Des Moines	05/01/2018 – 04/30/2021

CREDIT UNION REVIEW BOARD (Sec. 533.107)

Dave Cale, Johnston	05/01/2018 – 04/30/2021
Timothy Marcisisak, Atlantic	05/01/2018 – 04/30/2021
Becky Zemlicka, Waukee	05/01/2018 – 04/30/2021

CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL

(Sec. 216A.132)

Tiffany Allison, Des Moines	05/01/2018 – 04/30/2022
Tammy Bramley, Ute	05/01/2018 – 04/30/2022
Joel Greer, Marshalltown	05/01/2018 – 04/30/2022
Pam Kracht, Urbandale	05/01/2018 – 04/30/2022
Cody Samec, Des Moines	05/01/2018 – 04/30/2022
Tony Thompson, Waterloo	05/01/2018 – 04/30/2022
Tom Walton, Waukee	05/01/2018 – 04/30/2022

DENTISTRY, BOARD OF (Sec. 147.14(1)(D))

Lori Elmitt, Johnston	05/01/2018 – 04/30/2021
Dr. William McBride, Dubuque	05/01/2018 – 04/30/2021
Nancy Slach, West Branch	05/01/2018 – 04/30/2021

DIETETICS, BOARD OF (Sec. 147.14(1)(K))

Steven Kury, Ankeny	05/01/2018 – 04/30/2021
Brian Smith, Des Moines	05/01/2018 – 04/30/2021

DISABILITIES, COMMISSION OF PERSONS WITH (Sec. 216A.74)

Blake Campbell, Ankeny	05/01/2018 – 04/30/2020
Teresa Jorgensen, Waterloo	05/01/2018 – 04/30/2020
Michelle Ray-Michalec, Cedar Rapids	05/01/2018 – 04/30/2022
Clint Sargent, Missouri Valley	05/01/2018 – 04/30/2022
Gary Schriver, Mason City	05/01/2018 – 04/30/2022
Beth Wilde, Pleasant Hill	05/01/2018 – 04/30/2022

DRUG POLICY ADVISORY COUNCIL, IOWA (Sec. 80E.2)

Matthew Harkin, Norwalk	05/01/2018 – 04/30/2022
Jason Sandholdt, Knoxville	05/01/2018 – 04/30/2022

EARLY CHILDHOOD IOWA STATE BOARD (Sec. 256I.3)

Kathryn Dorsey, North Liberty	05/01/2018 – 04/30/2021
Sigrid Lane, Waterloo	05/01/2018 – 04/30/2021
Angela Lensch, Glidden	05/01/2018 – 04/30/2021
Katie Lott, Ames	05/01/2018 – 04/30/2021
Barbara Merrill, Johnston	05/01/2018 – 04/30/2021
Mary Petersen, Harlan	05/01/2018 – 04/30/2021
Brook Rosenberg, Des Moines	05/01/2018 – 04/30/2021
Jean Stadlander, Manning	05/01/2018 – 04/30/2021
Frank Varvaris, Cedar Rapids	05/01/2018 – 04/30/2021

ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105)

Linda Crookham-Hansen, Oskaloosa	05/01/2018 – 04/30/2022
Mark Kittrell, Cedar Falls	05/01/2018 – 04/30/2022
Bruce Lehrman, Cedar Rapids	05/01/2018 – 04/30/2022
Christian Murray, Ankeny	05/01/2018 – 04/30/2022
Emily Schmitt, Clear Lake	05/01/2018 – 04/30/2021

EDUCATION, STATE BOARD OF (Sec. 256.3)

Joshua Byrnes, Osage	05/01/2018 – 04/30/2024
William “Mike” May, Spirit Lake	05/01/2018 – 04/30/2024
Kimberly Wayne, Des Moines	05/01/2018 – 04/30/2024

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Kathy Behrens, Carroll	05/01/2018 – 04/30/2022
Sara Yedlik, Vinton	05/01/2018 – 04/30/2022

ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Todd Cash, Mason City	05/01/2018 – 04/30/2021
Penny Clark, New Virginia	05/01/2018 – 04/30/2020
Tammy Cooper, Des Moines	05/01/2018 – 04/30/2020
Tim Gerald, Des Moines	05/01/2018 – 04/30/2021
Robert Hendricks, Winterset	05/01/2018 – 04/30/2021

ELEVATOR SAFETY BOARD (Sec. 89A.13)

Justin Carleton, Ankeny	05/01/2018 – 04/30/2022
Craig Clabaugh, Urbandale	05/01/2018 – 04/30/2022
Peggy Vandenberg, Albia	05/01/2018 – 04/30/2022

EMPLOYMENT APPEAL BOARD (Sec. 10A.601)

Ashley Koopmans, Des Moines	05/01/2018 – 04/30/2024
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ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Laura Sievers, Rock Rapids	05/01/2018 – 04/30/2021
Lisa VanDenBerg, Johnston	05/01/2018 – 04/30/2021

ENHANCE IOWA BOARD (Sec. 15F.102)

Jacquelyn Arthur, Mason City	05/01/2018 – 04/30/2020
Doug Boone, Sioux Center	05/01/2018 – 04/30/2020
John Burns, Council Bluffs	05/01/2018 – 04/30/2020
Kyle Carter, Davenport	05/01/2018 – 04/30/2020
Emily Damman, Indianola	05/01/2018 – 04/30/2020
Patrick Deignan, Cedar Rapids	05/01/2018 – 04/30/2020

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

Harold Hommes, Windsor Heights	05/01/2018 – 04/30/2021
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ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA (Sec. 68B.32)

Elaine Olson, Bettendorf	05/01/2018 – 04/30/2021
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FLOOD MITIGATION BOARD (Sec. 418.5)	
Lorraine Glover, Waterloo	05/01/2018 – 04/30/2021
John Torbert, West Des Moines	05/01/2018 – 04/30/2021
GREAT PLACES BOARD, IOWA (Sec. 303.3C)	
Kerrie Kuiper, Lehigh	05/01/2018 – 04/30/2021
Gayle Redman, Gowrie	05/01/2018 – 04/30/2021
Trevor Toft, Denison	05/01/2018 – 04/30/2021
Donald Zuck, Ankeny	05/01/2018 – 04/30/2021
HEALTH FACILITIES COUNCIL (Sec. 135.62)	
David Barker, Iowa City	05/01/2018 – 04/30/2021
HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5)	
Dr. Jonathan Crosbie, Des Moines	05/01/2018 – 04/30/2020
Ronda Eick, Waterloo	05/01/2018 – 04/30/2020
HEARING AID SPECIALISTS, BOARD OF (Sec. 147.14(V))	
Molly Parker, Bettendorf	05/01/2018 – 04/30/2019
Tricia Veik, Urbandale	05/01/2018 – 04/30/2021
HIGHER EDUCATION LOAN AUTHORITY, IOWA (Sec. 261A.6)	
Annette Shaw, Polk City	05/01/2018 – 04/30/2024
HUMAN SERVICES, COUNCIL ON (Sec. 217.2)	
Robert Brownell, Des Moines	05/01/2018 – 04/30/2023
IPERS, INVESTMENT BOARD OF THE (Sec. 97B.8A)	
Michael Warmuth, Adel	05/01/2018 – 04/30/2019
INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)	
Rebecca Jourdan, Moline, IL	05/01/2018 – 04/30/2019
Jay Reyhons, Ankeny	05/01/2018 – 04/30/2021
Ben Snyder, North Liberty	05/01/2018 – 04/30/2021
Lori Wiles, Swisher	05/01/2018 – 04/30/2021
JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.2A)	
John Bloom, West Des Moines	05/01/2018 – 04/30/2024
Kathy Pearson, Cedar Rapids	05/01/2018 – 04/30/2024
LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)	
Nathan Borland, Clive	05/01/2018 – 04/30/2019
John Micka, Waukee	05/01/2018 – 04/30/2021
Emily Naylor, Urbandale	05/01/2018 – 04/30/2021
LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)	
Marlu Abarca, Des Moines	05/01/2018 – 04/30/2022
Lorena Gingerich, West Branch	05/01/2018 – 04/30/2022
Junior Jaime, Waukee	05/01/2018 – 04/30/2022

Alfonso Perez, Ankeny	05/01/2018 – 04/30/2022
LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)	
Gene Beinke, Clinton	05/01/2018 – 04/30/2022
Ricardo Martinez II, Nevada	05/01/2018 – 04/30/2022
LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA (Sec. 99G.8)	
Sherrae Hanson, West Des Moines	05/01/2018 – 04/30/2022
John Quinn, Urbandale	05/01/2018 – 04/30/2022
MEDICINE, BOARD OF (Sec. 147.14(1)(B))	
Katherine Asjes, Nevada	05/01/2018 – 04/30/2020
Dr. Philip Bear, West Des Moines	05/01/2018 – 04/30/2021
Mary Romano, Pleasantville	05/01/2018 – 04/30/2021
Kyle Ulveling, Carroll	05/01/2018 – 04/30/2021
MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5(1))	
Jody Eaton, Newton	05/01/2018 – 04/30/2021
Mary Meyers, Madrid	05/01/2018 – 04/30/2019
John Parmeter, Des Moines	05/01/2018 – 04/30/2021
Rick Sanders, Nevada	05/01/2018 – 04/30/2021
Dr. Richard Whitaker, Davenport	05/01/2018 – 04/30/2021
MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(2)(C))	
Rick Larkin, Fort Madison	05/01/2018 – 04/30/2021
Andrew Nielsen, Ankeny	05/01/2018 – 04/30/2021
Peggy Rice, Dakota City	05/01/2018 – 04/30/2020
Shane Walter, Orange City	05/01/2018 – 04/30/2020
MORTUARY SCIENCE, BOARD OF (Sec. 147.14(1)(P))	
Rebecca Ervin, Urbandale	05/01/2018 – 04/30/2021
Seth Williams, Bondurant	05/01/2018 – 04/30/2021
NURSING, BOARD OF (Sec. 147.14(1)(C))	
Dr. Kathryn Dolter, Dubuque	05/01/2018 – 04/30/2021
NURSING HOME ADMINISTRATORS, BOARD OF (Sec. 147.14(W))	
Jill Barr, Spencer	05/01/2018 – 04/30/2021
Kay Fisk, Mt. Vernon	05/01/2018 – 04/30/2021
Michael Moore, Washington	05/01/2018 – 04/30/2021
Justin Rash, Ankeny	05/01/2018 – 04/30/2021
Charlean Schlepp, Coon Rapids	05/01/2018 – 04/30/2021
OPTOMETRY, BOARD OF (Sec. 147.14(1)(F))	
Dr. Mark Mentzer, Ely	05/01/2018 – 04/30/2021
Dr. Monique Root, Urbandale	05/01/2018 – 04/30/2021

PAROLE, BOARD OF (Sec. 904A.1)

Norman Granger, Waukee	05/01/2018 – 04/30/2022
Kathleen Kooiker, Osceola	05/01/2018 – 04/30/2021
Jeff Wright, Ankeny	05/01/2018 – 04/30/2022

PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM

TRUSTEE (Sec. 97A.5)

Chris Mayer, Waukee	05/01/2018 – 04/30/2020
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PHARMACY, BOARD OF (Sec. 147.14(1)(E))

Dr. Jason Hansel, Bettendorf	05/01/2018 – 04/30/2021
Edward McKenna, Storm Lake	05/01/2018 – 04/30/2021

PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF (Sec. 147.14(1)(J))

Rachel Judisch, Lake View	05/01/2018 – 04/30/2021
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PHYSICIAN ASSISTANTS, BOARD OF (Sec. 147.14(1)(L))

Cheryl Arnold, Russell	05/01/2018 – 04/30/2021
Jolene Kelly, Ames	05/01/2018 – 04/30/2021
Penny Osborn, Stratford	05/01/2018 – 04/30/2021

PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)

Madison Buttermore, Des Moines	05/01/2018 – 04/30/2021
Toni Knight, Ankeny	05/01/2018 – 04/30/2021

PODIATRY, BOARD OF (Sec. 147.14(1)(S))

Kathryn Arndt, Pleasant Hill	05/01/2018 – 04/30/2021
Laurie Barr-Cronin, Des Moines	05/01/2018 – 04/30/2021
Travis Carlson, Des Moines	05/01/2018 – 04/30/2021
Dr. Roger Drown, Urbandale	05/01/2018 – 04/30/2019
Dr. Erin Nelson, Ames	05/01/2018 – 04/30/2021

PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(G))

Dr. Matthew Cooper, West Des Moines	05/01/2018 – 04/30/2021
Dr. Brandon Davis, Grinnell	05/01/2018 – 04/30/2021
Professor Ruth Kunkle, Des Moines	05/01/2018 – 04/30/2020
Dr. Lisa Streyffeler, Clive	05/01/2018 – 04/30/2019

PUBLIC EMPLOYMENT RELATIONS BOARD, CHAIR OF THE (Sec. 20.5)

Mike Cormack, Des Moines	05/01/2018 – 04/30/2022
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PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5)

Mike Cormack, Des Moines	05/01/2018 – 04/30/2022
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PUBLIC INFORMATION BOARD, IOWA (Sec. 23.3)

Emil Giovannetti, Urbandale	05/01/2018 – 04/30/2022
Keith Luchtel, Clive	05/01/2018 – 04/30/2022
Monica McHugh, Zwingle	05/01/2018 – 04/30/2022

Frederick (Rick) Morain, Jefferson	05/01/2018 – 04/30/2022
Suzan Stewart, Sioux City	05/01/2018 – 04/30/2022
RACING AND GAMING COMMISSION, STATE (Sec. 99D.5)	
Pennie Gonseth Cheers, Afton	05/01/2018 – 04/30/2021
Kristine Kramer, New Hampton	05/01/2018 – 04/30/2021
REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)	
Tracy Crimmins, Fort Dodge	05/01/2018 – 04/30/2021
Dan Fuhrmeister, Iowa City	05/01/2018 – 04/30/2021
Mark Kapfer, Bettendorf	05/01/2018 – 04/30/2021
REAL ESTATE COMMISSION (Sec. 543B.8)	
James Clingman, Ottumwa	05/01/2018 – 04/30/2020
Terrance Duggan, Dubuque	05/01/2018 – 04/30/2021
Elizabeth Hansen, Des Moines	05/01/2018 – 04/30/2021
RESPIRATORY CARE, BOARD OF (Sec. 147.14(1)(O))	
Dr. Samantha Danielson-Jones, Ankeny	05/01/2018 – 04/30/2020
Lisa Kingery, Casey	05/01/2018 – 04/30/2021
Austin Mouw, Hiawatha	05/01/2018 – 04/30/2021
SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)	
Gretchen Tegeler, West Des Moines	05/01/2018 – 04/30/2021
SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS, BOARD OF (Sec. 147.14(1)(U))	
Amanda Gallant, Des Moines	05/01/2018 – 04/30/2019
Dirk Hillard, Davenport	05/01/2018 – 04/30/2021
Megan Johnson, Ames	05/01/2018 – 04/30/2021
Scott Johnson, Ames	05/01/2018 – 04/30/2021
SOCIAL WORK, BOARD OF (Sec. 147.14(1)(T))	
Mark Hillenbrand, West Des Moines	05/01/2018 – 04/30/2021
Neil Nelsen, Indianola	05/01/2018 – 04/30/2020
SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF (Sec. 147.14(1)(I))	
Douglas Leonard, Atlantic	05/01/2018 – 04/30/2021
Denise Renaud, Iowa Falls	05/01/2018 – 04/30/2020
Justin Rhode, Des Moines	05/01/2018 – 04/30/2021
TECHNOLOGY ADVISORY COUNCIL (Sec. 8B.8)	
Erin Rollenhagen, Waukee	05/01/2018 – 04/30/2020
TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA (Sec. 8D.3(2))	
Heather Fransen, Dubuque	05/01/2018 – 04/30/2024

TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

Chad Jensen, Carroll	05/01/2018 – 04/30/2021
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TRANSPORTATION COMMISSION, STATE (Sec. 307A.1A)

Kraig Paulsen, Kelley	05/01/2018 – 04/30/2022
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John Putney, Gladbrook	05/01/2018 – 04/30/2022
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VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

Richard Goebel, New Vienna	05/01/2018 – 04/30/2022
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Elizabeth Ledvina, Toledo	05/01/2018 – 04/30/2022
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VETERINARY MEDICINE, IOWA BOARD OF (Sec. 169.5)

Dr. Christine Bean, Marathon	05/01/2018 – 04/30/2021
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Dr. Curtis Youngs, Ames	05/01/2018 – 04/30/2021
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WOMEN, COMMISSION ON THE STATUS OF (Sec. 216A.53)

Thomas Carnahan, Davenport	05/01/2018 – 04/30/2022
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Rachelle Hunt Russian, Des Moines	05/01/2018 – 04/30/2022
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Wendy Musgrave, Johnston	05/01/2018 – 04/30/2022
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Sherill Whisenand, Des Moines	05/01/2018 – 04/30/2022
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WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A)

Carrie Duncan, New London	05/01/2018 – 04/30/2022
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Becky Jacobsen, Denison	05/01/2018 – 04/30/2022
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John Krogman, Atlantic	05/01/2018 – 04/30/2022
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Rich Kurtenbach, Waterloo	05/01/2018 – 04/30/2022
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Randy Moore, Davenport	05/01/2018 – 04/30/2022
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Lynn Schreder, Granger	05/01/2018 – 04/30/2022
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BY THE STATE RACING AND GAMING COMMISSIONTERM

RACING AND GAMING COMMISSION, ADMINISTRATOR OF THE STATE (Sec. 99D.6)

Brian Ohorilko, Mitchellville	05/01/2018 – 04/30/2022
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The appointments were referred to the committee on **Rules and Administration**.

**REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on March 8, 2018:

AGRICULTURE

Mark Leonard – Agricultural Development Board

APPROPRIATIONS

Jacquelyn Arthur – Enhance Iowa Board
 Doug Boone – Enhance Iowa Board
 John Burns – Enhance Iowa Board
 Kyle Carter – Enhance Iowa Board
 Emily Damman – Enhance Iowa Board
 Patrick Deignan – Enhance Iowa Board

COMMERCE

Dave Cale – Credit Union Review Board
 Timothy Marcsisak – Credit Union Review Board
 Becky Zemlicka – Credit Union Review Board

Heather Fransen – Iowa Telecommunications and Technology Commission

EDUCATION

Jane Brown – Iowa Autism Council
 Erika Hertel – Iowa Autism Council
 Evelyn Horton – Iowa Autism Council
 Jenny Phan – Iowa Autism Council
 Caleb Primrose – Iowa Autism Council

Kathryn Dorsey – Early Childhood Iowa State Board
 Sigrid Lane – Early Childhood Iowa State Board
 Angela Lensch – Early Childhood Iowa State Board
 Katie Lott – Early Childhood Iowa State Board
 Barbara Merrill – Early Childhood Iowa State Board
 Mary Petersen – Early Childhood Iowa State Board
 Brook Rosenberg – Early Childhood Iowa State Board
 Jean Stadlander – Early Childhood Iowa State Board
 Frank Varvaris – Early Childhood Iowa State Board

Joshua Byrnes – State Board of Education
 William “Mike” May – State Board of Education
 Kimberly Wayne – State Board of Education

Kathy Behrens – Board of Educational Examiners
 Sara Yedlik – Board Educational Examiners

Annette Shaw – Iowa Higher Education Loan Authority

Gretchen Tegeler – School Budget Review Committee

HUMAN RESOURCES

Brenda Easter – Board of Athletic Training
 Dr. Andrew Peterson – Board of Athletic Training
 Dr. Audra Ramsey – Board of Athletic Training
 Dr. Lisa Woodroffe – Board of Athletic Training

Dr. Kevin Allemagne – Board of Behavioral Science
 Amy Crow Sunleaf – Board of Behavioral Science
 Wade Leuwerke – Board of Behavioral Science

Mark Hargrafen – Child Advocacy Board
 Beth Myers – Child Advocacy Board
 William Owens – Child Advocacy Board
 Michael Steele – Child Advocacy Board

Blake Campbell – Commission of Persons with Disabilities
 Teresa Jorgensen – Commission of Persons with Disabilities
 Michelle Ray-Michalec – Commission of Persons with Disabilities
 Clint Sargent – Commission of Persons with Disabilities
 Gary Schriver – Commission of Persons with Disabilities
 Beth Wilde – Commission of Persons with Disabilities

Dr. Jonathan Crosbie – Healthy and Well Kids in Iowa (HAWK-I) Board
 Ronda Eick – Healthy and Well Kids in Iowa (HAWK-I) Board

Robert Brownell – Council on Human Services

Marlu Abarca – Commission of Latino Affairs
 Lorena Gingerich – Commission of Latino Affairs
 Junior Jaime – Commission of Latino Affairs
 Alfonso Perez – Commission of Latino Affairs

Jody Eaton – Mental Health and Disability Services Commission
 Mary Meyers – Mental Health and Disability Services Commission
 John Parmeter – Mental Health and Disability Services Commission
 Rick Sanders – Mental Health and Disability Services Commission
 Dr. Richard Whitaker – Mental Health and Disability Services Commission

Amanda Gallant – Board of Sign Language Interpreters and Translitterators
 Dirk Hillard – Board of Sign Language Interpreters and Translitterators
 Megan Johnson – Board of Sign Language Interpreters and Translitterators
 Scott Johnson – Board of Sign Language Interpreters and Translitterators

Chad Jensen – Commission on Tobacco Use Prevention and Control

JUDICIARY

Dr. Mary Chapman – Board of Corrections

Tiffany Allison – Criminal and Juvenile Justice Planning Advisory Council
 Tammy Bramley – Criminal and Juvenile Justice Planning Advisory Council
 Joel Greer – Criminal and Juvenile Justice Planning Advisory Council
 Pam Kracht – Criminal and Juvenile Justice Planning Advisory Council
 Cody Samec – Criminal and Juvenile Justice Planning Advisory Council
 Tony Thompson – Criminal and Juvenile Justice Planning Advisory Council
 Tom Walton – Criminal and Juvenile Justice Planning Advisory Council

Matthew Harkin – Iowa Drug Policy Advisory Council
 Jason Sandholdt – Iowa Drug Policy Advisory Council

John Bloom – State Judicial Nominating Commission
 Kathy Pearson – State Judicial Nominating Commission

Gene Beinke – Iowa Law Enforcement Academy Council
 Ricardo Martinez II – Iowa Law Enforcement Academy Council

Norman Granger – Board of Parole
 Kathleen Kooiker – Board of Parole
 Jeff Wright – Board of Parole

LABOR AND BUSINESS RELATIONS

Ashley Koopmans – Employment Appeal Board
 Madison Buttermore – Plumbing and Mechanical Systems Board
 Toni Knight – Plumbing and Mechanical Systems Board
 Mike Cormack – Chair of the Public Employment Relations Board
 Mike Cormack – Public Employment Relations Board
 Carrie Duncan – Iowa Workforce Development Board
 Becky Jacobsen – Iowa Workforce Development Board
 John Krogman – Iowa Workforce Development Board
 Rich Kurtenbach – Iowa Workforce Development Board
 Randy Moore – Iowa Workforce Development Board
 Lynn Schreder – Iowa Workforce Development Board

LOCAL GOVERNMENT

Chris McKee – City Development Board
 Dennis Plautz – City Development Board
 Rick Larkin – Mental Health Risk Pool Board
 Andrew Nielsen – Mental Health Risk Pool Board
 Peggy Rice – Mental Health Risk Pool Board
 Shane Walter – Mental Health Risk Pool Board

NATURAL RESOURCES AND ENVIRONMENT

Harold Hommes – Environmental Protection Commission
 Lorraine Glover – Flood Mitigation Board
 John Torbert – Flood Mitigation Board

STATE GOVERNMENT

Lesley Bartholomew – Accountancy Examining Board
 Rudolfo Reyes – Accountancy Examining Board
 Robert Snodgrass – Accountancy Examining Board
 Kenneth Morris, Jr. – Commission on the Status of African Americans
 Veronica Sutton – Commission on the Status of African Americans

Jason Wilson – Alcoholic Beverages Commission

Stephen Larson – Administrator of the Alcoholic Beverages Division

Linda Alfson Schemmel – Architectural Examining Board

Anna Harmon – Architectural Examining Board

Scott Hatfield – Architectural Examining Board

Suresh Basnet – Commission of Asian and Pacific Islander Affairs

Dr. Ritu Gurung – Commission of Asian and Pacific Islander Affairs

Karlai Thornburg – Commission of Asian and Pacific Islander Affairs

Michelle Yoshimura-Smith – Commission of Asian and Pacific Islander Affairs

Rebecca Brockmann – Board of Barbering

Maureen Hardy – Board of Barbering

Scott Sales – Board of Barbering

Sandra Ryan – Commission for the Blind

Frank Ballantini – Boiler and Pressure Vessel Board

Thomas Dye – Boiler and Pressure Vessel Board

Lynne Rush – Boiler and Pressure Vessel Board

Dr. Aaron Martin – Board of Chiropractic

Stephanie Netolicky – Board of Chiropractic

Dr. Randall Stange – Board of Chiropractic

Kelly Busch – Commission on Community Action Agencies

Anna Hilpipre – Commission on Community Action Agencies

Leland Shipley – Commission on Community Action Agencies

Don Nguyen – Board of Cosmetology Arts and Sciences

Lori Elmitt – Board of Dentistry

Dr. William McBride – Board of Dentistry

Nancy Slach – Board of Dentistry

Steven Kury – Board of Dietetics

Brian Smith – Board of Dietetics

Todd Cash – Electrical Examining Board

Penny Clark – Electrical Examining Board

Tammy Cooper – Electrical Examining Board

Tim Gerald – Electrical Examining Board

Robert Hendricks – Electrical Examining Board

Justin Carleton – Elevator Safety Board

Craig Clabaugh – Elevator Safety Board

Peggy Vandenberg – Elevator Safety Board

Laura Sievers – Engineering and Land Surveying Examining Board

Lisa VanDenBerg – Engineering and Land Surveying Examining Board

Elaine Olson – Iowa Ethics and Campaign Disclosure Board

Molly Parker – Board of Hearing Aid Specialists

Tricia Veik – Board of Hearing Aid Specialists

Rebecca Jourdan – Interior Design Examining Board
Jay Reyhons – Interior Design Examining Board
Ben Snyder – Interior Design Examining Board
Lori Wiles – Interior Design Examining Board

Michael Warmuth – Investment Board of the IPERS

Nathan Borland – Landscape Architectural Examining Board
John Micka – Landscape Architectural Examining Board
Emily Naylor – Landscape Architectural Examining Board

Sherrae Hanson – Iowa Lottery Authority Board of Directors
John Quinn – Iowa Lottery Authority Board of Directors

Katherine Asjes – Board of Medicine
Dr. Philip Bear – Board of Medicine
Mary Romanco – Board of Medicine
Kyle Ulveling – Board of Medicine

Rebecca Ervin – Board of Mortuary Science
Seth Williams – Board of Mortuary Science

Dr. Kathryn Dolter – Board of Nursing

Jill Barr – Board of Nursing Home Administrators
Kay Fisk – Board of Nursing Home Administrators
Michael Moore – Board of Nursing Home Administrators
Justin Rash – Board of Nursing Home Administrators
Charlean Schlepp – Board of Nursing Home Administrators

Dr. Mark Mentzer – Board of Optometry
Dr. Monique Root – Board of Optometry

Chris Mayer – Peace Officers' Retirement, Accident, and Disability System Trustee

Dr. Jason Hansel – Board of Pharmacy
Edward McKenna – Board of Pharmacy

Rachel Judisch – Board of Physical and Occupational Therapy

Cheryl Arnold – Board of Physician Assistants
Jolene Kelly – Board of Physician Assistants
Penny Osborn – Board of Physician Assistants

Kathryn Arndt – Board of Podiatry
Laurie Barr-Cronin – Board of Podiatry
Travis Carlson – Board of Podiatry
Dr. Roger Drown – Board of Podiatry
Dr. Erin Nelson – Board of Podiatry

Dr. Matthew Cooper – Board of Psychology
Dr. Brandon Davis – Board of Psychology
Professor Ruth Kunkle – Board of Psychology
Dr. Lisa Streyffeler – Board of Psychology

Emil Giovannetti – Iowa Public Information Board
 Keith Luchtel – Iowa Public Information Board
 Monica McHugh – Iowa Public Information Board
 Frederick (Rick) Morain – Iowa Public Information Board
 Suzan Stewart – Iowa Public Information Board

Brian Ohorilko – Administrator of the State Racing and Gaming Commission

Pennie Gonseth Cheers – State Racing and Gaming Commission
 Kristine Kramer – State Racing and Gaming Commission

Tracy Crimmins – Real Estate Appraiser Examining Board
 Dan Fuhrmeister – Real Estate Appraiser Examining Board
 Mark Kapfer – Real Estate Appraiser Examining Board

James Clingman – Real Estate Commission
 Terrance Duggan – Real Estate Commission
 Elizabeth Hansen – Real Estate Commission

Dr. Samantha Danielson-Jones – Board of Respiratory Care
 Lisa Kingery – Board of Respiratory Care
 Austin Mouw – Board of Respiratory Care

Mark Hillenbrand – Board of Social Work
 Neil Nelsen – Board of Social Work

Douglas Leonard – Board of Speech Pathology and Audiology
 Denise Renaud – Board of Speech Pathology and Audiology
 Justin Rhode – Board of Speech Pathology and Audiology

Erin Rollenhagen – Technology Advisory Council

Dr. Christine Bean – Iowa Board of Veterinary Medicine
 Dr. Curtis Youngs – Iowa Board of Veterinary Medicine

Thomas Carnahan – Commission on the Status of Women
 Rachelle Hunt Russian – Commission on the Status of Women
 Wendy Musgrave – Commission on the Status of Women
 Sherill Whisenand – Commission on the Status of Women

TRANSPORTATION

Kraig Paulsen – State Transportation Commission
 John Putney – State Transportation Commission

VETERANS AFFAIRS

Richard Goebel – Commission of Veterans Affairs
 Elizabeth Ledvina – Commission of Veterans Affairs

WAYS AND MEANS

Linda Crookham-Hansen – Economic Development Authority
Mark Kittrell – Economic Development Authority
Bruce Lehrman – Economic Development Authority
Christian Murray – Economic Development Authority
Emily Schmitt – Economic Development Authority

Kerrie Kuiper – Iowa Great Places Board
Gayle Redman – Iowa Great Places Board
Trevor Toft – Iowa Great Places Board
Donald Zuck – Iowa Great Places Board

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate on March 5, 2018:

I am withdrawing the name of David Barker to serve as a member of the Health Facilities Council from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on March 1, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Boiler and Pressure Vessel Board, formerly held by Keith Taeger. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Capital Investment Board, formerly held by Natalie Lischer.

The Iowa Capital Investment Board as an entity has completed its statutory purpose and while it has not been formally dissolved at this time, it will be in the near future. All tax credits related to the IFOF program under the Iowa Capital Investment Board were surrendered and cancelled at the Iowa Capital Investment Board's last meeting. The minutes at that meeting reflect the Iowa Capital Investment Board then adjourned with the expectation that the board would be disbanded.

The Office of the Governor and the Attorney General's Office are coordinating the Iowa Capital Investment Board dissolution effort. Because the Iowa Capital Investment Board has fulfilled its statutory mission and will soon be dissolved, the Office of the Governor is making technical deferrals of appointments at this time as there will be no entity to make appointments to very soon.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Community Action Agencies, formerly held by John Johnson. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Governor's Office of Drug Control Policy, formerly held by Steve Lukan. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Early Childhood Iowa State Board, formerly held by Elizabeth Colby Plautz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Electrical Examining Board, formerly held by Theodore Meiners. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Health Facilities Council, formerly held by David Barker. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Law Enforcement Academy Council, formerly held by Lisa Campbell. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Law Enforcement Academy Council, formerly held by Brian Guy. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Massage Therapy, formerly held by David Edwards. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Mental Health and Disability Services Commission, formerly held by Jennifer Sheehan. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection

process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Mental Health Risk Pool Board, formerly held by Mechelle Dhondt. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Mental Health Risk Pool Board, formerly held by Linda Dunshee. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Mental Health Risk Pool Board, formerly held by Patrick Schmitz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Native American Affairs, formerly held by Dawn Buffalo. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Native American Affairs, formerly held by Larry Lasley. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Native American Affairs, formerly held by Franklin Phillips. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Native American Affairs, formerly held by Dirk Whitebreast. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Native American Affairs, formerly held by Judy Yellowbank. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Plumbing and Mechanical Systems Board, formerly held by Rodney Schultz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Tobacco Use Prevention and Control, formerly held by Brian Pins. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Veterans Affairs, formerly held by Monica Blakley. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 12, 2018

The Senate met in regular session at 1:16 p.m., President Whitver presiding.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Thursday, March 8, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2252, a bill for an act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions.

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

House File 2312, a bill for an act relating to testing violent crime evidence collection kits by the state criminalistics laboratory.

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

House File 2369, a bill for an act setting the dates for the submission of local public measures to the electors.

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

House File 2414, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions.

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

House File 2427, a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions.

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

House File 2435, a bill for an act relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment.

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

House File 2436, a bill for an act requesting the establishment of an interim study committee relating to the use of intermediate criminal sanctions and probation revocations.

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

House File 2443, a bill for an act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records.

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

House File 2444, a bill for an act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

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

House File 2445, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

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

House File 2462, a bill for an act relating to programs and activities under the purview of the department of human services.

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

House File 2467, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

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

RECESS

On motion of Senator Schneider, the Senate recessed at 1:20 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 3:51 p.m., President Whitver presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Schneider asked and received unanimous consent to take up for consideration Senate Files 2326, 2241, 2321, and 2366.

Senate File 2326

On motion of Senator Breitbart, **Senate File 2326**, a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions, was taken up for consideration.

Senator Danielson withdrew amendment S-5032, filed by him on February 21, 2018, to page 1 and amending the title page of the bill.

Senator Breitbart offered amendment S-5133, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5133 was adopted by a voice vote.

With the adoption of amendment S-5133, the Chair ruled the following amendments out of order:

Amendment S-5033, filed by Senator Danielson on February 21, 2018, to page 1 of the bill;

Amendment S-5034, filed by Senator Danielson on February 21, 2018, to page 1 of the bill; and

Amendment S-5035, filed by Senator Danielson on February 21, 2018, to page 1 of the bill.

Senator Breitbart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2326), the vote was:

Yeas, 43:

Allen	Costello	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair

Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Whitver
Carlin	Hart	Petersen	Zaun
Chapman	Hogg	Quirmbach	Zumbach
Chelgren	Horn	Ragan	

Nays, 6:

Bisignano	Dotzler	McCoy
Danielson	Johnson, D.	Taylor

Absent, none.

Vacant, 1.

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

Senate File 2241

On motion of Senator Schultz, **Senate File 2241**, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2241), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 2321

On motion of Senator Dawson, **Senate File 2321**, a bill for an act excluding persons going armed with certain portable devices or weapons that direct an electric current from the criminal offense of carrying weapons under certain circumstances, was taken up for consideration.

Senator Dawson offered amendment S-5134, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Dawson offered amendment S-5135, filed by him from the floor to page 1 and amending the title provisions of amendment S-5134, and moved its adoption.

Amendment S-5135 to amendment S-5134 was adopted by a voice vote.

Senator Dawson moved the adoption of amendment S-5134, as amended.

Amendment S-5134, as amended, was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2321), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiplee

Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 2366

On motion of Senator Edler, **Senate File 2366**, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2366), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Schneider asked and received unanimous consent that **Senate Files 2241, 2321, 2326, and 2366** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Schneider asked and received unanimous consent to take up for consideration Senate Files 2247, 2374, 2302, and 2369.

Senate File 2247

On motion of Senator Zaun, **Senate File 2247**, a bill for an act relating to grandparent and great-grandparent visitation, was taken up for consideration.

Senator Taylor asked and received unanimous consent that action on **Senate File 2247** be **deferred**.

Senate File 2374

On motion of Senator Garrett, **Senate File 2374**, a bill for an act relating to the awarding of joint custody and joint physical care, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2374), the vote was:

Yeas, 33:

Allen	Dawson	Kinney	Sinclair
Behn	Dotzler	Kraayenbrink	Smith
Bertrand	Edler	Lofgren	Taylor
Bowman	Feenstra	McCoy	Whitver
Breitbach	Garrett	Rozenboom	Zaun
Brown	Guth	Schneider	Zumbach
Chapman	Hart	Schultz	
Chelgren	Johnson, C.	Segebart	
Costello	Kapucian	Shipley	

Nays, 16:

Bisignano	Danielson	Horn	Mathis
Bolkcom	Dvorsky	Jochum	Petersen
Boulton	Greene	Johnson, D.	Quirmbach
Carlin	Hogg	Lykam	Ragan

Absent, none.

Vacant, 1.

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

Senate File 2302

On motion of Senator Carlin, **Senate File 2302**, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable, was taken up for consideration.

Senator D. Johnson offered amendment S-5137, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5137 be adopted?" (S.F. 2302), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor

Boulton	Hogg	Mathis
Bowman	Horn	McCoy
Danielson	Jochum	Petersen

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, none.

Vacant, 1.

Amendment S–5137 lost.

Senator Kapucian offered amendment S–5084, filed by him on March 1, 2018, to pages 2 and 4 of the bill, and moved its adoption.

Amendment S–5084 was adopted by a voice vote.

Senator Carlin asked and received unanimous consent that **House File 2303** be **substituted** for **Senate File 2302**.

House File 2303

On motion of Senator Carlin, **House File 2303**, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable, was taken up for consideration.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2303), the vote was:

Yeas, 48:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider

Bisignano	Dotzler	Kapucian	Schultz
Bolkcom	Dvorsky	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shipley
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirnbach	Zumbach

Nays, 1:

Johnson, D.

Absent, none.

Vacant, 1.

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

Senate File 2369

On motion of Senator Segebart, **Senate File 2369**, a bill for an act relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services, was taken up for consideration.

Senator Segebart offered amendment S-5138, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5138 was adopted by a voice vote.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2369), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith

Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Carlin asked and received unanimous consent that **Senate File 2302** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Schneider asked and received unanimous consent that **Senate Files 2369** and **2374** and **House File 2303** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2247

The Senate resumed consideration of **Senate File 2247**, a bill for an act relating to grandparent and great-grandparent visitation, previously deferred.

Senator Taylor offered amendment S-5139, filed by Senators Taylor and Boulton from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5139 was adopted by a voice vote.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2247), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Schneider asked and received unanimous consent that **Senate File 2247** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Schneider, the Senate adjourned at 5:06 p.m. until 9:00 a.m., Tuesday, March 13, 2018.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Western Dubuque Cascade Men's Basketball Team—For winning the 2A State Basketball Championship. Senator Bowman.

Jim and JoAnn Hawkins, Dyersville—For celebrating their 50th wedding anniversary. Senator Bowman.

Michael Roling, Dyersville—For reaching the rank of Eagle Scout, Troop #60. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Thursday, March 8, 2018, 9:15 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Petersen, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Gubernatorial appointments.

Adjourned: 9:20 a.m.

WAYS AND MEANS

Convened: Monday, March 12, 2018, 3:00 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Schultz, and Smith.

Members Absent: Quirmbach (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2420

EDUCATION: Sinclair, Chair; Hart and Lofgren

House File 2442

EDUCATION: Sinclair, Chair; Bowman and Chelgren

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2131, the following correction was made:

1. Title page, line 6, deleted the extra period at the end of the sentence.

W. Charles Smithson
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 8, 2018, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 455 – Relating to school district funding by modifying and establishing provisions relating to state school foundation program and school district transportation costs, making appropriations, and including effective date provisions.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 12, 2018, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the Agricultural Development Board:

Mark Leonard – Costello, Chair; Bowman and Segebart

APPROPRIATIONS

As members of the Enhance Iowa Board:

Jacquelyn Arthur – Greene, Chair; Dotzler and Rozenboom
 Doug Boone – Greene, Chair; Dotzler and Rozenboom
 John Burns – Greene, Chair; Dotzler and Rozenboom
 Kyle Carter – Greene, Chair; Dotzler and Rozenboom
 Emily Damman – Greene, Chair; Dotzler and Rozenboom
 Patrick Deignan – Greene, Chair; Dotzler and Rozenboom

COMMERCE

As members of the Credit Union Review Board:

Dave Cale – Guth, Chair; Boulton and C. Johnson
 Timothy Marcsisak – C. Johnson, Chair; Guth and Lykam
 Becky Zemlicka – C. Johnson, Chair; Guth and McCoy

As a member of the Iowa Telecommunications and Technology Commission:

Heather Fransen – Zumbach, Chair; Allen and Sinclair

EDUCATION

As members of the Iowa Autism Council:

Jane Brown – Edler, Chair; Hogg and Sinclair
 Erika Hertel – Edler, Chair; Hogg and Sinclair
 Evelyn Horton – Edler, Chair; Hogg and Sinclair
 Jenny Phan – Edler, Chair; Hogg and Sinclair
 Caleb Primrose – Edler, Chair; Hogg and Sinclair

As members of the Early Childhood Iowa State Board:

Kathryn Dorsey – Rozenboom, Chair; Hart and Sinclair
 Sigrid Lane – Rozenboom, Chair; Hart and Sinclair
 Angela Lensch – Rozenboom, Chair; Hart and Sinclair
 Katie Lott – Rozenboom, Chair; Hart and Sinclair
 Barbara Merrill – Kraayenbrink, Chair; Danielson and Sinclair
 Mary Petersen – Kraayenbrink, Chair; Danielson and Sinclair
 Brook Rosenberg – Kraayenbrink, Chair; Danielson and Sinclair
 Jean Stadlander – Kraayenbrink, Chair; Danielson and Sinclair
 Frank Varvaris – Kraayenbrink, Chair; Danielson and Sinclair

As members of the State Board of Education:

Joshua Byrnes – Behn, Chair; Quirmbach and Sinclair
 William “Mike” May – Behn, Chair; Quirmbach and Sinclair
 Kimberly Wayne – Behn, Chair; Quirmbach and Sinclair

As members of the Board of Educational Examiners:

Kathy Behrens – Lofgren, Chair; Bowman and Sinclair
 Sara Yedlik – Lofgren, Chair; Bowman and Sinclair

As a member of the Iowa Higher Education Loan Authority:

Annette Shaw – C. Johnson, Chair; Quirmbach and Sinclair

As a member of the School Budget Review Committee:

Gretchen Tegeler – C. Johnson, Chair; Dvorsky and Sinclair

HUMAN RESOURCES

As members of the Board of Athletic Training:

Brenda Easter – Segebart, Chair; C. Johnson and Quirmbach
 Dr. Andrew Peterson – Segebart, Chair; C. Johnson and Quirmbach
 Dr. Audra Ramsey – Segebart, Chair; C. Johnson and Quirmbach
 Dr. Lisa Woodroffe – Segebart, Chair; C. Johnson and Quirmbach

As members of the Board of Behavioral Science:

Dr. Kevin Allemagne – Costello, Chair; Jochum and C. Johnson
 Amy Crow Sunleaf – Costello, Chair; Jochum and C. Johnson
 Wade Leuwerke – Costello, Chair; Jochum and C. Johnson

As members of the Child Advocacy Board:

Mark Hargrafen – Costello, Chair; Bolkom and C. Johnson
 Beth Myers – Costello, Chair; Bolkom and C. Johnson
 William Owens – Costello, Chair; Bolkom and C. Johnson
 Michael Steele – Costello, Chair; Bolkom and C. Johnson

As members of the Commission of Persons with Disabilities:

Blake Campbell – Chapman, Chair; Ragan and Shipley
 Teresa Jorgensen – Chapman, Chair; Ragan and Shipley
 Michelle Ray-Michalec – Chapman, Chair; Ragan and Shipley
 Clint Sargent – Chapman, Chair; Ragan and Shipley
 Gary Schriver – Chapman, Chair; Ragan and Shipley
 Beth Wilde – Chapman, Chair; Ragan and Shipley

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

Dr. Jonathan Crosbie – Shipley, Chair; Mathis and Segebart
 Ronda Eick – Shipley, Chair; Mathis and Segebart

As a member of the Council on Human Services:

Robert Brownell – Shipley, Chair; Mathis and Segebart

As members of the Commission of Latino Affairs:

Marlu Abarca – Shipley, Chair; Mathis and Segebart
 Lorena Gingerich – Shipley, Chair; Mathis and Segebart
 Junior Jaime – Shipley, Chair; Mathis and Segebart
 Alfonso Perez – Shipley, Chair; Mathis and Segebart

As members of the Mental Health and Disability Services Commission:

Jody Eaton – Garrett, Chair; Greene and Ragan
 Mary Meyers – Garrett, Chair; Greene and Ragan
 John Parmeter – Garrett, Chair; Greene and Ragan
 Rick Sanders – Garrett, Chair; Greene and Ragan
 Dr. Richard Whitaker – Garrett, Chair; Greene and Ragan

As members of the Board of Sign Language Interpreters and Transliterators:

Amanda Gallant – Greene, Chair; Garrett and Quirmbach
 Dirk Hillard – Greene, Chair; Garrett and Quirmbach
 Megan Johnson – Greene, Chair; Garrett and Quirmbach
 Scott Johnson – Greene, Chair; Garrett and Quirmbach

As a member of the Commission on Tobacco Use Prevention and Control:

Chad Jensen – Greene, Chair; Garrett and Quirmbach

JUDICIARY

As a member of the Board of Corrections:

Dr. Mary Chapman – Garrett, Chair; Edler and Petersen

As members of the Criminal and Juvenile Justice Planning Advisory Council:

Tiffany Allison – Zaun, Chair; Boulton and Sinclair
 Tammy Bramley – Schultz, Chair; Taylor and Zaun
 Joel Greer – Edler, Chair; Taylor and Zaun
 Pam Kracht – Zaun, Chair; Dawson and Taylor
 Cody Samec – Zaun, Chair; Boulton and Dawson
 Tony Thompson – Zaun, Chair; Dawson and Taylor
 Tom Walton – Schneider, Chair; Taylor and Zaun

As members of the Iowa Drug Policy Advisory Council:

Matthew Harkin – Garrett, Chair; Kinney and Zaun
 Jason Sandholdt – Sinclair, Chair; Kinney and Zaun

As members of the State Judicial Nominating Commission:

John Bloom – Schneider, Chair; Boulton and Zaun
Kathy Pearson – Zaun, Chair; Boulton and Sinclair

As members of the Iowa Law Enforcement Academy Council:

Gene Beinke – Dawson, Chair; Kinney and Zaun
Ricardo Martinez II – Dawson, Chair; Kinney and Zaun

As members of the Board of Parole:

Norman Granger – Zaun, Chair; Dawson and Taylor
Kathleen Kooiker – Sinclair, Chair; Taylor and Zaun
Jeff Wright – Zaun, Chair; Dawson and Taylor

LABOR AND BUSINESS RELATIONS

As a member of the Employment Appeal Board:

Ashley Koopmans – Guth, Chair; Dotzler and Schultz

As members of the Plumbing and Mechanical Systems Board:

Madison Buttermore – Guth, Chair; Dotzler and Schultz
Toni Knight – Guth, Chair; Dotzler and Schultz

As Chair of the Public Employment Relations Board:

Mike Cormack – Schultz, Chair; Boulton and Chapman

As a member of the Public Employment Relations Board:

Mike Cormack – Schultz, Chair; Boulton and Chapman

As members of the Iowa Workforce Development Board:

Carrie Duncan – Chapman, Chair; Dotzler and Schultz
Becky Jacobsen – Brown, Chair; Bisignano and Costello
John Krogman – Chapman, Chair; Dotzler and Schultz
Rich Kurtenbach – Chapman, Chair; Dotzler and Schultz
Randy Moore – Chapman, Chair; Dotzler and Schultz
Lynn Schreder – Chapman, Chair; Dotzler and Schultz

LOCAL GOVERNMENT

As members of the City Development Board:

Chris McKee – Lofgren, Chair; Hogg and Kraayenbrink
Dennis Plautz – Lofgren, Chair; Hogg and Kraayenbrink

As members of the Mental Health Risk Pool Board:

Rick Larkin – Chelgren, Chair; Greene and Hogg
Andrew Nielsen – Chelgren, Chair; Greene and Hogg
Peggy Rice – Guth, Chair; Hogg and Segebart
Shane Walter – Guth, Chair; Hogg and Segebart

NATURAL RESOURCES AND ENVIRONMENT

As a member of the Environmental Protection Commission:

Harold Hommes – Carlin, Chair; Behn and Dvorsky

As members of the Flood Mitigation Board:

Lorraine Glover – Greene, Chair; Hart and Kraayenbrink
John Torbert – Greene, Chair; Kraayenbrink and Lykam

STATE GOVERNMENT

As members of the Accountancy Examining Board:

Lesley Bartholomew – Chapman, Chair; Bisignano and Smith
Rudolfo Reyes – Chapman, Chair; Bisignano and Smith
Robert Snodgrass – Chapman, Chair; Bisignano and Smith

As members of the Commission on the Status of African Americans:

Kenneth Morris, Jr. – Chapman, Chair; Bisignano and Smith
Veronica Sutton – Chapman, Chair; Bisignano and Smith

As a member of the Alcoholic Beverages Commission:

Jason Wilson – Smith, Chair; Bisignano and Chapman

As Administrator of the Alcoholic Beverages Division:

Stephen Larson – Smith, Chair; Bisignano and Chapman

As members of the Architectural Examining Board:

Linda Alfson Schemmel – Zaun, Chair; Carlin and Jochum
Anna Harmon – Zaun, Chair; Carlin and Jochum
Scott Hatfield – Zaun, Chair; Carlin and Jochum

As members of the Commission of Asian and Pacific Islander Affairs:

Suresh Basnet – Chapman, Chair; Bisignano and Smith
Dr. Ritu Gurung – Smith, Chair; Bowman and Chapman
Karlai Thornburg – Chapman, Chair; Bisignano and Smith
Michelle Yoshimura-Smith – Chapman, Chair; Bowman and Smith

As members of the Board of Barbering:

Rebecca Brockmann – Chapman, Chair; Bisignano and Smith
Maureen Hardy – Chapman, Chair; Horn and Smith
Scott Sales – Chapman, Chair; Horn and Smith

As a member of the Commission for the Blind:

Sandra Ryan – Chapman, Chair; Dvorsky and Smith

As members of the Boiler and Pressure Vessel Board:

Frank Ballantini – Brown, Chair; Carlin and Dvorsky
Thomas Dye – Brown, Chair; Carlin and Dvorsky
Lynne Rush – Brown, Chair; Carlin and Dvorsky

As members of the Board of Chiropractic:

Dr. Aaron Martin – Carlin, Chair; Brown and Horn
Stephanie Netolicky – Carlin, Chair; Brown and Danielson
Dr. Randall Stange – Carlin, Chair; Brown and Danielson

As members of the Commission on Community Action Agencies:

Kelly Busch – Dawson, Chair; Danielson and Feenstra
Anna Hilpipre – Dawson, Chair; Bisignano and Feenstra
Leland Shipley – Dawson, Chair; Bisignano and Feenstra

As a member of the Board of Cosmetology Arts and Sciences:

Don Nguyen – Carlin, Chair; Brown and Danielson

As members of the Board of Dentistry:

Lori Elmitt – Dawson, Chair; Danielson and Feenstra
Dr. William McBride – Dawson, Chair; Danielson and Feenstra
Nancy Slach – Dawson, Chair; Danielson and Feenstra

As members of the Board of Dietetics:

Steven Kury – Feenstra, Chair; Dawson and Dvorsky
Brian Smith – Feenstra, Chair; Dawson and Dvorsky

As members of the Electrical Examining Board:

Todd Cash – Schneider, Chair; Bisignano and Zaun
Penny Clark – Schneider, Chair; Bisignano and Zaun
Tammy Cooper – Schneider, Chair; Bisignano and Zaun
Tim Gerald – Schneider, Chair; Bisignano and Zaun
Robert Hendricks – Schneider, Chair; Bisignano and Zaun

As members of the Elevator Safety Board:

Justin Carleton – Brown, Chair; Carlin and Horn
Craig Clabaugh – Brown, Chair; Carlin and Horn
Peggy Vandenberg – Brown, Chair; Carlin and Horn

As members of the Engineering and Land Surveying Examining Board:

Laura Sievers – Carlin, Chair; Bowman and Brown
Lisa VanDenBerg – Carlin, Chair; Brown and Horn

As a member of the Iowa Ethics and Campaign Disclosure Board:

Elaine Olson – Smith, Chair; Bisignano and Chapman

As members of the Board of Hearing Aid Specialists:

Molly Parker – Smith, Chair; Bisignano and Chapman
Tricia Veik – Smith, Chair; Bisignano and Chapman

As members of the Interior Design Examining Board:

Rebecca Jourdan – Schultz, Chair; Jochum and Zaun
Jay Reyhons – Schultz, Chair; Jochum and Zaun
Ben Snyder – Schultz, Chair; Jochum and Zaun
Lori Wiles – Schultz, Chair; Jochum and Zaun

As a member of the Investment Board of the IPERS:

Michael Warmuth – Schneider, Chair; Danielson and Zaun

As members of the Landscape Architectural Examining Board:

Nathan Borland – Zaun, Chair; Dvorsky and Schultz
John Micka – Zaun, Chair; Dvorsky and Schultz
Emily Naylor – Zaun, Chair; Dvorsky and Schultz

As members of the Iowa Lottery Authority Board of Directors:

Sherrae Hanson – Feenstra, Chair; Bisignano and Dawson
John Quinn – Feenstra, Chair; Bisignano and Dawson

As members of the Board of Medicine:

Katherine Asjes – Zaun, Chair; Bisignano and Schultz
Dr. Philip Bear – Zaun, Chair; Bisignano and Schultz
Mary Romanco – Zaun, Chair; Bisignano and Schultz
Kyle Ulveling – Zaun, Chair; Bisignano and Schultz

As members of the Board of Mortuary Science:

Rebecca Ervin – Carlin, Chair; Brown and Horn
Seth Williams – Carlin, Chair; Brown and Horn

As a member of the Board of Nursing:

Dr. Kathryn Dolter – Carlin, Chair; Bowman and Brown

As members of the Board of Nursing Home Administrators:

Jill Barr – Zaun, Chair; Jochum and Schneider
Kay Fisk – Zaun, Chair; Jochum and Schneider
Michael Moore – Zaun, Chair; Jochum and Schneider
Justin Rash – Zaun, Chair; Jochum and Schneider
Charlean Schlepp – Zaun, Chair; Jochum and Schneider

As members of the Board of Optometry:

Dr. Mark Mentzer – Carlin, Chair; Bowman and Brown
Dr. Monique Root – Carlin, Chair; Bowman and Brown

As a member of Peace Officers' Retirement, Accident, and Disability System Trustee:

Chris Mayer – Dawson, Chair; Danielson and Feenstra

As members of the Board of Pharmacy:

Dr. Jason Hansel – Smith, Chair; Bisignano and Chapman
Edward McKenna – Chapman, Chair; Bisignano and Smith

As a member of the Board of Physical and Occupational Therapy:

Rachel Judisch – Dawson, Chair; Feenstra and Horn

As members of the Board of Physician Assistants:

Cheryl Arnold – Dawson, Chair; Dvorsky and Feenstra
Jolene Kelly – Dawson, Chair; Dvorsky and Feenstra
Penny Osborn – Smith, Chair; Bisignano and Chapman

As members of the Board of Podiatry:

Kathryn Arndt – Feenstra, Chair; Dawson and Horn
Laurie Barr-Cronin – Dawson, Chair; Feenstra and Horn
Travis Carlson – Dawson, Chair; Feenstra and Horn
Dr. Roger Drown – Dawson, Chair; Feenstra and Horn
Dr. Erin Nelson – Dawson, Chair; Feenstra and Horn

As members of the Board of Psychology:

Dr. Matthew Cooper – Schneider, Chair; Bisignano and Zaun
Dr. Brandon Davis – Schneider, Chair; Bisignano and Zaun
Professor Ruth Kunkle – Schneider, Chair; Bisignano and Zaun
Dr. Lisa Streyffeler – Schneider, Chair; Bisignano and Zaun

As members of the Iowa Public Information Board:

Emil Giovannetti – Schultz, Chair; Bowman and Brown
Keith Luchtel – Schultz, Chair; Bowman and Brown
Monica McHugh – Schultz, Chair; Bowman and Brown
Frederick (Rick) Morain – Schultz, Chair; Bowman and Brown
Suzan Stewart – Schultz, Chair; Bowman and Brown

As Administrator of the State Racing and Gaming Commission:

Brian Ohorilko – Smith, Chair; Bisignano and Chapman

As members of the State Racing and Gaming Commission:

Pennie Gonseth Cheers – Smith, Chair; Bisignano and Chapman
Kristine Kramer – Chapman, Chair; Bisignano and Smith

As members of the Real Estate Appraiser Examining Board:

Tracy Crimmins – Smith, Chair; Chapman and Danielson
Dan Fuhrmeister – Smith, Chair; Chapman and Danielson
Mark Kapfer – Smith, Chair; Chapman and Danielson

As members of the Real Estate Commission:

James Clingman – Chapman, Chair; Bisignano and Smith
Terrance Duggan – Chapman, Chair; Bisignano and Smith
Elizabeth Hansen – Chapman, Chair; Bisignano and Smith

As members of the Board of Respiratory Care:

Dr. Samantha Danielson-Jones – Schultz, Chair; Carlin and Horn
Lisa Kingery – Schultz, Chair; Carlin and Horn
Austin Mouw – Schultz, Chair; Carlin and Horn

As members of the Board of Social Work:

Mark Hillenbrand – Schneider, Chair; Bisignano and Zaun
Neil Nelsen – Schneider, Chair; Bisignano and Zaun

As members of the Board of Speech Pathology and Audiology:

Douglas Leonard – Feenstra, Chair; Dawson and Dvorsky
Denise Renaud – Feenstra, Chair; Dawson and Dvorsky
Justin Rhode – Feenstra, Chair; Dawson and Dvorsky

As a member of the Technology Advisory Council:

Erin Rollenhagen – Feenstra, Chair; Bisignano and Dawson

As members of the Iowa Board of Veterinary Medicine:

Dr. Christine Bean – Feenstra, Chair; Danielson and Dawson
Dr. Curtis Youngs – Feenstra, Chair; Danielson and Dawson

As members of the Commission on the Status of Women:

Thomas Carnahan – Smith, Chair; Chapman and Jochum
Rachelle Hunt Russian – Brown, Chair; Jochum and Smith
Wendy Musgrave – Brown, Chair; Jochum and Smith
Sherill Whisenand – Brown, Chair; Jochum and Smith

TRANSPORTATION

As members of the State Transportation Commission:

Kraig Paulsen – Zumbach, Chair; Danielson and Kapucian
John Putney – Kapucian, Chair; Danielson and Zumbach

VETERANS AFFAIRS

As members of the Commission of Veterans Affairs:

Richard Goebel – Lofgren, Chair; Ragan and Rozenboom
Elizabeth Ledvina – Lofgren, Chair; Allen and Rozenboom

WAYS AND MEANS

As members of the Economic Development Authority:

Linda Crookham-Hansen – Edler, Chair; Behn and Dotzler
 Mark Kittrell – Edler, Chair; Behn and Dotzler
 Bruce Lehrman – Brown, Chair; Behn and Hogg
 Christian Murray – Brown, Chair; Hogg and Schultz
 Emily Schmitt – Carlin, Chair; Bolkcom and Brown

As members of the Iowa Great Places Board:

Kerrie Kuiper – Behn, Chair; Brown and Quirnbach
 Gayle Redman – Behn, Chair; Dawson and Quirnbach
 Trevor Toft – Carlin, Chair; Jochum and Smith
 Donald Zuck – Behn, Chair; Feenstra and Jochum

RESIGNATION OF SENATOR

March 12, 2018

Senate President Jack Whitver
 Iowa Senate
 Iowa Capitol
 Des Moines, IA 50319

Speaker Linda Upmeyer
 Iowa House of Representatives
 Iowa Capitol
 Des Moines, IA 50319

Mister President and Madame Speaker,

I resign my position as Iowa State Senator and Majority Leader effective at 2pm today, March 12, 2018.

Sincerely,

William C. Dix

AMENDMENTS FILED

S-5133	S.F.	2326	Michael Breitbach
S-5134	S.F.	2321	Dan Dawson
S-5135	S.F.	2321	Dan Dawson
S-5136	H.F.	2235	Mark Lofgren
S-5137	S.F.	2302	David Johnson
S-5138	S.F.	2369	Mark Segebart

S-5139	S.F.	2247	Rich Taylor Nate Boulton
S-5140	H.F.	2234	Dan Zumbach
S-5141	H.F.	2377	Thomas A. Greene

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 13, 2018

The Senate met in regular session at 9:04 a.m., President Whitver presiding.

Prayer was offered by Pastor Matthew Majewski of Center Baptist Church in Lansing, Iowa. He was the guest of Senator Breitbach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sarah and Isaac Majewski.

The Journal of Monday, March 12, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 360, a bill for an act relating to the newborn safe haven Act.

Senate File 2228, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

Senate File 2255, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

ALSO: That the House has on March 12, 2018, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2099, a bill for an act relating to probate and the administration of small estates and including applicability provisions. (S-5142)

Senate File 2113, a bill for an act providing for school employee training relating to suicide awareness and prevention. (S-5143)

ALSO: That the House has on March 12, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2276, a bill for an act relating to the presence of a sex offender upon the real property of a public or nonpublic elementary or secondary school.

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

House File 2314, a bill for an act permitting counties and cities to charge certain fireworks violations as county infractions or municipal infractions, and making penalties applicable.

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

House File 2390, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages.

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

House File 2404, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim.

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

House File 2439, a bill for an act relating to horse racing regulated by the racing and gaming commission.

Read first time and attached to **similar Senate File 2214**.

RECESS

On motion of Senator Schneider, the Senate recessed at 9:12 a.m. until 5:00 p.m.

APPENDIX—1

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, March 13, 2018, 11:05 a.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand (excused).

Committee Business: Passed HF 2305.

Adjourned: 11:25 a.m.

EDUCATION

Convened: Tuesday, March 13, 2018, 10:10 a.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Passed HFs 2354 and 2406.

Adjourned: 10:20 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 13, 2018, 1:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Bertrand (excused).

Committee Business: Passed HF's 2365 and 2466.

Adjourned: 1:10 p.m.

STUDY BILLS RECEIVED

SSB 3202 Ways and Means

Relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations.

SSB 3203 Ways and Means

Relating to the innovation fund tax credit program of the economic development authority, and including effective date provisions.

SSB 3204 Ways and Means

Relating to the mental health and disability services regions.

SUBCOMMITTEE ASSIGNMENTS

House File 2312

JUDICIARY: Dawson, Chair; Kinney and Schultz

House File 2401

JUDICIARY: Garrett, Chair; Kinney and Sinclair

House File 2414

HUMAN RESOURCES: Garrett, Chair; C. Johnson and Ragan

House File 2427

HUMAN RESOURCES: Costello, Chair; Mathis and Shipley

House File 2435

JUDICIARY: Sinclair, Chair; Kinney and Shipley

House File 2436

JUDICIARY: Edler, Chair; Schultz and Taylor

House File 2443

JUDICIARY: Dawson, Chair; Bisignano and Schultz

House File 2444

HUMAN RESOURCES: Shipley, Chair; Costello and Jochum

House File 2445

HUMAN RESOURCES: Segebart, Chair; Greene and Ragan

House File 2450

JUDICIARY: Dawson, Chair; Taylor and Zaun

House File 2467

EDUCATION: Rozenboom, Chair; Greene and Quirnbach

SSB 3202

WAYS AND MEANS: Dawson, Chair; Hogg and Smith

SSB 3203

WAYS AND MEANS: Feenstra, Chair; Quirnbach and Smith

SSB 3204

WAYS AND MEANS: Feenstra, Chair; Bolkom and Edler

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: HOUSE FILE 2305, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 2354, a bill for an act relating to student personal information protection.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2406, a bill for an act establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: HOUSE FILE 2297, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5146.

Final Vote: Ayes, 6: Schultz, Zaun, Breitbach, Brown, Costello, and Guth. Nays, 4: Boulton, Bisignano, Dotzler, and Taylor. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2321, a bill for an act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Schultz, Zaun, Boulton, Bisignano, Breitbach, Brown, Costello, Dotzler, and Guth. Nays, 1: Taylor. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2383, a bill for an act relating to private employer alcohol testing policies.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Schultz, Zaun, Boulton, Bisignano, Breitbach, Brown, Costello, and Guth. Nays, 2: Dotzler and Taylor. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE JOINT RESOLUTION 8, a joint resolution applying for an Article V convention to propose amendments to the Constitution of the United States that impose fiscal restraints, and limit the power and jurisdiction of the federal government, and requesting Congress to similarly propose such amendments.

Recommendation: DO PASS. (Voted out of committee on 2/13/18.)

Final Vote: Ayes, 10: Smith, Chapman, Bowman, Brown, Carlin, Danielson, Dawson, Schneider, Schultz, and Zaun. Nays, 5: Bisignano, Dvorsky, Feenstra, Horn, and Jochum. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 5:03 p.m., President Whitver presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2310, 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 House has on March 13, 2018, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2007, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

ALSO: That the House has on March 13, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2458, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

Read first time and attached to **similar Senate File 2327**.

The Senate stood at ease at 5:04 p.m. until the fall of the gavel for a Republican party caucus.

The Senate resumed session at 5:18 p.m., President Whitver presiding.

UNFINISHED BUSINESS
(Individual Confirmation Calendar)
(Deferred March 6, 2018)

The Senate resumed consideration of the appointment of Mark Lowe, as Director of Transportation, previously deferred.

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

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

Yeas, 44:

Allen	Costello	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bertrand	Dvorsky	Kapucian	Schneider

Bolkcom	Edler	Kinney	Schultz
Boulton	Feenstra	Kraayenbrink	Segebart
Bowman	Garrett	Lofgren	Shipley
Breitbach	Greene	Lykam	Sinclair
Brown	Guth	Mathis	Smith
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, 5:

Bisignano	Dotzler	Taylor
Danielson	Johnson, D.	

Absent, none.

Vacant, 1.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Schneider asked and received unanimous consent to take up for consideration Senate Files 2130, 2168, 2179, and 2360.

Senate File 2130

On motion of Senator Kraayenbrink, **Senate File 2130**, A bill for an act relating to the expiration date of a license issued by the board of educational examiners, was taken up for consideration.

Senator Kraayenbrink asked and received unanimous consent that **House File 2283** be **substituted** for **Senate File 2130**.

House File 2283

On motion of Senator Kraayenbrink, **House File 2283**, A bill for an act relating to the expiration date of a license issued by the board of educational examiners, was taken up for consideration.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2283), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Kraayenbrink asked and received unanimous consent that **Senate File 2130** be **withdrawn** from further consideration of the Senate.

Senate File 2168

On motion of Senator Zumbach, **Senate File 2168**, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that **House File 2234** be **substituted** for **Senate File 2168**.

House File 2234

On motion of Senator Zumbach, **House File 2234**, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property, was taken up for consideration.

Senator Zumbach offered amendment S-5140, filed by him on March 12, 2018, to pages 1-3 of the bill, and moved its adoption.

Amendment S-5140 was adopted by a voice vote.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2234), the vote was:

Yeas, 47:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shipley
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	Zumbach
Costello	Horn	Ragan	

Nays, 2:

Bolkcom	Jochum
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Absent, none.

Vacant, 1.

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

Senate File 2179

On motion of Senator Edler, **Senate File 2179**, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties, was taken up for consideration.

Senator Edler asked and received unanimous consent that **House File 2255** be **substituted** for **Senate File 2179**.

House File 2255

On motion of Senator Edler, **House File 2255**, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2255), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Edler asked and received unanimous consent that **Senate File 2179** be **withdrawn** from further consideration of the Senate.

Senator Zumbach asked and received unanimous consent that **Senate File 2168** be **withdrawn** from further consideration of the Senate.

Senate File 2360

On motion of Senator Sinclair, **Senate File 2360**, a bill for an act providing for a dyslexia response task force and report, was taken up for consideration.

Senator Sinclair offered amendment S-5145, filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5145 was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2360), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Schneider asked and received unanimous consent that **Senate File 2360** and **House Files 2234, 2255, and 2283** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Schneider asked and received unanimous consent to take up for consideration Senate Files 2170, 2237, 2248, House File 2235, and Senate File 2300.

Senate File 2170

On motion of Senator Zumbach, **Senate File 2170**, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that **House File 2171** be **substituted** for **Senate File 2170**.

House File 2171

On motion of Senator Zumbach, **House File 2171**, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing, was taken up for consideration.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2171), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith

Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Zumbach asked and received unanimous consent that **Senate File 2170** be **withdrawn** from further consideration of the Senate.

Senate File 2237

On motion of Senator Edler, **Senate File 2237**, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent, with report of committee recommending passage, was taken up for consideration.

Senator Edler offered amendment S-5149, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5149 was adopted by a voice vote.

Senator Edler asked and received unanimous consent that **House File 2284** be **substituted** for **Senate File 2237**.

House File 2284

On motion of Senator Edler, **House File 2284**, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent, was taken up for consideration.

Senator Petersen offered amendment S-5152, filed by her from the floor to pages 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5152 was adopted by a voice vote.

Senator Bertrand moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2284), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Edler asked and received unanimous consent that **Senate File 2237** be **withdrawn** from further consideration of the Senate.

Senate File 2248

On motion of Senator Guth, **Senate File 2248**, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies, was taken up for consideration.

Senator Guth asked and received unanimous consent that **House File 2236** be **substituted** for **Senate File 2248**.

House File 2236

On motion of Senator Guth, **House File 2236**, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2236), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiplee
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Guth asked and received unanimous consent that **Senate File 2248** be **withdrawn** from further consideration of the Senate.

House File 2235

On motion of Senator Chelgren, **House File 2235**, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren offered amendment S-5136, filed by him on March 12, 2018, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5136 be adopted?" (H.F. 2235), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

Amendment S-5136 was adopted.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2235), the vote was:

Yeas, 39:

Allen	Chelgren	Jochum	Schneider
Behn	Costello	Johnson, C.	Schultz
Bertrand	Dawson	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	Ragan	Zumbach
Chapman	Hogg	Rozenboom	

Nays, 10:

Boulton	Hart	McCoy	Taylor
Danielson	Horn	Petersen	
Dotzler	Johnson, D.	Quirnbach	

Absent, none.

Vacant, 1.

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

Senate File 2300

On motion of Senator Segebart, **Senate File 2300**, a bill for an act requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements, was taken up for consideration.

Senator Segebart offered amendment S-5148, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5148 was adopted by a voice vote.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2300), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Schneider asked and received unanimous consent that **Senate File 2300** and **House Files 2171, 2235, 2236, and 2284** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Schneider, the Senate adjourned at 7:16 p.m. until 9:00 a.m., Wednesday, March 14, 2018.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: Tuesday, March 13, 2018, 2:05 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

Members Absent: Whitver (excused).

Committee Business: Considered HF's 637, 648, and 2254.

Adjourned: 2:35 p.m.

LOCAL GOVERNMENT

Convened: Tuesday, March 13, 2018, 4:15 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart.

Members Absent: Greene (excused).

Committee Business: Governor's appointees. Passed HF 2258, as amended; HF 2340; and HF 2371.

Adjourned: 4:30 p.m.

STATE GOVERNMENT

Convened: Tuesday, March 13, 2018, 4:20 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Subcommittee assignments.

Adjourned: 4:25 p.m.

TRANSPORTATION

Convened: Tuesday, March 13, 2018, 3:00 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Bertrand (excused).

Committee Business: Passed HFs 2193 and 2304.

Adjourned: 4:00 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2252

STATE GOVERNMENT: Smith, Chair; Brown and Jochum

House File 2276

JUDICIARY: Edler, Chair; Kinney and Sinclair

House File 2314

JUDICIARY: Garrett, Chair; Bisignano and Schultz

House File 2369

STATE GOVERNMENT: Smith, Chair; Chapman and Dvorsky

House File 2390

EDUCATION: Lofgren, Chair; Dvorsky and C. Johnson

House File 2404

JUDICIARY: Zaun, Chair; Kinney and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 637, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5151.

Final Vote: Ayes, 20: Schneider, Kraayenbrink, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 648, a bill for an act relating to career and technical education programs and partnerships and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 20: Schneider, Kraayenbrink, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2254, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 20: Schneider, Kraayenbrink, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 2285, a bill for an act relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2356, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Segebart, Costello, Mathis, Chelgren, Garrett, Greene, C. Johnson, Ragan, and Shipley. Nays, 3: Bolkcom, Jochum, and Quirmbach. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2377, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2449, a bill for an act relating to the substitute decision maker Act.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2451, a bill for an act relating to the programs and services under the purview of the department on aging.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE 2456, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 2371, a bill for an act exempting the state and municipalities from liability for claims involving honeybees on public property.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Garrett, Lofgren, Hogg, Allen, Chelgren, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart. Nays, none. Absent, 1: Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2340, a bill for an act relating to controversies involving fence viewers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Garrett, Lofgren, Hogg, Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 2365, a bill for an act relating to conservation and recreation policies and programs within the department of natural resources.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rozenboom, Shipley, Dvorsky, Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2466, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rozenboom, Shipley, Dvorsky, Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 2193, a bill for an act establishing a text messaging notification and payment system for certain citations and informations.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Bisignano. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2304, a bill for an act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, None. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5142	S.F.	2099	House
S-5143	S.F.	2113	House
S-5144	S.F.	2214	Dan Dawson
S-5145	S.F.	2360	Amy Sinclair
S-5146	H.F.	2297	Labor and Business Relations
S-5147	H.F.	2441	Amy Sinclair
S-5148	S.F.	2300	Mark Segebart

S-5149	S.F.	2237	Jeff Edler
S-5150	S.F.	2327	Craig Johnson
S-5151	H.F.	637	Appropriations
S-5152	H.F.	2284	Janet Petersen
S-5153	S.F.	2177	Brad Zaun
S-5154	S.F.	2331	Brad Zaun

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 14, 2018

The Senate met in regular session at 9:05 a.m., President Whitver presiding.

Prayer was offered by Pastor Dave Wood of the Walnut Park Baptist Church in Muscatine, Iowa. He was the guest of Senator Lofgren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tade McCormick, guest of Senator Breitbach.

The Journal of Tuesday, March 13, 2018, was approved.

RECESS

On motion of Senator Schneider, the Senate recessed at 9:08 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:11 a.m., President Whitver presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 109, a resolution for honoring the Iowa Resource for International Service.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Whitver, Petersen, Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Schneider asked and received unanimous consent to take up for consideration Senate Resolution 109.

Senate Resolution 109

On motion of Senator Schneider, **Senate Resolution 109**, a resolution for honoring the Iowa Resource for International Service, with report of committee recommending passage, was taken up for consideration.

Senator Schneider moved the adoption of Senate Resolution 109, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator D. Johnson introduced to the Senate chamber, members of the St. Pat's Association in Emmetsburg, Iowa; Jenna Joyce, Billie Jo Joyce, Kylie Hoffman, and Carson Hoffman. They were accompanied by Fianna Fail Senator Gerry Horkan from Dublin, Ireland.

Senator Horkan addressed the senate with brief remarks.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Schneider, the Senate recessed at 9:37 a.m. until 4:00 p.m.

APPENDIX—1

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Mental Health and Disabilities Services Annual Report, pursuant to Iowa Code section 225C.6. Report received on March 14, 2018.

Mental Health Services Annual Report, pursuant to Iowa Code section 249N.8. Report received on March 14, 2018.

CERTIFICATES OF RECOGNITION

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

Joanie and Bob Bowman, Maquoketa—For celebrating their 40th wedding anniversary. Senator Bowman.

Western Dubuque-Cascade Women's Basketball Team—For winning the Iowa State Basketball Championship. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, March 14, 2018, 1:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Passed HF's 2280, 2390, 2420, 2441, 2442, and 2467.

Adjourned: 1:50 p.m.

JUDICIARY

Convened: Wednesday, March 14, 2018, 11:05 a.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:35 a.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 14, 2018, 9:05 a.m.

Members Present: Whitver, Vice Chair; Petersen, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Passed SR 109.

Adjourned: 9:10 a.m.

STATE GOVERNMENT

Convened: Wednesday, March 14, 2018, 2:10 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: Discussed HJR 12 and HF's 2200 and 2425.

Adjourned: 2:40 p.m.

VETERANS AFFAIRS

Convened: Wednesday, March 14, 2018, 10:35 a.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member; Allen, Bowman, Dawson, Edler, and Ragan.

Members Absent: Bertrand, Lofgren, and Segebart (all excused).

Committee Business: Discussed HF 2355.

Adjourned: 10:45 a.m.

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: HOUSE FILE 2280, a bill for an act relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirmbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2390, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sinclair, Edler, Quirmbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2420, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sinclair, Edler, Quirmbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2441, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 2338, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5158.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2397, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Zaun, Dawson, Edler, Schneider, Schultz, Shipley, and Sinclair. Nays, 6: Taylor, Bisignano, Boulton, Garrett, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2404, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 2258, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5155.

Final Vote: Ayes, 11: Garrett, Lofgren, Hogg, Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 2355, a bill for an act establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Costello, Rozenboom, Horn, Allen, Bowman, Dawson, Edler, and Ragan. Nays, none. Absent, 3: Bertrand, Lofgren, and Segebart.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 4:20 p.m., President Pro Tempore Behn presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2289, a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes.

Senate File 2325, a bill for an act relating to the notation of discharges of motor vehicle security interests.

ALSO: That the House has on March 14, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 220, a bill for an act regulating the use of automated traffic law enforcement systems, and providing a penalty. (S-5157)

The Senate stood at ease at 4:21 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:40 p.m., President Pro Tempore Behn presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he returns, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR’S APPOINTMENT
(Individual Confirmation Calendar)

Senator Whitver called up the appointment of Larry Johnson as the State Public Defender, placed on the Individual Confirmation Calendar on February 21, 2018, found on page 424 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bisignano	Dotzler	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shiple
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Whitver
Carlin	Hart	McCoy	Zaun
Chapman	Hogg	Petersen	Zumbach
Chelgren	Horn	Quirmbach	
Costello	Jochum	Ragan	

Nays, 2:

Dvorsky	Taylor
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Absent, 1:

Bertrand

Vacant, 1.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2162, 2166, and 2240.

Senate File 2162

On motion of Senator Zumbach, **Senate File 2162**, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that **House File 2196** be **substituted** for **Senate File 2162**.

House File 2196

On motion of Senator Zumbach, **House File 2196**, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2196), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Bertrand

Vacant, 1.

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

WITHDRAWN

Senator Zumbach asked and received unanimous consent that **Senate File 2162** be **withdrawn** from further consideration of the Senate.

Senate File 2166

On motion of Senator Dawson, **Senate File 2166**, a bill for an act relating to redemption by certain persons of parcels sold at tax sale, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on **Senate File 2166** be **deferred**.

Senate File 2240

On motion of Senator Shipley, **Senate File 2240**, a bill for an act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution, was taken up for consideration.

Senator Shipley asked and received unanimous consent that **House File 2238** be **substituted** for **Senate File 2240**.

House File 2238

On motion of Senator Shipley, **House File 2238**, a bill for an act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2238), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Bertrand

Vacant, 1.

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

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2240** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2196** and **2238** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2285, 2328, and 2348.

Senate File 2285

On motion of Senator Edler, **Senate File 2285**, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on **Senate File 2285** be **deferred**.

Senate File 2328

On motion of Senator C. Johnson, **Senate File 2328**, a bill for an act relating to the sale or acquisition of certain utilities, was taken up for consideration.

Senator C. Johnson asked and received unanimous consent that **House File 2307** be **substituted** for **Senate File 2328**.

House File 2307

On motion of Senator C. Johnson, **House File 2307**, a bill for an act relating to the sale or acquisition of certain utilities, was taken up for consideration.

Senator C. Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2307), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz

Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Bertrand

Vacant, 1.

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

WITHDRAWN

Senator C. Johnson asked and received unanimous consent that **Senate File 2328** be **withdrawn** from further consideration of the Senate.

Senate File 2336

On motion of Senator Shipley, **Senate File 2336**, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Shipley offered amendment S-5013, filed by the committee on Judiciary on February 19, 2018, to pages 39 and 63-66 of the bill, and moved its adoption.

Amendment S-5013 was adopted by a voice vote.

Senator Shipley asked and received unanimous consent that **House File 2348** be **substituted** for **Senate File 2336**.

House File 2348

On motion of Senator Shipley, **House File 2348**, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2348), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Bertrand

Vacant, 1.

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

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2336** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2307** and **2348** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:09 p.m. until 9:00 a.m., Thursday, March 15, 2018.

APPENDIX—2

SUBCOMMITTEE ASSIGNMENT

House Joint Resolution 12

STATE GOVERNMENT: Schultz, Chair; Bisignano, Bowman, Brown, Carlin, Chapman, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Smith, and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: HOUSE FILE 2442, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sinclair, Edler, Quirmbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2467, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sinclair, Quirmbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 1: Edler. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE JOINT RESOLUTION 12, a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States that impose fiscal restraints, and limit the power and jurisdiction of the federal government, and requesting Congress to similarly propose such amendments.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Horn, Schneider, Schultz, and Zaun. Nays, 2: Dvorsky and Jochum. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2200, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Smith, Chapman, Brown, Carlin, Dawson, Schneider, Schultz, and Zaun. Nays, 6: Bisignano, Bowman, Danielson, Dvorsky, Horn, and Jochum. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2425, a bill for an act establishing a physical therapy licensure compact.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Horn, Jochum, Schneider, Schultz, and Zaun. Nays, None. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5155	H.F.	2258	Local Government
S-5156	H.F.	2407	Tim L. Kapucian
S-5157	S.F.	220	House
S-5158	H.F.	2338	Judiciary
S-5159	S.F.	2177	Brad Zaun

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 15, 2018

The Senate met in regular session at 9:05 a.m., President Whitver presiding.

Prayer was offered by Father Gehling, chaplain of Mercy Medical Center in Mason City, Iowa. He was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Spencer Short.

The Journal of Wednesday, March 14, 2018, was approved.

RESIGNATION OF SENATOR

March 15, 2018

W. Charles Smithson
Secretary of the Senate
State Capitol
Des Moines, IA 50319

Dear Mr. Secretary,

As of March 15, 2018, I hereby resign my position as President of the Iowa Senate. My resignation is effective at 9:10 a.m.

Respectfully,

Jack Whitver

ELECTION OF PRESIDENT

Senator Sinclair placed in nomination the name of Senator Charles Schneider of Dallas as a candidate for the office of President of the Senate for the Eighty-seventh General Assembly.

There being no further nominations, the Chair put the question to the Senate, and Senator Schneider was unanimously elected by a voice vote.

Senator Schneider, accompanied by his wife and parents, appeared before the rostrum and took the oath of office administered by Chief Justice Mark S. Cady.

President Schneider took the chair at 9:18 a.m.

REMARKS BY THE PRESIDENT OF THE SENATE

President Schneider addressed the Senate with the following remarks:

Fellow Senators,

I am honored and humbled to preside over this fine deliberative body. The Iowa Senate is the embodiment of the ideals of our founding and the principle of a representative, federal republic exists within these walls.

I've proudly served the 22nd district for the last six years. Now, it is an absolute honor to not just be able serve my district, but all of you who represent the entirety of the state of Iowa. I am humbled that my colleagues have entrusted me to step into the crucial position of President of the Senate and I look forward to rising to the expectations placed upon me.

We each stand here today because our constituents have trusted us to be their voice in this chamber. Although members of this chamber have transitioned to new stations of leadership, the core of our leadership stays the same. We are here to lead on behalf of our constituents. The citizens of Iowa sent us here to make good on the promises we made to them during our elections and we have listened to them. Our agenda relies on our constituent's commitment and support and because of this support we have been able to pass the legislation they expect.

Colleagues, our task here is simple: we must maintain the agenda we promised for our constituents. We will continue to pass legislation that helps instead of hinders. We will pass legislation that finds growth and opportunity in places where it was lacking before and we will pass legislation that sets the frame-work not only for this legislative body, but for the future generation of Iowans who will replace us. We need to remember that the history we make in this chamber does not just affect us in the moment, but will have resonating impact for generations to come.

BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Whitver announced that the following bills be referred from the Regular Calendar to the Unfinished Business Calendar:

Senate File 2138 and attached House File 2232
 Senate File 2166 and attached House File 2318
 Senate File 2173 and attached House File 2300
 Senate File 2214 and attached House File 2439
 Senate File 2236 and attached House File 2233
 Senate File 2275 and attached House File 2239
 Senate File 2285 and attached House File 2125
 Senate File 2288 and attached House File 2379
 Senate File 2291 and attached House File 2277
 Senate File 2309 and attached House File 2309
 Senate File 2320 and attached House File 2372
 Senate File 2327 and attached House File 2458
 Senate File 2331
 Senate File 2342 and attached House File 2343
 Senate File 2381
 Senate Joint Resolution 2009
 Senate Joint Resolution 2010

BILLS RE-REFERRED TO COMMITTEE

Senator Whitver announced that the following bills be re-referred from the Regular Calendar to the following committees:

Senate File 2051	Judiciary
Senate File 2136	Judiciary
Senate File 2178	Commerce
and attached House File 2172	
Senate File 2180	Judiciary
Senate File 2181	Judiciary
Senate File 2198	Human Resources
Senate File 2213	State Government
Senate File 2222	Judiciary
Senate File 2239	Judiciary
Senate File 2273	Education
Senate File 2276	Education
Senate File 2280	Judiciary

Senate File 2294	Judiciary
Senate File 2308	Human Resources
Senate File 2312	Human Resources
Senate File 2313	Judiciary
Senate File 2319	Labor and Business Relations
Senate File 2337	Judiciary
Senate File 2338	Local Government
Senate File 2340	Human Resources
Senate File 2350	Human Resources
Senate File 2352	Education
Senate File 2354	Labor and Business Relations
Senate File 2359	Education
Senate File 2363	Education
Senate File 2368	Human Resources
Senate File 2370	Labor and Business Relations
Senate File 2376	Judiciary
Senate File 2380	State Government
Senate Joint Resolution 2008	State Government

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:55 a.m. until 1:00 p.m., Monday, March 19, 2018.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Wednesday, March 14, 2018, 3:05 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith.

Members Absent: None.

Committee Business: Passed SSBs 1169, as amended; 3076, 3152, as amended; and 3204. Approved HF's 631, 2370, and 2446.

Adjourned: 4:10 p.m.

INTRODUCTION OF BILLS

Senate File 2387, by committee on Ways and Means, a bill for an act relating to the mental health and disability services regions.

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

Senate File 2388, by committee on Ways and Means, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

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

Senate File 2389, by committee on Ways and Means, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

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

Senate File 2390, by committee on Ways and Means, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: HOUSE FILE 2414, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Segebart, Costello, Mathis, Bolkom, Chelgren, Garrett, Jochum, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 3: Chapman, Greene, and C. Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2427, a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Segebart, Costello, Mathis, Bolkom, Chelgren, Garrett, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, 2: Chapman and Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2444, a bill for an act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Segebart, Costello, Mathis, Bolkom, Chelgren, Garrett, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, 2: Chapman and Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2445, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5160.

Final Vote: Ayes, 11: Segebart, Costello, Mathis, Bolkom, Chelgren, Garrett, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, 2: Chapman and Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 2387 (SSB 3204), a bill for an act relating to the mental health and disability services regions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2388 (SSB 3152), a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Feenstra, Behn, Breitbach, Brown, Carlin, Dawson, Edler, Hogg, McCoy, Schultz, and Smith. Nays, 4: Jochum, Bolkcom, Dotzler, and Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2388, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2389 (SSB 3076), a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2390 (SSB 1169), a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2390, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 631, a bill for an act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2370, a bill for an act relating to the provision of information regarding postadoption services to all adoptive families.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2446, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 14th day of March, 2018.

Senate Files 2059, 2135, and 2262.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2059 – Authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Senate File 2135 – Relating to the failure to wear a motor vehicle safety belt or safety harness.

Senate File 2262 – Relating to final-stage motor vehicle manufacturers.

AMENDMENT FILED

S-5160 H.F. 2445 Human Resources

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 19, 2018

The Senate met in regular session at 1:10 p.m., President Schneider presiding.

Prayer was offered by Pastor Dan Hanson of St. Paul Lutheran Church in Hampton, Iowa. He was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by former Senate Pages Olivia Habinck and Mary Tess Urbanek.

The Journal of Thursday, March 15, 2018, was approved.

The Senate stood at ease at 1:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:55 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Sinclair and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2327, 2166, 2285, and 2342.

Senate File 2327

On motion of Senator C. Johnson, **Senate File 2327**, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator C. Johnson offered amendment S-5150, filed by him on March 13, 2018, to pages 2, 3, 5-10, 12, 16, and 19-21 of the bill, and moved its adoption.

Amendment S-5150 was adopted by a voice vote.

Senator C. Johnson asked and received unanimous consent that **House File 2458** be **substituted** for **Senate File 2327**.

House File 2458

On motion of Senator C. Johnson, **House File 2458**, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions, was taken up for consideration.

Senator Boulton offered amendment S-5163, filed by him from the floor to pages 4, 6, 9, 10, 16, and 21 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5163 be adopted?” (H.F. 2458), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 26:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Smith
Brown	Feenstra	Lofgren	Whitver
Carlin	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	
Chelgren	Guth	Schultz	

Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

Amendment S–5163 lost.

Senator McCoy offered amendment S–5162, filed by him from the floor to page 21 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5162 be adopted?” (H.F. 2458), the vote was:

Yeas, 22:

Allen	Dotzler	Jochum	Petersen
Bisignano	Dvorsky	Johnson, D.	Quirmbach
Bolkcom	Greene	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Danielson	Horn	McCoy	

Nays, 25:

Behn	Costello	Kapucian	Shipley
Bertrand	Dawson	Kraayenbrink	Smith
Breitbach	Edler	Lofgren	Whitver
Brown	Feenstra	Rozenboom	Zaun
Carlin	Garrett	Schneider	
Chapman	Guth	Schultz	
Chelgren	Johnson, C.	Segebart	

Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

Amendment S-5162 lost.

Senator C. Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2458), the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, none.

Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

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

WITHDRAWN

Senator C. Johnson asked and received unanimous consent that **Senate File 2327** be **withdrawn** from further consideration of the Senate.

Senate File 2166

The Senate resumed consideration of **Senate File 2166**, a bill for an act relating to redemption by certain persons of parcels sold at tax sale, deferred March 14, 2018.

Senator Dawson asked and received unanimous consent that **House File 2318** be **substituted** for **Senate File 2166**.

House File 2318

On motion of Senator Dawson, **House File 2318**, a bill for an act relating to redemption by certain persons of parcels sold at tax sale, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2318), the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, none.

Absent, 2:

Sinclair Zumbach

Vacant, 1.

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

WITHDRAWN

Senator Dawson asked and received unanimous consent that **Senate File 2166** be **withdrawn** from further consideration of the Senate.

Senate File 2285

The Senate resumed consideration of **Senate File 2285**, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision, deferred March 14, 2018.

Senator Edler asked and received unanimous consent that **House File 2125** be **substituted** for **Senate File 2285**.

House File 2125

On motion of Senator Edler, **House File 2125**, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2125), the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom

Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, none.

Absent, 2:

Sinclair Zumbach

Vacant, 1.

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

WITHDRAWN

Senator Edler asked and received unanimous consent that **Senate File 2285** be **withdrawn** from further consideration of the Senate.

Senate File 2342

On motion of Senator Shipley, **Senate File 2342**, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Shipley asked and received unanimous consent that action on **Senate File 2342** be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2125, 2318, and 2458** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2285, 2365, 2407, and 2422.

House File 2285

On motion of Senator Segebart, **House File 2285**, a bill for an act relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2285), the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, none.

Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

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

House File 2365

On motion of Senator Kapucian, **House File 2365**, a bill for an act relating to conservation and recreation policies and programs within the department of natural resources, with report of committee recommending passage, was taken up for consideration.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2365), the vote was:

Yeas, 45:

Allen	Costello	Johnson, C.	Rozenboom
Behn	Danielson	Johnson, D.	Schneider
Bertrand	Dawson	Kapucian	Schultz
Bisignano	Dotzler	Kinney	Segebart
Bolkcom	Dvorsky	Kraayenbrink	Shipley
Boulton	Edler	Lofgren	Smith
Bowman	Feenstra	Lykam	Taylor
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	McCoy	Zaun
Carlin	Guth	Petersen	
Chapman	Hart	Quirmbach	
Chelgren	Horn	Ragan	

Nays, 2:

Hogg	Jochum
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Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

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

House File 2407

On motion of Senator Shipley, **House File 2407**, a bill for an act relating to the application of pesticides into lakes, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Kapucian offered amendment S-5156, filed by him on March 14, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5156 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2407), the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, none.

Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

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

House File 2422

On motion of Senator Kapucian, **House File 2422**, a bill for an act providing for the management of weeds, including noxious weeds, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2422), the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, none.

Absent, 2:

Sinclair	Zumbach
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Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2285, 2365, 2407, and 2422** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:52 p.m. until 9:00 a.m., Tuesday, March 20, 2018.

APPENDIX**REPORT OF COMMITTEE MEETING****JUDICIARY**

Convened: Thursday, March 15, 2018, 11:05 a.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 12:05 p.m.

STUDY BILL RECEIVED**SSB 3205 Ways and Means**

Relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

SUBCOMMITTEE ASSIGNMENT**SSB 3205**

WAYS AND MEANS: Feenstra, Chair; Breitbach and Quirmbach

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: HOUSE FILE 2342, a bill for an act relating to the seizure and disposition of property by the department of natural resources and requiring a report.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Zaun, Dawson, Taylor, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 4: Bisignano, Boulton, Kinney, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2443, a bill for an act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 2252, a bill for an act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun. Nays, 1: Danielson. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2253, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Smith, Chapman, Brown, Carlin, Danielson, Dawson, Feenstra, Schneider, Schultz, and Zaun. Nays, 4: Bisignano, Bowman, Dvorsky, Jochum. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2349, a bill for an act relating to persons voluntarily excluded from gambling facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2369, a bill for an act setting the dates for the submission of local public measures to the electors.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Smith, Chapman, Carlin, Dawson, Feenstra, Schneider, Schultz, and Zaun. Nays, 6: Bisignano, Bowman, Brown, Danielson, Dvorsky, and Jochum. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2382, a bill for an act relating to the composition of the engineering and land surveying examining board.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 16, 2018:

I am withdrawing the name of Elizabeth Hansen to serve as a member of the Real Estate Commission (interim and March) from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on March 16, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Real Estate Commission, formerly held by Elizabeth Hansen. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

AMENDMENTS FILED

S-5161	S.F.	2342	Tom Shipley
S-5162	H.F.	2458	Matt McCoy
S-5163	H.F.	2458	Nate Boulton
S-5164	H.F.	2281	David Johnson
S-5165	H.F.	2446	Randy Feenstra

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 20, 2018

The Senate met in regular session at 9:04 a.m., President Schneider presiding.

Prayer was offered by Pastor Steve Cauley of the Zion Lutheran Church in Muscatine, Iowa. He was the guest of Senator Lofgren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Greer Simmons.

The Journal of Monday, March 19, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2231, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Senate File 2271, a bill for an act relating to motor carriers, and making penalties applicable.

Senate File 2323, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Senate File 2366, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

ALSO: That the House has on March 19, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2200, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable. (S-5166)

ALSO: That the House has on March 19, 2018, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 2009, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

Read first time and attached to **companion Senate Joint Resolution 2009**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Michael Cormack, the Governor's appointee to be the Chair and a member of the Public Employment Relations Board. He was the guest of Senators Boulton and Schultz and the committee on Labor and Business Relations.

HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senator D. Johnson introduced to the Senate chamber members from the Hoover Presidential Foundation Board of Trustees; Jerry Fleagle, the executive director from Coralville; David Dierks, the board president from Iowa City; Brad Reiners, the communications director from Cedar Rapids; and board members, Bill Bywater of Iowa City; Bruce Barnhart of West Branch; and Bob Downer of Iowa City.

Senator Dvorsky announced the 2018 Herbert Hoover Uncommon Public Service Award recipient, Senator Pam Jochum.

Senator Jochum addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

The Senate stood at ease at 9:27 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:30 a.m., President Schneider presiding.

HOUSE AMENDMENTS CONSIDERED

Senate File 2177

Senator Whitver called up for consideration **Senate File 2177**, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions, amended by the House in House amendment S-5083, filed March 1, 2018.

Senator Zaun offered amendment S-5159, filed by him on March 14, 2018, to pages 1-2 of House amendment S-5083, and moved its adoption.

Amendment S-5159 to amendment S-5083 was adopted by a voice vote.

With the adoption of amendment S-5159 to amendment S-5083, the Chair ruled amendment S-5153 to amendment S-5083, filed by Senator Zaun on March 13, 2018, to page 1 of the bill, out of order.

Senator Zaun moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Zaun moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2177), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 2333

Senator Whitver called up for consideration **Senate File 2333**, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions, amended by the House in House amendment S-5113, filed March 6, 2018.

Senator Dawson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dawson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2333), the vote was:

Yeas, 44:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hart	Petersen	Zumbach

Nays, 5:

Bolkcom	Johnson, D.	Taylor
Hogg	Quirmbach	

Absent, none.

Vacant, 1.

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

UNFINISHED BUSINESS
(Deferred March 19, 2018)

Senate File 2342

The Senate resumed consideration of **Senate File 2342**, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation, deferred March 19, 2018.

Senator Shipley offered amendment S-5161, filed by him on March 19, 2018, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5161 was adopted by a voice vote.

Senator Shipley asked and received unanimous consent that **House File 2343** be **substituted** for **Senate File 2342**.

House File 2343

On motion of Senator Shipley, **House File 2343**, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2343), the vote was:

Yeas, 46:

Allen	Costello	Jochum	Rozenboom
Behn	Danielson	Johnson, C.	Schneider
Bertrand	Dawson	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Quirmbach	
Chelgren	Horn	Ragan	

Nays, 3:

Hogg	Petersen	Taylor
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Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2342** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Sinclair asked and received unanimous consent that **Senate Files 2177** and **2333** and **House File 2343** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration House File 2446.

House File 2446

On motion of Senator Feenstra, **House File 2446**, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Feenstra offered amendment S-5165, filed by him on March 19, 2019, to pages 2 and 14 of the bill, and moved its adoption.

Amendment S-5165 was adopted by a voice vote.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2446), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley

Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration House Files 2305 and 2392.

House File 2305

On motion of Senator Guth, **House File 2305**, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Petersen offered amendment S-5169, filed by her from the floor to page 2 and amending the title page of the bill.

Senator Petersen called for the following division of amendment S-5169:

Division S-5169A: Page 1, lines 3-17, and 26; and

Division S-5169B: Page 1, lines 18-25.

Senator Petersen moved the adoption of division S-5169A.

A record roll call was requested.

On the question "Shall division S-5169A be adopted?" (H.F. 2305), the vote was:

Yeas, 23:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Johnson, D.	Quirmbach
Boulton	Greene	Kinney	Ragan
Bowman	Hart	Lykam	Taylor
Chelgren	Hogg	Mathis	

Nays, 26:

Behn	Dawson	Kraayenbrink	Sinclair
Bertrand	Edler	Lofgren	Smith
Breitbach	Feenstra	Rozenboom	Whitver
Brown	Garrett	Schneider	Zaun
Carlin	Guth	Schultz	Zumbach
Chapman	Johnson, C.	Segebart	
Costello	Kapucian	Shipley	

Absent, none.

Vacant, 1.

Division S-5169A lost.

Senator Petersen withdrew division S-5169B.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2305), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach

Chapman	Hogg	Quirmbach
Chelgren	Horn	Ragan
Costello	Jochum	Rozenboom

Nays, none.

Absent, none.

Vacant, 1.

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

House File 2392

On motion of Senator Edler, **House File 2392**, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications, with report of committee recommending passage, was taken up for consideration.

Senator Edler offered amendment S-5168, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5168 was adopted by a voice vote.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2392), the vote was:

Yeas, 48:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	Zumbach

Nays, 1:

McCoy

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2305, 2392, and 2446** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 12:36 p.m. until 9:00 a.m., Wednesday, March 21, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF NATURAL RESOURCES

Resources Enhancement and Protection Recommendations, pursuant to Iowa Code section 455A.17. Report received on March 20, 2018.

CERTIFICATES OF RECOGNITION

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

Glenn Coady, West Des Moines—For receiving the Veterans Program Scholarship from the Clifford H. “Ted” Rees, Jr. Scholarship Foundation. Senator Schneider.

Kevin Enwright—For being inducted into the Iowa High School Athletic Association Basketball Hall of Fame. Senator Hart.

Jacob Hunter—For being named the 2018 Emerging Leader by the Iowa State University College of Agriculture and Life Sciences. Senator Hart.

Karleen Looney, Lost Nation—For being selected as a 2018 honoree of the 100 Great Iowa Nurses. Senator Hart.

Emma Miller, DeWitt—For advancing to the 2018 Iowa National Geographic Geography Bee. Senator Hart.

Marilyn Nicely, Wheatland—For her forty years of service at First Trust and Savings Bank. Senator Hart.

Mya Peteresen, DeWitt—For advancing to the 2018 Iowa National Geographic Geography Bee. Senator Hart.

Daniel Robertson, Wheatland—For being named a finalist in the National Merit Scholarship competition. Senator Hart.

Iowa Resource for International Services—For celebrating their 25th anniversary. Senator Schneider.

Harry and Terry Swanson, Clive—For being inducted into the Iowa Volunteer Hall of Fame. Senator Schneider.

Elaine Thoma—For celebrating her 100th birthday. Senator Dotzler.

STUDY BILL RECEIVED

SSB 3206 Appropriations

Establishing an education savings grant program for pupils attending a nonpublic school, establishing an education savings grant fund, providing an income tax exemption, making appropriations, providing penalties, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2462

APPROPRIATIONS: Costello, Chair; Bolcom and Shipley

SSB 3206

APPROPRIATIONS: Chelgren, Chair; Danielson and Rozenboom

AMENDMENTS FILED

S-5166	S.F.	2200	House
S-5167	H.F.	2397	Nate Boulton
S-5168	H.F.	2392	Jeff Edler
S-5169	H.F.	2305	Janet Petersen
S-5170	H.F.	2372	Robert M. Hogg
S-5171	H.F.	2372	Robert M. Hogg

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 21, 2018

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

Prayer was offered by the Honorable Dan Zumbach, member of the Senate from Delaware County, Ryan, Iowa.

PLEDGE OF ALLEGIANCE

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

The National Anthem was played by Nic Englin from South Central Calhoun High School.

The Journal of Tuesday, March 20, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2018, **passed** the following bills in which in concurrence of the House was asked:

Senate File 2114, a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Senate File 2257, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Senate File 2274, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

ALSO: That the House has on March 20, 2018, **amended and passed** the following bill in which in concurrence of the Senate is asked:

Senate File 2117, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions. (S-5172)

ALSO: That the House has on March 20, 2018, **passed** the following bill in which in concurrence of the Senate is asked:

House File 2464, a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

Read first time and attached to **companion Senate File 2392**.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:17 a.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 2:46 p.m., President Schneider presiding.

QUORUM CALL

Senator Whitver requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent, and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 2113

Senator Whitver called up for consideration **Senate File 2113**, a bill for an act providing for school employee training relating to suicide awareness and prevention, amended by the House in House amendment S-5143, filed March 13, 2018.

Senator C. Johnson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator C. Johnson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2113), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2138 and 2309.

Senate File 2138

On motion of Senator Garrett, **Senate File 2138**, a bill for an act relating to mortgage releases, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Garrett asked and received unanimous consent that **House File 2232** be **substituted** for **Senate File 2138**.

House File 2232

On motion of Senator Garrett, **House File 2232**, a bill for an act relating to mortgage releases, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2232), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 2309

On motion of Senator Costello, **Senate File 2309**, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Costello asked and received unanimous consent that **House File 2309** be **substituted** for **Senate File 2309**.

House File 2309

On motion of Senator Costello, **House File 2309**, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2309), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach

Chapman	Hogg	Quirnbach
Chelgren	Horn	Ragan
Costello	Jochum	Rozenboom

Nays, none.

Absent, none.

Vacant, 1.

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

WITHDRAWN

Senator Garrett asked and received unanimous consent that **Senate File 2138** be **withdrawn** from further consideration of the Senate.

Senator Costello asked and received unanimous consent that **Senate File 2309** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2354.

House File 2354

On motion of Senator Sinclair, **House File 2354**, a bill for an act relating to student personal information protection, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2354), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart

Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2113** and **House Files 2232, 2309, and 2354** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2356, 2383, 2449, 2451, and 2456.

House File 2356

On motion of Senator Garrett, **House File 2356**, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2356), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dotzler	Johnson, D.	Schultz
Bisignano	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach
Costello	Horn	Ragan	

Nays, 2:

Bolkcom	Quirmbach
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Absent, none.

Vacant, 1.

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

House File 2383

On motion of Senator Guth, **House File 2383**, a bill for an act relating to private employer alcohol testing policies, with report of committee recommending passage, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2383), the vote was:

Yeas, 44:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bertrand	Dvorsky	Johnson, D.	Schneider
Boulton	Edler	Kapucian	Schultz
Bowman	Feenstra	Kinney	Segebart
Breitbach	Garrett	Kraayenbrink	Shipley

Brown	Greene	Lofgren	Sinclair
Carlin	Guth	Lykam	Smith
Chapman	Hart	Mathis	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	Zumbach

Nays, 5:

Bisignano	Dotzler	Taylor
Bolkcom	McCoy	

Absent, none.

Vacant, 1.

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

House File 2449

On motion of Senator Greene, **House File 2449**, a bill for an act relating to the substitute decision maker Act, with report of committee recommending passage, was taken up for consideration.

Senator Greene moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2449), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

House File 2451

On motion of Senator Costello, **House File 2451**, a bill for an act relating to the programs and services under the purview of the department on aging, with report of committee recommending passage, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2451), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

House File 2456

On motion of Senator Chelgren, **House File 2456**, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services, with report of committee recommending passage, was taken up for consideration.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2456), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2356, 2383, 2449, 2451, and 2456** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 4:07 p.m. until 5:30 p.m.

RECONVENED

The Senate reconvened at 5:48 p.m., President Schneider presiding.

QUORUM CALL

Senator Schultz requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent, and a quorum present.

UNFINISHED BUSINESS

(Individual Confirmation Calendar)

The Senate resumed consideration of the appointment of Jerry Foxhoven as Director of the Department of Human Services, previously deferred.

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

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

Yeas, 38:

Behn	Dvorsky	Johnson, D.	Schultz
Bertrand	Edler	Kapucian	Segebart
Boulton	Feenstra	Kinney	Shipley
Breitbach	Garrett	Kraayenbrink	Sinclair
Brown	Greene	Lofgren	Smith
Carlin	Guth	Lykam	Whitver
Chapman	Hart	Mathis	Zaun
Chelgren	Hogg	McCoy	Zumbach
Costello	Horn	Rozenboom	
Dawson	Johnson, C.	Schneider	

Nays, 11:

Allen	Bowman	Jochum	Ragan
Bisignano	Danielson	Petersen	Taylor
Bolkcom	Dotzler	Quirmbach	

Absent, none.

Vacant, 1.

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

CONSIDERATION OF RESOLUTION (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Joint Resolution 2009.

Senate Joint Resolution 2009

On motion of Senator Zaun, **Senate Joint Resolution 2009**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Zaun asked and received unanimous consent that the House Joint Resolution 2009 be substituted for Senate Joint Resolution 2009.

House Joint Resolution 2009, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms. 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: Article I of the Constitution of the State of Iowa is amended by adding the following new section: **Right to keep and bear arms.** SEC. 1A. The right of the people to keep and bear arms shall not be infringed. The sovereign state of Iowa affirms and recognizes this right to be a fundamental individual right. Any and all restrictions of this right shall be subject to strict scrutiny. 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 same to be published for three consecutive months previous to the date of that election as provided by law.

Senator Bisignano offered amendment S-5173, filed by him from the floor to page 1 of the resolution, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5173 be adopted?" (H.J.R. 2009), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, None.

Vacant, 1.

Amendment S-5173 lost.

Senator Sinclair took the chair at 8:13 p.m.

President Schneider took the chair at 8:16 p.m.

Senator Zaun moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question “Shall the resolution be adopted?” (H.J.R. 2009), the vote was:

Yeas, 34:

Allen	Costello	Johnson, D.	Shipley
Behn	Dawson	Kapucian	Sinclair
Bertrand	Edler	Kinney	Smith
Bowman	Feenstra	Kraayenbrink	Taylor
Breitbach	Garrett	Lofgren	Whitver
Brown	Greene	Rozenboom	Zaun
Carlin	Guth	Schneider	Zumbach
Chapman	Horn	Schultz	
Chelgren	Johnson, C.	Segebart	

Nays, 15:

Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Lykam	Quirmbach
Boulton	Hart	Mathis	Ragan
Danielson	Hogg	McCoy	

Absent, None.

Vacant, 1.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate Joint Resolution 2009** be **withdrawn** from further consideration of the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2256, a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Senate File 2334, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

ALSO: That the House has on March 21, 2018, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 192, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions. (S-5180)

Senate File 2349, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers. (S-5178)

Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings. (S-5179)

ALSO: That the House has on March 21, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2235, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

ALSO: That the House has on March 21, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2463, a bill for an act amending the definition of small city for purposes of eligibility under the workforce housing tax incentives program, including effective date and applicability provisions.

Read first time and **passed on file**.

President Pro Tempore Behn took the chair at 8:18 p.m.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Joint Resolution 2009** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2117

Senator Whitver called up for consideration **Senate File 2117**, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions, amended by the House in House amendment S-5172, filed March 21, 2018.

Senator Quirmbach offered amendment S-5177, filed by him from the floor to page 2 of House amendment S-5172, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5177 to House amendment S-5172 be adopted?" (S.F. 2117), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	ShIPLEY
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, none.

Vacant, 1.

Amendment S-5177 to House amendment S-5172 lost.

Senator D. Johnson offered amendment S-5174, filed by Senators D. Johnson and Hogg from the floor to page 7 of House amendment S-5172, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5174 to House amendment S-5172 be adopted?" (S.F. 2117), the vote was:

Yeas, 20:

Allen	Dotzler	Jochum	McCoy
Bisignano	Dvorsky	Johnson, D.	Petersen
Bolkcom	Hart	Kinney	Quirnbach
Boulton	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Nays, 29:

Behn	Costello	Kapucian	Sinclair
Bertrand	Dawson	Kraayenbrink	Smith
Bowman	Edler	Lofgren	Whitver
Breitbach	Feenstra	Rozenboom	Zaun
Brown	Garrett	Schneider	Zumbach
Carlin	Greene	Schultz	
Chapman	Guth	Segebart	
Chelgren	Johnson, C.	Shipley	

Absent, none.

Vacant, 1.

Amendment S-5174 to House amendment S-5172 lost.

Senator Schneider moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Schneider moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

President Schneider took the chair at 9:08 p.m.

On the question “Shall the bill pass?” (S.F. 2117), the vote was:

Yeas, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, none.

Vacant, 1.

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2370.

House File 2370

On motion of Senator Carlin, **House File 2370**, a bill for an act relating to the provision of information regarding postadoption services to all adoptive families, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano offered amendment S-5175, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Carlin raised the point of order that amendment S-5175 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5175 out of order.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2370), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2117** and **House File 2370** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:21 p.m. until 9:00 a.m., Thursday, March 22, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

STATE RACING AND GAMING COMMISSION

2017 Annual Report, pursuant to Iowa Code section 99D.21. Report received on March 21, 2018.

CERTIFICATES OF RECOGNITION

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

Jack Bertram of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

Coach Grant Bousum of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

Blake Clark of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

Seth Horsley, Carroll—For graduating from West Point Military Academy. Senator Segebart.

Nathan Payne, Hornick—For reaching the rank of Eagle Scout, Troop #269. Senator Schultz.

Mitch Riggs of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

Zach Ross of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

Bomb Simpson, Clinton—For earning Iowa's Small Business Person of the Year. Senator Hart.

John Waggoner of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

Coach Tom Wilson of the Dowling Catholic Maroons Football Team—For winning the 2017 Class 4A State Football Championship. Senator Zaun.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, March 21, 2018, 2:15 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley.

Members Absent: Zumbach (excused).

Committee Business: Governor's appointees.

Adjourned: 2:20 p.m.

HUMAN RESOURCES

Convened: Tuesday, March 20, 2018, 3:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Garrett, Greene, Jochum, C. Johnson, Ragan, and Shipley.

Members Absent: Bolkcom, Chapman, Chelgren, and Quirmbach (all excused).

Committee Business: Presentation on pharmaceuticals by IowaBio and Celgene Corporation.

Adjourned: 4:05 p.m.

WAYS AND MEANS

Convened: Wednesday, March 21, 2018, 1:00 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith.

Members Absent: None.

Committee Business: Passed SFs 329, 2100, 2202, 2216, 2283, 2301; and SSBs 3198 and 3202.

Adjourned: 2:10 p.m.

INTRODUCTION OF BILLS

Senate File 2391, by committee on Ways and Means, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

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

Senate File 2392, by committee on Ways and Means, a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

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

Senate File 2393, by committee on Ways and Means, a bill for an act relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 2391 (formerly SF 2283), a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2392 (formerly SF 2202), a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2393 (formerly SF 2216), a bill for an act relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 21st day of March, 2018.

Senate Files 2378.

W. CHARLES SMITHSON
Secretary of the Senate

RESOLUTION ENROLLED, SIGNED, AND SENT TO THE SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State for deposit on this 21st day of March, 2018.

Senate Joint Resolution 2007.

W. CHARLES SMITHSON
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 21, 2018, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2378 – Relating to the boards of directors of public corporations, and including effective date provisions.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

APPROPRIATIONS

Jacquelyn Arthur – Enhance Iowa Board
 Doug Boone – Enhance Iowa Board
 John Burns – Enhance Iowa Board
 Kyle Carter – Enhance Iowa Board
 Emily Damman – Enhance Iowa Board
 Patrick Deignan – Enhance Iowa Board

AMENDMENTS FILED

S-5172	S.F.	2117	House
S-5173	H.J.R.	2009	Tony Bisignano
S-5174	S.F.	2117	David Johnson Robert M. Hogg
S-5175	H.F.	2370	Tony Bisignano
S-5176	H.F.	2466	Ken Rozenboom
S-5177	S.F.	2117	Herman C. Quirnbach
S-5178	S.F.	2349	House
S-5179	S.F.	2364	House
S-5180	S.F.	192	House

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SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 22, 2018

The Senate met in regular session at 9:05 a.m., President Schneider presiding.

Prayer was offered by Pastor Lance Fricke of Triumphant Church in Independence, Iowa. He was the guest of Senator C. Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Talise Tesar.

The Journal of Wednesday, March 21, 2018, was approved.

BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Whitver asked and received unanimous consent that the following bills be referred from the Regular Calendar to the Unfinished Business Calendar:

House File 603	House File 2381
House File 2195	House File 2382
House File 2200	House File 2390
House File 2252	House File 2397
House File 2253	House File 2402
House File 2254	House File 2404
House File 2256	House File 2406
House File 2258	House File 2414
House File 2280	House File 2420
House File 2281	House File 2425
House File 2297	House File 2427
House File 2304	House File 2440
House File 2321	House File 2441

House File 2338	House File 2442
House File 2340	House File 2443
House File 2342	House File 2444
House File 2349	House File 2445
House File 2355	House File 2466
House File 2369	House File 2467
House File 2371	House Joint Resolution 12
House File 2377	

BILLS REFERRED TO COMMITTEE

Senator Whitver asked and received unanimous consent that the following bills be referred from the Regular Calendar to the following committees:

Senate File 2284	Human Resources
House File 2193	Transportation

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:28 a.m. until 1:00 p.m., Monday, March 26, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF CULTURAL AFFAIRS

Annual Report, pursuant to Iowa Code section 7E.3. Report received on March 22, 2018.

Art in State Buildings Report, pursuant to 304A.10. Report received on March 22, 2018.

DEPARTMENT OF WORKFORCE DEVELOPMENT

Unemployment Compensation Trust Fund Report, pursuant to Iowa Code section 96.35. Report received on March 22, 2018.

INTRODUCTION OF BILLS

Senate File 2394, by committee on Ways and Means, a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations.

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

Senate File 2395, by committee on Ways and Means, a bill for an act concerning the apportionment of certain business income of an airline or a qualified air freight forwarder for purposes of Iowa corporate income tax, and including applicability provisions.

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

Senate File 2396, by committee on Ways and Means, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

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

Senate File 2397, by committee on Ways and Means, a bill for an act relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 2394 (SSB 3202), a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, McCoy, Quirmbach, Schultz, and Smith. Nays, 1: Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2395 (SSB 3198), a bill for an act concerning the apportionment of certain business income of an airline or a qualified air freight forwarder for purposes of Iowa corporate income tax, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Feenstra, Behn, Breitbach, Brown, Carlin, Dawson, Edler, Schultz, and Smith. Nays, 6: Jochum, Bolkcom, Dotzler, Hogg, McCoy, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2395, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2396 (formerly SF 2100), a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2396, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2397 (formerly SF 2301), a bill for an act relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REFERRED TO COMMITTEE

President Schneider announced that **House File 2463**, previously passed on file, was referred to committee on **Ways and Means**.

COMMITTEE CHANGES

Senator Whitver announced the following changes to the following committees:

Appropriations	Breitbach (replacing Whitver)
Rules and Administration	Whitver, Chair
	Schneider, Vice Chair
	Chapman

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 26, 2018

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

Prayer was offered by Pastor Linton Lundeen of Valley Church in West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

The Journal of Thursday, March 22, 2018 was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 2394** be referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2241, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

Senate File 2293, a bill for an act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

ALSO: That the House has on March 22, 2018, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 475, a bill for an act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions. (S-5182)

Senate File 2347, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions. (S-5181)

RECESS

On motion of Senator Whitver, the Senate recessed at 1:08 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:16 p.m., President Schneider presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 113, by Dotzler, a resolution for recognizing the life and work of musician and radio broadcaster Bob Dorr.

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

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 113, a resolution for recognizing the life and work of musician and radio broadcaster Bob Dorr.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, and Smith. Nays, none. Absent, 1: Sinclair.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

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

Senate Resolution 113

On motion of Senator Dotzler, **Senate Resolution 113**, a resolution for recognizing the life and work of musician and radio broadcaster Bob Dorr, was taken up for consideration.

Senator Dotzler moved the adoption of Senate Resolution 113, which motion prevailed by a voice vote.

The Senate stood at ease at 1:22 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:34 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2390.

House File 2390

On motion of Senator Lofgren, **House File 2390**, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2390), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

HOUSE AMENDMENT CONSIDERED

Senate File 2364

Senator Whitver called up for consideration **Senate File 2364**, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, amended by the House in House amendment S-5179, filed March 21, 2018.

Senator Kraayenbrink asked and received unanimous consent that action on amendment S-5179 and **Senate File 2364** be **deferred**.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2173, 2214, and 2275.

Senate File 2173

On motion of Senator Zaun, **Senate File 2173**, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Zaun offered amendment S-5187, filed by him from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment S-5187 was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that **House File 2300** be **substituted** for **Senate File 2173**.

House File 2300

On motion of Senator Zaun, **House File 2300**, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2300), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate File 2173** be **withdrawn** from further consideration of the Senate.

Senate File 2214

On motion of Senator Dawson, **Senate File 2214**, a bill for an act relating to horse racing regulated by the racing and gaming commission, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Dawson offered amendment S-5144, filed by him on March 13, 2018, to pages 2-3 of the bill, and moved its adoption.

Amendment S-5144 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 2439** be **substituted** for **Senate File 2214**.

House File 2439

On motion of Senator Dawson, **House File 2439**, a bill for an act relating to horse racing regulated by the racing and gaming commission, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2439), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

WITHDRAWN

Senator Dawson asked and received unanimous consent that **Senate File 2214** be **withdrawn** from further consideration of the Senate.

Senate File 2275

On motion of Senator Guth, **Senate File 2275**, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Guth asked and received unanimous consent that **House File 2239** be **substituted** for **Senate File 2275**.

House File 2239

On motion of Senator Guth, **House File 2239**, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2239), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

WITHDRAWN

Senator Guth asked and received unanimous consent that **Senate File 2275** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2239, 2300, 2390, and 2439** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2195, 2200, 2256, and 2338.

House File 2195

On motion of Senator Kapucian, **House File 2195**, a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2195), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2200

On motion of Senator Smith, **House File 2200**, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2200), the vote was:

Yeas, 33:

Allen	Costello	Kapucian	Segebart
Behn	Dawson	Kraayenbrink	Shiple
Bolkcom	Edler	Lofgren	Sinclair
Bowman	Feenstra	Lykam	Smith
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	Ragan	Zaun
Carlin	Guth	Rozenboom	
Chapman	Johnson, C.	Schneider	
Chelgren	Johnson, D.	Schultz	

Nays, 14:

Bisignano	Dvorsky	Jochum	Quirnbach
Boulton	Hart	Kinney	Taylor
Danielson	Hogg	McCoy	
Dotzler	Horn	Petersen	

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2256

On motion of Senator Breitbach, **House File 2256**, a bill for an act relating to the submission of certain reports by the department of transportation and county engineers, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2256), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2338

On motion of Senator Shipley, **House File 2338**, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Shipley offered amendment S-5158, filed by the committee on Judiciary on March 14, 2018, to pages 2, 6, and 10 of the bill, and moved its adoption.

Amendment S-5158 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2338), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2195, 2200, 2256, and 2338** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2364

The Senate resumed consideration of **Senate File 2364**, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, and House amendment S-5179, previously deferred.

Senator Kraayenbrink offered amendment S-5188, filed by him from the floor to page 1 of House amendment S-5179, and moved its adoption.

Amendment S-5188 to House amendment S-5179 was adopted by a voice vote.

Senator Kraayenbrink moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Kraayenbrink moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2364), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith

Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2364** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:32 p.m. until 9:00 a.m., Tuesday, March 27, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF CULTURAL AFFAIRS

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on March 26, 2018.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on March 26, 2018.

BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C. Report received on March 23, 2018.

CERTIFICATE OF RECOGNITION

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

Lt. Col. Charles W. Thie, Burlington—For his 27 years of dental service to S.E. Iowa and over 40 years of service to the USAF in active status, overseas deployments, and USAF reserves. Senator Greene.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, March 26, 2018, 1:10 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, and Smith.

Members Absent: Sinclair (excused).

Committee Business: Passed SR 113.

Adjourned: 1:15 p.m.

INTRODUCTION OF BILL

Senate File 2398, by committee on Ways and Means, a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2394

APPROPRIATIONS: Chelgren, Chair; Boulton and Shipley

House File 2463

WAYS AND MEANS: Feenstra, Chair; Behn and Hogg

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: *SENATE FILE 2398 (formerly SF 329), a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbart, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2398, and they were attached to the committee report.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 26, 2018:

I am withdrawing the name of Barbara Hovland to serve as a member of the Environmental Protection Commission from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on March 26, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Environmental Protection Commission, formerly held by Barbara Hovland. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
KIM REYNOLDS
Governor

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2117, the following correction was made:

1. Page 3, line 14, changed the uppercase "J" to lowercase "j" in the word "justice".

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

S-5181	S.F.	2347	House
S-5182	S.F.	475	House
S-5183	H.F.	2253	Jake Chapman
S-5184	H.F.	2342	Kevin Kinney
S-5185	H.F.	2342	Kevin Kinney
S-5186	H.F.	2342	Julian B. Garrett
S-5187	S.F.	2173	Brad Zaun
S-5188	S.F.	2364	Tim Kraayenbrink

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 27, 2018

The Senate met in regular session at 9:04 a.m., President Schneider presiding.

Prayer was offered by Michael Vokt of Trinity Lutheran Church in Davenport, Iowa. He was the guest of Senator Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Monday, March 26, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2165, a bill for an act concerning payments under the crime victim compensation program.

Senate File 2203, a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

Senate File 2226, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Stephen Larson, the Governor's appointee to be Administrator of the Alcoholic Beverages Division. He was the guest of Senator Smith and the committee on State Government.

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

The Senate resumed session at 10:40 a.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Whitver.

HOUSE AMENDMENTS CONSIDERED

Senate File 2349

Senator Whitver called up for consideration **Senate File 2349**, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers, amended by the House in House amendment S-5178, filed March 21, 2018.

Senator Zumbach moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Zumbach moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2349), the vote was:

Yeas, 37:

Allen	Dawson	Kapucian	Shipley
Behn	Edler	Kinney	Sinclair
Bowman	Feenstra	Kraayenbrink	Smith
Breitbach	Garrett	Lofgren	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Horn	Schneider	
Costello	Johnson, C.	Schultz	
Danielson	Johnson, D.	Segebart	

Nays, 11:

Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Lykam	Quirmbach
Boulton	Hogg	McCoy	

Absent, 1:

Bertrand

Vacant, 1.

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

Senate File 2347

Senator Whitver called up for consideration **Senate File 2347**, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions, amended by the House in House amendment S-5181, filed March 26, 2018.

Senator Smith moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Smith moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2347), the vote was:

Yeas, 47:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach
Danielson	Jochum	Ragan	

Nays, 1:

Costello

Absent, 1:

Bertrand

Vacant, 1.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he returns, on request of Senator Sinclair.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2254.

House File 2254

On motion of Senator Shipley, **House File 2254**, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2254), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2297 and 2402.

House File 2297

On motion of Senator Brown, **House File 2297**, a bill for an act relating to boiler and unfired steam pressure vessel inspections, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Brown offered amendment S-5146, filed by the committee on Labor and Business Relations on March 13, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5146 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2297), the vote was:

Yeas, 26:

Behn	Dawson	Kapucian	ShIPLEY
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2402

On motion of Senator Sinclair, **House File 2402**, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2402), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2347** and **2349** and **House Files 2254, 2297, and 2402** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2388.

Senate File 2388

On motion of Senator Feenstra, **Senate File 2388**, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-5189, filed by him from the floor to pages 3, 4, 10, and 11 of the bill.

Senator Feenstra offered amendment S-5193, filed by him from the floor to page 2 of amendment S-5189.

Senator Allen asked and received unanimous consent that action on amendment S-5193 to amendment S-5189, amendment S-5189, and **Senate File 2388** be **deferred**.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2236.

Senate File 2236

On motion of Senator Garrett, **Senate File 2236**, a bill for an act relating to mechanics' liens, public construction liens, and the early release of retained funds, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Garrett withdrew amendment S-5014, filed by him on February 19, 2018, to page 2 of the bill.

Senator Garrett offered amendment S-5020, filed by him on February 20, 2018, to page 2 of the bill, and moved its adoption.

Amendment S-5020 was adopted by a voice vote.

Senator Garrett asked and received unanimous consent that **House File 2233** be **substituted** for **Senate File 2236**.

House File 2233

On motion of Senator Garrett, **House File 2233**, a bill for an act relating to mechanics' liens, public construction liens, and the early release of retained funds, was taken up for consideration.

Senator Garrett offered amendment S-5191, filed by him from the floor to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-5191 was adopted by a voice vote.

Senator Bisignano offered amendment S-5190, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5190 be adopted?" (H.F. 2233), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 26:

Behn	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Absent, 2:

Bertrand Zumbach

Vacant, 1.

Amendment S-5190 lost.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2233), the vote was:

Yeas, 26:

Behn	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

WITHDRAWN

Senator Garrett asked and received unanimous consent that **Senate File 2236** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2253 and 2382.

House File 2253

On motion of Senator Chapman, **House File 2253**, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Chapman offered amendment S-5183, filed by him on March 26, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5183 was adopted by a voice vote.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2253), the vote was:

Yeas, 27:

Behn	Danielson	Johnson, C.	Segebart
Breitbach	Dawson	Kapucian	Shiple
Brown	Edler	Kraayenbrink	Sinclair
Carlin	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	

Nays, 20:

Allen	Dotzler	Jochum	McCoy
Bisignano	Dvorsky	Johnson, D.	Petersen
Bolkcom	Hart	Kinney	Quirmbach
Boulton	Hogg	Lykam	Ragan
Bowman	Horn	Mathis	Taylor

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

House File 2382

On motion of Senator Carlin, **House File 2382**, a bill for an act relating to the composition of the engineering and land surveying examining board, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Whitver asked and received unanimous consent that action on **House File 2382** be **deferred**.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2389.

Senate File 2389

On motion of Senator Dawson, **Senate File 2389**, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas, was taken up for consideration.

Senator Whitver asked and received unanimous consent that action on **Senate File 2389** be **deferred**.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:27 p.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:03 p.m., President Schneider presiding.

QUORUM CALL

Senator Schultz requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent, and a quorum present.

BUSINESS PENDING

House File 2382

The Senate resumed consideration of **House File 2382**, a bill for an act relating to the composition of the engineering and land surveying examining board, previously deferred.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2382), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

BUSINESS PENDING

Senate File 2388

The Senate resumed consideration of **Senate File 2388**, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions, amendment S-5189, and amendment S-5193 to amendment S-5189, previously deferred.

Senator Allen offered amendment S-5194, filed by him from the floor to page 1 of amendment S-5189, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5194 to amendment S-5189 be adopted?" (S.F. 2388), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 26:

Behn	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver

Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	
Costello	Johnson, C.	Segebart	

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

Amendment S-5194 to amendment S-5189 lost.

Senator Feenstra moved the adoption of amendment S-5193 to amendment S-5189.

Amendment S-5193 to amendment S-5189 was adopted by a voice vote.

Senator Feenstra moved the adoption of amendment S-5189, as amended.

Amendment S-5189, as amended, was adopted by a voice vote.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2388), the vote was:

Yeas, 39:

Allen	Dawson	Johnson, D.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shiple
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Horn	Ragan	Zaun
Danielson	Johnson, C.	Rozenboom	

Nays, 8:

Bisignano	Boulton	Hogg	Petersen
Bolkcom	Dvorsky	Jochum	Quirmbach

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

BUSINESS PENDING

Senate File 2389

The Senate resumed consideration of **Senate File 2389**, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas, previously deferred.

Senator Dawson offered amendment S-5192, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5192 was adopted by a voice vote.

Senator Dawson offered amendment S-5196, filed by him from the floor to pages 1-2 of the bill, and moved its adoption.

Amendment S-5196 was adopted by a voice vote.

With the adoption of amendment S-5196, the Chair ruled amendment S-5195, filed by Senator D. Johnson from the floor to pages 1-2 of the bill, out of order.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2389), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart

Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2388** and **2389** and **House Files 2233, 2253, and 2382** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:11 p.m. until 9:00 a.m., Wednesday, March 28, 2018.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Bonnabell and Lowell Creger, Baldwin—For celebrating their 60th wedding anniversary. Senator Bowman.

Virginia Knepper, Cascade—For celebrating her 100th birthday. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convended: Tuesday, March 27, 2018, 2:15 p.m.

Members Present: Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, and Shipley.

Members Absent: Zumbach, Chair; and Taylor (both excused).

Committee Business: Governor's appointee.

Adjourned: 2:20 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convended: Tuesday, March 27, 2018, 2:20 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

Members Absent: Bertrand (excused).

Committee Business: Governor's appointee.

Adjourned: 2:25 p.m.

STATE GOVERNMENT

Convended: Tuesday, March 27, 2018, 2:50 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schultz, and Zaun.

Members Absent: Schneider (excused).

Committee Business: Governor's appointee.

Adjourned: 2:55 p.m.

STUDY BILL RECEIVED

SSB 3207 Ways and Means

Establishing a tree and forest advisory council.

SUBCOMMITTEE ASSIGNMENT**SSB 3207**

WAYS AND MEANS: Brown, Chair; Behn and Hogg

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 27th day of March, 2018.

Senate Files 360, 2098, 2113, 2117, 2131, 2139, 2201, 2228, 2255, 2289, 2290, and 2325.

W. CHARLES SMITHSON
Secretary of the Senate

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate on March 27, 2018:

I am withdrawing the name of Brenda Easter to serve as a member of the Board of Athletic Training from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on March 27, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Athletic Training, formerly held by Brenda Easter. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Mark Leonard – Agricultural Development Board

NATURAL RESOURCES AND ENVIRONMENT

Harold Hommes – Environmental Protection Commission

Lorraine Glover – Flood Mitigation Board

John Torbert – Flood Mitigation Board

STATE GOVERNMENT

Lesley Bartholomew – Accountancy Examining Board

Rudolfo Reyes – Accountancy Examining Board

Robert Snodgrass – Accountancy Examining Board

Kenneth Morris, Jr. – Commission on the Status of African Americans

Veronica Sutton – Commission on the Status of African Americans

Jason Wilson – Alcoholic Beverages Commission

Suresh Basnet – Commission of Asian and Pacific Islander Affairs

Dr. Ritu Gurung – Commission of Asian and Pacific Islander Affairs

Karlai Thornburg – Commission of Asian and Pacific Islander Affairs

Michelle Yoshimura-Smith – Commission of Asian and Pacific Islander Affairs

Rebecca Brockmann – Board of Barbering

Maureen Hardy – Board of Barbering

Scott Sales – Board of Barbering

Sandra Ryan – Commission for the Blind

Frank Ballantini – Boiler and Pressure Vessel Board

Thomas Dye – Boiler and Pressure Vessel Board

Lynne Rush – Boiler and Pressure Vessel Board

Dr. Aaron Martin – Board of Chiropractic

Stephanie Netolicky – Board of Chiropractic

Dr. Randall Stange – Board of Chiropractic

Anna Hilpipre – Commission on Community Action Agencies

Don Nguyen – Board of Cosmetology Arts and Sciences

Brian Smith – Board of Dietetics

Todd Cash – Electrical Examining Board

Penny Clark – Electrical Examining Board

Tammy Cooper – Electrical Examining Board

Tim Gerald – Electrical Examining Board

Robert Hendricks – Electrical Examining Board

Justin Carleton – Elevator Safety Board

Craig Clabaugh – Elevator Safety Board

Peggy Vandenberg – Elevator Safety Board

Laura Sievers – Engineering and Land Surveying Examining Board

Lisa VanDenBerg – Engineering and Land Surveying Examining Board

Elaine Olson – Iowa Ethics and Campaign Disclosure Board

Molly Parker – Board of Hearing Aid Specialists

Tricia Veik – Board of Hearing Aid Specialists

Michael Warmuth – Investment Board of the IPERS

Nathan Borland – Landscape Architectural Examining Board

John Micka – Landscape Architectural Examining Board

Sherrae Hanson – Iowa Lottery Authority Board of Directors

John Quinn – Iowa Lottery Authority Board of Directors

Rebecca Ervin – Board of Mortuary Science

Seth Williams – Board of Mortuary Science

Dr. Kathryn Dolter – Board of Nursing

Jill Barr – Board of Nursing Home Administrators

Kay Fisk – Board of Nursing Home Administrators

Michael Moore – Board of Nursing Home Administrators

Justin Rash – Board of Nursing Home Administrators

Charlean Schlepp – Board of Nursing Home Administrators

Dr. Mark Mentzer – Board of Optometry

Dr. Monique Root – Board of Optometry

Chris Mayer – Peace Officers' Retirement, Accident, and Disability System Trustee

Dr. Jason Hansel – Board of Pharmacy

Edward McKenna – Board of Pharmacy

Cheryl Arnold – Board of Physician Assistants
Penny Osborn – Board of Physician Assistants

Kathryn Arndt – Board of Podiatry
Laurie Barr-Cronin – Board of Podiatry
Travis Carlson – Board of Podiatry
Dr. Roger Drown – Board of Podiatry
Dr. Erin Nelson – Board of Podiatry

Dr. Matthew Cooper – Board of Psychology
Dr. Brandon Davis – Board of Psychology
Professor Ruth Kunkle – Board of Psychology
Dr. Lisa Streiffeler – Board of Psychology

Emil Giovannetti – Iowa Public Information Board
Monica McHugh – Iowa Public Information Board
Suzan Stewart – Iowa Public Information Board

Tracy Crimmins – Real Estate Appraiser Examining Board
Dan Fuhrmeister – Real Estate Appraiser Examining Board
Mark Kapfer – Real Estate Appraiser Examining Board

James Clingman – Real Estate Commission
Terrance Duggan – Real Estate Commission

Dr. Samantha Danielson-Jones – Board of Respiratory Care
Lisa Kingery – Board of Respiratory Care

Mark Hillenbrand – Board of Social Work
Neil Nelsen – Board of Social Work

Douglas Leonard – Board of Speech Pathology and Audiology
Denise Renaud – Board of Speech Pathology and Audiology

Erin Rollenhagen – Technology Advisory Council

Dr. Christine Bean – Iowa Board of Veterinary Medicine
Dr. Curtis Youngs – Iowa Board of Veterinary Medicine

Rachelle Hunt Russian – Commission on the Status of Women
Wendy Musgrave – Commission on the Status of Women
Sherill Whisenand – Commission on the Status of Women

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Harold Hommes to Environmental Protection Commission be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

DAVID JOHNSON

AMENDMENTS FILED

S-5189	S.F.	2388	Randy Feenstra
S-5190	H.F.	2233	Tony Bisignano
S-5191	H.F.	2233	Julian B. Garrett
S-5192	S.F.	2389	Dan Dawson
S-5193	S.F.	2388	Randy Feenstra
S-5194	S.F.	2388	Chaz Allen
S-5195	S.F.	2389	David Johnson
S-5196	S.F.	2389	Dan Dawson

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 28, 2018

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

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabela Gallegos.

The Journal of Tuesday, March 27, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2229, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

ALSO: That the House has on March 27, 2018, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2155, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions. (S-5197)

Senate File 2235, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties. (S-5198)

Senate File 2318, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction. (S-5199)

RECESS

On motion of Senator Whitver, the Senate recessed at 9:10 a.m. until the completion of a meeting of the committee on Veterans Affairs

RECONVENED

The Senate reconvened at 11:27 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lykam, until he arrives, on request of Senator Petersen; and Senators Bertrand and Zumbach, until they arrive, on request of Senator Whitver.

HOUSE AMENDMENTS CONSIDERED

Senate File 192

Senator Whitver called up for consideration **Senate File 192**, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions, amended by the House in House amendment S-5180, filed March 21, 2018.

Senator Dawson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dawson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 192), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	ShIPLEY
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

Senate File 475

Senator Whitver called up for consideration **Senate File 475**, a bill for an act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions, amended by the House in House amendment S-5182, filed March 26, 2018.

Senator Quirnbach asked and received unanimous consent that action on House amendment S-5182 and **Senate File 475** be **deferred**.

Senate File 2099

Senator Whitver called up for consideration **Senate File 2099**, a bill for an act relating to probate and the administration of small estates and including applicability provisions, amended by the House in House amendment S-5142, filed March 13, 2018.

Senator Schultz offered amendment S-5200, filed by him from the floor to pages 1 and 2 of House amendment S-5142, and moved its adoption.

Amendment S-5200 to amendment S-5142 was adopted by a voice vote.

Senator Schultz moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Schultz moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2099), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shiple
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand Lykam Zumbach

Vacant, 1.

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

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2281 and 2304.

House File 2281

On motion of Senator Brown, **House File 2281**, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator D. Johnson withdrew amendment S-5164, filed by him on March 19, 2018, to page 1 and amending the title page of the bill.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2281), the vote was:

Yeas, 45:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shiple
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Whitver

Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, 1:

Taylor

Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

House File 2304

On motion of Senator Smith, **House File 2304**, a bill for an act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2304), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shiple
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand Lykam Zumbach

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 192 and 2099** and **House Files 2281 and 2304** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2321, 2340, 2420, 2425, and 2441.

House File 2321

On motion of Senator Guth, **House File 2321**, a bill for an act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2321), the vote was:

Yeas, 44:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bisignano	Dawson	Johnson, C.	Rozenboom
Bolkcom	Dotzler	Johnson, D.	Schneider

Boulton	Dvorsky	Kapucian	Schultz
Bowman	Edler	Kinney	Segebart
Breitbach	Feenstra	Kraayenbrink	Shiple
Brown	Garrett	Lofgren	Sinclair
Carlin	Greene	Mathis	Smith
Chapman	Guth	McCoy	Whitver
Chelgren	Hart	Petersen	Zaun

Nays, 2:

Hogg	Taylor
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Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

House File 2340

On motion of Senator Garrett, **House File 2340**, a bill for an act relating to controversies involving fence viewers, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2340), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shiple
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

House File 2420

On motion of Senator Sinclair, **House File 2420**, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2420), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shiple
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

House File 2425

On motion of Senator Schultz, **House File 2425**, a bill for an act establishing a physical therapy licensure compact, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2425), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

House File 2441

On motion of Senator Sinclair, **House File 2441**, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair offered amendment S-5147, filed by her on March 13, 2018, to page 3 of the bill, and moved its adoption.

Amendment S-5147 was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2441), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Taylor
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 3:

Bertrand	Lykam	Zumbach
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Vacant, 1.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2175, a bill for an act relating to partition of property in kind and partition of property by sale.

Senate File 2177, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 2018, **concurred** in the Senate amendment and **passed** the following bills in which the concurrence of the House was asked:

House File 2253, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

House File 2407, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

ALSO: That the House has on March 28, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 449, a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions. (S-5202)

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2321, 2340, 2420, 2425, and 2441** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 12:19 p.m. until 9:00 a.m., Thursday, March 29, 2018.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, March 28, 2018, 2:00 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: Danielson (excused).

Committee Business: Governor's appointees.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 28, 2018, 1:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley.

Members Absent: Chelgren (excused).

Committee Business: Governor's appointees.

Adjourned: 1:10 p.m.

JUDICIARY

Convened: Wednesday, March 28, 2018, 10:35 a.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schultz, Shipley, and Sinclair.

Members Absent: Schneider (excused).

Committee Business: Organizational meeting.

Adjourned: 10:40 a.m.

STATE GOVERNMENT

Convened: Wednesday, March 28, 2018, 3:05 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schultz, and Zaun.

Members Absent: Danielson and Schneider (both excused).

Committee Business: Governor's appointees.

Adjourned: 3:20 p.m.

TRANSPORTATION

Convened: Wednesday, March 28, 2018, 1:05 p.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, and Smith.

Members Absent: Bertrand, Lykam, and Zumbach (all excused).

Committee Business: Governor's appointees.

Adjourned: 1:15 p.m.

VETERANS AFFAIRS

Convened: Wednesday, March 28, 2018, 11:00 a.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member; Allen, Dawson, Edler, Lofgren, Ragan, and Segebart.

Members Absent: Bertrand and Bowman (both excused).

Committee Business: Governor's appointees.

Adjourned: 11:05 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 114, by Sinclair, a resolution for designating March 2018 as Iowa Women's History Month.

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

Senate Resolution 115, by Bowman, Bolkcom, Dvorsky, Kraayenbrink, Zaun, Horn, Boulton, Kinney, Brown, Breitbach, Whitver, Schneider, Hogg, Danielson, Allen, and Dotzler, a resolution for recognizing and congratulating University of Iowa Hawkeye wrestler Spencer Lee on his outstanding achievements in college wrestling.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 28, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2098 – Relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Senate File 2117 – Relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

Senate File 2131 – Expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, directing the area education agencies to convene an online learning working group, and including effective date provisions.

Senate File 2139 – Relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Senate File 2201 – Relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Senate File 2255 – Relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Senate File 2290 – Relating to boards of trustees for county and city hospitals.

Senate File 2325 – Relating to the notation of discharges of motor vehicle security interests.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Jane Brown – Iowa Autism Council
Erika Hertel – Iowa Autism Council
Evelyn Horton – Iowa Autism Council
Jenny Phan – Iowa Autism Council
Caleb Primrose – Iowa Autism Council

Kathryn Dorsey – Early Childhood Iowa State Board
Sigrid Lane – Early Childhood Iowa State Board
Angela Lensch – Early Childhood Iowa State Board
Barbara Merrill – Early Childhood Iowa State Board
Mary Petersen – Early Childhood Iowa State Board
Brook Rosenberg – Early Childhood Iowa State Board
Jean Stadtlander – Early Childhood Iowa State Board
Frank Varvaris – Early Childhood Iowa State Board

Joshua Byrnes – State Board Education
William “Mike” May – State Board Education
Kimberly Wayne – State Board Education

Kathy Behrens – Board of Educational Examiners
Sara Yedlik – Board Educational Examiners

Annette Shaw – Iowa Higher Education Loan Authority

Gretchen Tegeler – School Budget Review Committee

HUMAN RESOURCES

Dr. Andrew Peterson – Board of Athletic Training
Dr. Audra Ramsey – Board of Athletic Training
Dr. Lisa Woodroffe – Board of Athletic Training

Dr. Kevin Allemagne – Board of Behavioral Science
Amy Crow Sunleaf – Board of Behavioral Science
Wade Leuwerke – Board of Behavioral Science

Mark Hargrafen – Child Advocacy Board
Beth Myers – Child Advocacy Board

William Owens – Child Advocacy Board
 Michael Steele – Child Advocacy Board

Blake Campbell – Commission of Persons with Disabilities
 Teresa Jorgensen – Commission of Persons with Disabilities
 Michelle Ray-Michalec – Commission of Persons with Disabilities
 Clint Sargent – Commission of Persons with Disabilities
 Gary Schriver – Commission of Persons with Disabilities
 Beth Wilde – Commission of Persons with Disabilities

Dr. Jonathan Crosbie – Healthy and Well Kids in Iowa (HAWK-I) Board
 Ronda Eick – Healthy and Well Kids in Iowa (HAWK-I) Board

Marlu Abarca – Commission of Latino Affairs
 Lorena Gingerich – Commission of Latino Affairs
 Junior Jaime – Commission of Latino Affairs
 Alfonso Perez – Commission of Latino Affairs

Jody Eaton – Mental Health and Disability Services Commission
 Mary Meyers – Mental Health and Disability Services Commission
 John Parmeter – Mental Health and Disability Services Commission
 Rick Sanders – Mental Health and Disability Services Commission
 Dr. Richard Whitaker – Mental Health and Disability Services Commission

Amanda Gallant – Board of Sign Language Interpreters and Transliterators
 Dirk Hillard – Board of Sign Language Interpreters and Transliterators
 Megan Johnson – Board of Sign Language Interpreters and Transliterators
 Scott Johnson – Board of Sign Language Interpreters and Transliterators

Chad Jensen – Commission on Tobacco Use Prevention and Control

JUDICIARY

Dr. Mary Chapman – Board of Corrections

Tiffany Allison – Criminal and Juvenile Justice Planning Advisory Council
 Tammy Bramley – Criminal and Juvenile Justice Planning Advisory Council
 Joel Greer – Criminal and Juvenile Justice Planning Advisory Council
 Pam Kracht – Criminal and Juvenile Justice Planning Advisory Council
 Cody Samec – Criminal and Juvenile Justice Planning Advisory Council
 Tony Thompson – Criminal and Juvenile Justice Planning Advisory Council
 Tom Walton – Criminal and Juvenile Justice Planning Advisory Council

Matthew Harkin – Iowa Drug Policy Advisory Council
 Jason Sandholdt – Iowa Drug Policy Advisory Council

John Bloom – State Judicial Nominating Commission
 Kathy Pearson – State Judicial Nominating Commission

Gene Beinke – Iowa Law Enforcement Academy Council
Ricardo Martinez II – Iowa Law Enforcement Academy Council

Norman Granger – Board of Parole
Kathleen Kooiker – Board of Parole
Jeff Wright – Board of Parole

STATE GOVERNMENT

Linda Alfson Schemmel – Architectural Examining Board
Anna Harmon – Architectural Examining Board
Scott Hatfield – Architectural Examining Board

Kelly Busch – Commission on Community Action Agencies
Leland Shipley – Commission on Community Action Agencies

Lori Elmitt – Board of Dentistry
Dr. William McBride – Board of Dentistry
Nancy Slach – Board of Dentistry

Steven Kury – Board of Dietetics

Jay Reyhons – Interior Design Examining Board
Ben Snyder – Interior Design Examining Board
Lori Wiles – Interior Design Examining Board

Emily Naylor – Landscape Architectural Examining Board

Dr. Philip Bear – Board of Medicine
Mary Romano – Board of Medicine
Kyle Ulveling – Board of Medicine

Rachel Judisch – Board of Physical and Occupational Therapy

Jolene Kelly – Board of Physician Assistants

Keith Luchtel – Iowa Public Information Board
Frederick (Rick) Morain – Iowa Public Information Board

Austin Mouw – Board of Respiratory Care

Justin Rhode – Board of Speech Pathology and Audiology

TRANSPORTATION

Kraig Paulsen – State Transportation Commission
John Putney – State Transportation Commission

VETERANS AFFAIRS

Richard Goebel – Commission of Veterans Affairs
Elizabeth Ledvina – Commission of Veterans Affairs

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar without recommendation for confirmation:

EDUCATION

Katie Lott – Early Childhood Iowa State Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Robert Brownell – Council on Human Services

STATE GOVERNMENT

Stephen Larson – Administrator of the Alcoholic Beverages Division

Brian Ohorilko – Administrator of the State Racing and Gaming Commission

Pennie Gonseth Cheers – State Racing and Gaming Commission
Kristine Kramer – State Racing and Gaming Commission

AMENDMENTS FILED

S-5197	S.F.	2155	House
S-5198	S.F.	2235	House
S-5199	S.F.	2318	House
S-5200	S.F.	2099	Jason Schultz
S-5201	H.F.	2277	Jim Carlin
S-5202	S.F.	449	House
S-5203	H.F.	2372	Robert M. Hogg
S-5204	H.F.	2372	Robert M. Hogg

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 29, 2018

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

Prayer was offered by Pastor Chuck DeVoss of Life Point Church in Osceola, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Armaan Kumar.

The Journal of Wednesday, March 28, 2018, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Brian Ohorilko, the Governor's appointee to be Administrator of the State Racing and Gaming Commission. He was the guest of Senator Smith and the committee on State Government.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:06 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:08 a.m., President Schneider presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 114, a resolution for designating March 2018 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 114.

Senate Resolution 114

On motion of Senator Sinclair, **Senate Resolution 114**, a resolution for designating March 2018 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved the adoption of Senate Resolution 114, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 9:15 a.m. until 1:00 p.m., Monday, April 2, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

STATE PUBLIC DEFENDER

Indigent Defense System Report, pursuant to Iowa Code section 13B.2A. Report received on March 28, 2018.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, March 29, 2018, 2:05 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Breitbach, Chelgren, Costello, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley.

Members Absent: Danielson and Zumbach (both excused).

Committee Business: Considered SF 2394.

Adjourned: 2:35 p.m.

COMMERCE

Convened: Thursday, March 29, 2018, 10:00 a.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Guth, C. Johnson, Mathis, McCoy, Sinclair, and Zaun.

Members Absent: Bertrand, Feenstra, Lykam, Petersen, and Zumbach (all excused).

Committee Business: Governor's appointees.

Adjourned: 10:05 a.m.

HUMAN RESOURCES

Convened: Thursday, March 29, 2018, 1:05 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Presentations by Richard Deming, M.D. Gregory Ursino, M.D. Michael Schultz, PhD., and Danielle Oswald-Thole.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, March 29, 2018, 9:05 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith.

Members Absent: None.

Committee Business: Consideration of SR 114.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: Thursday, March 29, 2018, 11:05 a.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith.

Members Absent: None.

Committee Business: Passed SFs 2294 and 2379; deferred SF 2074; approved SSB 3205. Governor's appointees.

Adjourned: 11:50 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 116, by Sinclair, a resolution for recognizing Graceland University and congratulating its men's basketball team for its outstanding 2017–2018 season, which it finished dramatically by winning the 2018 National Association of Intercollegiate Athletics 81st Annual Division I Men's Basketball Championship.

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

STUDY BILL RECEIVED

SSB 3208 Appropriations

Concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

SUBCOMMITTEE ASSIGNMENT

SSB 3208

APPROPRIATIONS: C. Johnson, Chair; Mathis and Schneider

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2394, a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations.

Recommendation: DO PASS.

Final Vote: Ayes, 19: Schneider, Kraayenbrink, Bolkcom, Boulton, Breitbach, Chelgren, Costello, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley. Nays, none. Absent, 2: Danielson and Zumbach.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 360 – Relating to the newborn safe haven Act.

Senate File 2113 – Requiring school employee training and protocols relating to suicide prevention and the identification of adverse childhood experiences and strategies to mitigate toxic stress response.

Senate File 2228 – Providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

Senate File 2289 – Relating to the joint exercise of government powers by federally recognized Indian tribes.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Dave Cale – Credit Union Review Board
Timothy Marcsisak – Credit Union Review Board
Becky Zemlicka – Credit Union Review Board

Heather Fransen – Iowa Telecommunications and Technology Commission

WAYS AND MEANS

Linda Crookham-Hansen – Economic Development Authority
Mark Kittrell – Economic Development Authority
Bruce Lehrman – Economic Development Authority
Christian Murray – Economic Development Authority
Emily Schmitt – Economic Development Authority

Kerrie Kuiper – Iowa Great Places Board
Gayle Redman – Iowa Great Places Board
Trevor Toft – Iowa Great Places Board
Donald Zuck – Iowa Great Places Board

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 29, 2018:

I am withdrawing the name of Rebecca Jourdan to serve as a member of the Interior Design Examining Board from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on March 27, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Interior Design Examining Board, formerly held by Rebecca Jourdan. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENT FILED

S-5205 H.F. 2372 Robert M. Hogg

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 2, 2018

The Senate met in regular session at 1:02 p.m., President Schneider presiding.

Prayer was offered by Dr. Thomas Wolthuis, director of the Geneva Campus Ministry of University of Iowa in Iowa City, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Haley Ledford.

The Journal of Thursday, March 29, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2321, a bill for an act relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties.

ALSO: That the House has on March 29, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2360, a bill for an act providing for a dyslexia response task force and report. (S-5206)

ALSO: That the House has on March 29, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2475, a bill for an act relating to governmental ethics and the regulation of lobbyists and gifts and including effective date provisions.

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

House File 2477, a bill for an act relating to disclosures of information to the auditor of state.

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

The Senate stood at ease at 1:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:23 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dawson and Zumbach, until they arrive, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Lesley Bartholomew, Accountancy Examining Board
Robert Snodgrass, Accountancy Examining Board

Kenneth Morris, Jr., Commission on the Status of African Americans

Veronica Sutton, Commission on the Status of African Americans

Mark Leonard, Agricultural Development Board

Jason Wilson, Alcoholic Beverages Commission

Linda Alfson Schemmel, Architectural Examining Board
Anna Harmon, Architectural Examining Board
Scott Hatfield, Architectural Examining Board

Dr. Andrew Peterson, Board of Athletic Training
Dr. Audra Ramsey, Board of Athletic Training

Jane Brown, Iowa Autism Council
Erika Hertel, Iowa Autism Council
Evelyn Horton, Iowa Autism Council

Rebecca Brockmann, Board of Barbering
Maureen Hardy, Board of Barbering
Scott Sales, Board of Barbering

Dr. Kevin Allemagne, Board of Behavioral Science
Amy Crow Sunleaf, Board of Behavioral Science
Wade Leuwerke, Board of Behavioral Science

Sandra Ryan, Commission for the Blind

Frank Ballantini, Boiler and Pressure Vessel Board
Thomas Dye, Boiler and Pressure Vessel Board

Mark Hargrafen, Child Advocacy Board
Beth Myers, Child Advocacy Board
William Owens, Child Advocacy Board
Michael Steele, Child Advocacy Board

Dr. Aaron Martin, Board of Chiropractic
Stephanie Netolicky, Board of Chiropractic
Dr. Randall Stange, Board of Chiropractic

Kelly Busch, Commission on Community Action Agencies
Leland Shipley, Commission on Community Action Agencies

Dr. Mary Chapman, Board of Corrections

Don Nguyen, Board of Cosmetology Arts and Sciences

Dave Cale, Credit Union Review Board
Timothy Marcsisak, Credit Union Review Board
Becky Zemlicka, Credit Union Review Board

Cody Samec, Criminal and Juvenile Justice Planning Advisory
Council
Tony Thompson, Criminal and Juvenile Justice Planning Advisory
Council
Tom Walton, Criminal and Juvenile Justice Planning Advisory
Council

Dr. William McBride, Board of Dentistry
Nancy Slach, Board of Dentistry

Steven Kury, Board of Dietetics
Brian Smith, Board of Dietetics

Blake Campbell, Commission of Persons with Disabilities
Teresa Jorgensen, Commission of Persons with Disabilities
Michelle Ray-Michalec, Commission of Persons with Disabilities
Clint Sargent, Commission of Persons with Disabilities
Beth Wilde, Commission of Persons with Disabilities

Matthew Harkin, Iowa Drug Policy Advisory Council
Jason Sandholdt, Iowa Drug Policy Advisory Council

Kathryn Dorsey, Early Childhood Iowa State Board
Sigrid Lane, Early Childhood Iowa State Board
Angela Lensch, Early Childhood Iowa State Board
Barbara Merrill, Early Childhood Iowa State Board
Mary Petersen, Early Childhood Iowa State Board
Brook Rosenberg, Early Childhood Iowa State Board
Jean Stadlander, Early Childhood Iowa State Board
Frank Varvaris, Early Childhood Iowa State Board

Emily Schmitt, Economic Development Authority

Joshua Byrnes, State Board of Education
William “Mike” May, State Board of Education
Kimberly Wayne, State Board of Education

Kathy Behrens, Board of Educational Examiners
Sara Yedlik, Board of Educational Examiners

Todd Cash, Electrical Examining Board
Tammy Cooper, Electrical Examining Board
Tim Gerald, Electrical Examining Board
Robert Hendricks, Electrical Examining Board

Justin Carleton, Elevator Safety Board
Craig Clabaugh, Elevator Safety Board
Peggy Vandenberg, Elevator Safety Board

Laura Sievers, Engineering and Land Surveying Examining Board
Lisa VanDenBerg, Engineering and Land Surveying Examining Board

Jacquelyn Arthur, Enhance Iowa Board
Doug Boone, Enhance Iowa Board
John Burns, Enhance Iowa Board
Kyle Carter, Enhance Iowa Board
Emily Damman, Enhance Iowa Board
Patrick Deignan, Enhance Iowa Board

Elaine Olson, Iowa Ethics and Campaign Disclosure Board

Lorraine Glover, Flood Mitigation Board
John Torbert, Flood Mitigation Board

Kerrie Kuiper, Iowa Great Places Board
Gayle Redman, Iowa Great Places Board
Trevor Toft, Iowa Great Places Board
Donald Zuck, Iowa Great Places Board

Molly Parker, Board of Hearing Aid Specialists
Tricia Veik, Board of Hearing Aid Specialists

Annette Shaw, Iowa Higher Education Loan Authority

Jay Reyhons, Interior Design Examining Board
Lori Wiles, Interior Design Examining Board

Michael Warmuth, Investment Board of the IPERS

John Bloom, State Judicial Nominating Commission

William Brown, Commission on Judicial Qualifications

Nathan Borland, Landscape Architectural Examining Board

Marlu Abarca, Commission of Latino Affairs

Lorena Gingerich, Commission of Latino Affairs

Junior Jaime, Commission of Latino Affairs

Alfonso Perez, Commission of Latino Affairs

Gene Beinke, Iowa Law Enforcement Academy Council

Sherrae Hanson, Iowa Lottery Authority Board of Directors

John Quinn, Iowa Lottery Authority Board of Directors

Mary Romanco, Board of Medicine

Kyle Ulveling, Board of Medicine

Jody Eaton, Mental Health and Disability Services Commission

Mary Meyers, Mental Health and Disability Services Commission

John Parmeter, Mental Health and Disability Services
Commission

Rick Sanders, Mental Health and Disability Services Commission

Dr. Richard Whitaker, Mental Health and Disability Services
Commission

Seth Williams, Board of Mortuary Science

Dr. Kathryn Dolter, Board of Nursing

Jill Barr, Board of Nursing Home Administrators

Kay Fisk, Board of Nursing Home Administrators

Justin Rash, Board of Nursing Home Administrators

Dr. Mark Mentzer, Board of Optometry

Dr. Monique Root, Board of Optometry

Norman Granger, Board of Parole
Kathleen Kooiker, Board of Parole
Jeff Wright, Board of Parole

Chris Mayer, Peace Officers' Retirement, Accident, and Disability
System Trustee

Dr. Jason Hansel, Board of Pharmacy

Jolene Kelly, Board of Physician Assistants
Penny Osborn, Board of Physician Assistants

Kathryn Arndt, Board of Podiatry
Laurie Barr-Cronin, Board of Podiatry
Dr. Erin Nelson, Board of Podiatry

Dr. Matthew Cooper, Board of Psychology
Dr. Brandon Davis, Board of Psychology
Professor Ruth Kunkle, Board of Psychology

Emil Giovannetti, Iowa Public Information Board
Keith Luchtel, Iowa Public Information Board
Monica McHugh, Iowa Public Information Board
Frederick (Rick) Morain, Iowa Public Information Board
Suzan Stewart, Iowa Public Information Board

Tracy Crimmins, Real Estate Appraiser Examining Board
Dan Fuhrmeister, Real Estate Appraiser Examining Board
Mark Kapfer, Real Estate Appraiser Examining Board

James Clingman, Real Estate Commission
Terrance Duggan, Real Estate Commission

Dr. Samantha Danielson-Jones, Board of Respiratory Care
Lisa Kingery, Board of Respiratory Care
Austin Mouw, Board of Respiratory Care

Amanda Gallant, Board of Sign Language Interpreters and Transliterators

Dirk Hillard, Board of Sign Language Interpreters and Transliterators

Scott Johnson, Board of Sign Language Interpreters and Transliterators

Neil Nelsen, Board of Social Work

Douglas Leonard, Board of Speech Pathology and Audiology

Justin Rhode, Board of Speech Pathology and Audiology

Erin Rollenhagen, Technology Advisory Council

Heather Fransen, Iowa Telecommunications and Technology Commission

Chad Jensen, Commission on Tobacco Use Prevention and Control

Kraig Paulsen, State Transportation Commission

John Putney, State Transportation Commission

Richard Goebel, Commission of Veterans Affairs

Elizabeth Ledvina, Commission of Veterans Affairs

Steve Lukan, Executive Director of the Commission of Veterans Affairs

Dr. Christine Bean, Iowa Board of Veterinary Medicine

Dr. Curtis Youngs, Iowa Board of Veterinary Medicine

Rachelle Hunt Russian, Commission on the Status of Women

Wendy Musgrave, Commission on the Status of Women

Sherill Whisenand, Commission on the Status of Women

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

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 45:

Allen	Costello	Jochum	Rozenboom
Behn	Danielson	Johnson, C.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	

Nays, 2:

Johnson, D. Taylor

Absent, 2:

Dawson Zumbach

Vacant, 1.

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

HOUSE AMENDMENTS CONSIDERED

Senate File 449

Senator Whitver called up for consideration **Senate File 449**, a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions, amended by the House in House amendment S-5202, filed March 28, 2018.

Senator Kapucian moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Kapucian moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 449), the vote was:

Yeas, 45:

Allen	Costello	Johnson, C.	Schneider
Behn	Danielson	Kapucian	Schultz
Bertrand	Dotzler	Kinney	Segebart
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Edler	Lofgren	Sinclair
Boulton	Feenstra	Lykam	Smith
Bowman	Garrett	Mathis	Taylor
Breitbach	Greene	McCoy	Whitver
Brown	Guth	Petersen	Zaun
Carlin	Hart	Quirmbach	
Chapman	Horn	Ragan	
Chelgren	Jochum	Rozenboom	

Nays, 1:

Johnson, D.

Present, 1:

Hogg

Absent, 2:

Dawson Zumbach

Vacant, 1.

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

Senate File 2200

Senator Whitver called up for consideration **Senate File 2200**, a bill for an act regulating veterans’ benefit services and related events, by requiring certain disclosures and making penalties applicable, amended by the House in House amendment S–5166, filed March 20, 2018.

Senator Rozenboom moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Rozenboom moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2200), the vote was:

Yeas, 47:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	

Nays, none.

Absent, 2:

Dawson	Zumbach
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Vacant, 1.

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

Senate File 2318

Senator Whitver called up for consideration **Senate File 2318**, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction, amended by the House in House amendment S-5199, filed March 28, 2018.

Senator Chelgren moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Chelgren moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2318), the vote was:

Yeas, 47:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	

Nays, none.

Absent, 2:

Dawson	Zumbach
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Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 449, 2200, and 2318** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 28, 2018)

Senate File 475

The Senate resumed consideration of **Senate File 475**, a bill for an act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions, and House amendment S-5182, deferred March 28, 2018.

Senator Sinclair moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Sinclair moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 475), the vote was:

Yeas, 28:

Behn	Chelgren	Johnson, C.	Schultz
Bertrand	Costello	Kapucian	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Quirnbach	Smith
Carlin	Greene	Rozenboom	Whitver
Chapman	Guth	Schneider	Zaun

Nays, 19:

Allen	Dotzler	Jochum	McCoy
Bisignano	Dvorsky	Johnson, D.	Petersen
Bolkcom	Hart	Kinney	Ragan
Boulton	Hogg	Lykam	Taylor
Danielson	Horn	Mathis	

Absent, 2:

Dawson Zumbach

Vacant, 1.

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

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2288 and House File 2349.

Senate File 2288

On motion of Senator Lofgren, **Senate File 2288**, a bill for an act relating to municipal utility retirement systems, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Lofgren asked and received unanimous consent that **House File 2379** be **substituted** for **Senate File 2288**.

House File 2379

On motion of Senator Lofgren, **House File 2379**, a bill for an act relating to municipal utility retirement systems, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2379), the vote was:

Yeas, 47:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Eidler	Kinney	Segebart

Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	

Nays, none.

Absent, 2:

Dawson	Zumbach
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Vacant, 1.

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

WITHDRAWN

Senator Lofgren asked and received unanimous consent that **Senate File 2288** be **withdrawn** from further consideration of the Senate.

House File 2349

On motion of Senator Smith, **House File 2349**, a bill for an act relating to persons voluntarily excluded from gambling facilities, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2349), the vote was:

Yeas, 47:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart

Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	

Nays, none.

Absent, 2:

Dawson	Zumbach
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Vacant, 1.

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

HOUSE AMENDMENT CONSIDERED

Senate File 2155

Senator Whitver called up for consideration **Senate File 2155**, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions, amended by the House in House amendment S-5197, filed March 28, 2018.

Senator Smith moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Smith moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2155), the vote was:

Yeas, 47:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider

Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shiple
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirnbach	

Nays, none.

Absent, 2:

Dawson Zumbach

Vacant, 1.

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2392.

Senate File 2392

On motion of Senator Carlin, **Senate File 2392**, a bill for an act relating to the level of fees imposed pursuant to the land recycling program, was taken up for consideration.

Senator Carlin asked and received unanimous consent that **House File 2464** be **substituted** for **Senate File 2392**.

House File 2464

On motion of Senator Carlin, **House File 2464**, a bill for an act relating to the level of fees imposed pursuant to the land recycling program, was taken up for consideration.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2464), the vote was:

Yeas, 47:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	

Nays, none.

Absent, 2:

Dawson	Zumbach
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Vacant, 1.

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

WITHDRAWN

Senator Carlin asked and received unanimous consent that **Senate File 2392** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 475** and **2155** and **House Files 2349, 2379, and 2464** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:08 p.m. until 9:00 a.m., Tuesday, April 3, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9. Report received on March 30, 2018.

OFFICE OF OMBUDSMAN

Annual Report, pursuant to Iowa Code section 2C.18. Report received on April 2, 2018.

CERTIFICATE OF RECOGNITION

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

Douglas Beard, Burlington—For 30 years of service in law enforcement. Senator Greene.

INTRODUCTION OF BILLS

Senate File 2399, by committee on Ways and Means, a bill for an act exempting from the Iowa individual income tax the amount of income resulting from prize money and medals received from competition in the olympic or paralympic games, and including retroactive applicability provisions.

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

Senate File 2400, by committee on Ways and Means, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

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

Senate File 2401, by committee on Ways and Means, a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

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

STUDY BILLS RECEIVED

SSB 3209 Government Oversight

Authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

SSB 3210 Government Oversight

Authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

SUBCOMMITTEE ASSIGNMENTS

House File 2475

GOVERNMENT OVERSIGHT: Lofgren, Chair; Breitbach, Hogg, McCoy, and Sinclair

House File 2477

GOVERNMENT OVERSIGHT: Lofgren, Chair; Breitbach, Hogg, McCoy, and Sinclair

SSB 3209

GOVERNMENT OVERSIGHT: Breitbach, Chair; Hogg, Lofgren, McCoy, and Sinclair

SSB 3210

GOVERNMENT OVERSIGHT: Breitbach, Chair; Hogg, Lofgren, McCoy, and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 2399 (formerly SF 2379), a bill for an act exempting from the Iowa individual income tax the amount of income resulting from prize money and medals received from competition in the olympic or paralympic games, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2400 (SSB 3205), a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2401 (formerly SF 2292), a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 2nd day of April, 2018.

Senate Files 2114, 2231, 2241, 2256, 2257, 2271, 2310, 2323, 2333, 2334, 2349 and 2366.

W. CHARLES SMITHSON
Secretary of the Senate

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Ashley Koopmans – Employment Appeal Board

Madison Buttermore – Plumbing and Mechanical Systems Board

Toni Knight – Plumbing and Mechanical Systems Board

Carrie Duncan – Iowa Workforce Development Board

Becky Jacobsen – Iowa Workforce Development Board

John Krogman – Iowa Workforce Development Board

Rich Kurtenbach – Iowa Workforce Development Board

Randy Moore – Iowa Workforce Development Board

Lynn Schreder – Iowa Workforce Development Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Mike Cormack – Chair of the Public Employment Relations Board

Mike Cormack – Public Employment Relations Board

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Katie Lott to Early Childhood Iowa State Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

JACK WHITVER

AMENDMENTS FILED

S-5206	S.F.	2360	House
S-5207	S.F.	2291	Jim Carlin
S-5208	H.F.	2372	Robert M. Hogg

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 3, 2018

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

Prayer was offered by Pastor Andrew Bardole of the Corning United Methodist Church in Corning, Iowa. He was the guest of Senator Shipley.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jaelyn Lentz.

The Journal of Monday, April 2, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2169, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries. (S-5209)

ALSO: That the House has on April 2, 2018, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the Senate was asked:

House File 2297, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

House File 2392, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:06 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:04 p.m., President Schneider presiding.

QUORUM CALL

Senator Schultz requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent, and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 2235

Senator Whitver called up for consideration **Senate File 2235**, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, amended by the House in House amendment S-5198, filed March 28, 2018.

Senator Petersen asked and received unanimous consent that action on House amendment S-5198 and **Senate File 2235** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dawson, until he arrives, on request of Senator Whitver.

Senate File 2360

Senator Whitver called up for consideration **Senate File 2360**, a bill for an act providing for a dyslexia response task force and report, amended by the House in House amendment S-5206, filed April 2, 2018.

Senator Sinclair moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Sinclair moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2360), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2291 and House File 2258.

Senate File 2291

On motion of Senator Carlin, **Senate File 2291**, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Carlin offered amendment S-5207, filed by him on April 2, 2018, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5207 was adopted by a voice vote.

Senator Carlin asked and received unanimous consent that **House File 2277** be **substituted** for **Senate File 2291**.

House File 2277

On motion of Senator Carlin, **House File 2277**, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist, was taken up for consideration.

Senator Carlin offered amendment S-5201, filed by him on March 28, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5201 was adopted by a voice vote.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2277), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

WITHDRAWN

Senator Carlin asked and received unanimous consent that **Senate File 2291** be **withdrawn** from further consideration of the Senate.

House File 2258

On motion of Senator Garrett, **House File 2258**, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Garrett offered amendment S-5155, filed by the committee on Local Government on March 14, 2018, to page 1 of the bill, and moved its adoption.

Amendment S-5155 was adopted by a voice vote.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2258), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2360** and **House Files 2258** and **2277** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2235

The Senate resumed consideration of **Senate File 2235**, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, and House amendment S-5198, previously deferred.

Senator McCoy withdrew amendment S-5213, filed by him from the floor to page 1 of House amendment S-5198.

Senator Hogg offered amendment S-5212, filed by him from the floor to page 2 of House amendment S-5198, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5212 to amendment S-5198 be adopted?" (S.F. 2235), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 27:

Behn	Costello	Kapucian	Shiplee
Bertrand	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Chelgren	Johnson, C.	Segebart	

Absent, 1:

Dawson

Vacant, 1.

Amendment S-5212 to amendment S-5198 lost.

Senator Shipley moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Shipley moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2235), the vote was:

Yeas, 35:

Allen	Costello	Johnson, C.	Schultz
Behn	Danielson	Kapucian	Segebart
Bertrand	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Whitver
Carlin	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Horn	Schneider	

Nays, 13:

Bisignano	Dvorsky	Lykam	Taylor
Bolkcom	Hogg	McCoy	
Boulton	Jochum	Petersen	
Dotzler	Johnson, D.	Quirnbach	

Absent, 1:

Dawson

Vacant, 1.

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

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2404, 2427, 2445, and 2467.

House File 2404

On motion of Senator Zaun, **House File 2404**, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2404), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

House File 2427

On motion of Senator Costello, **House File 2427**, a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2427), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

House File 2445

On motion of Senator Segebart, **House File 2445**, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Segebart offered amendment S-5160, filed by the committee on Human Resources on March 15, 2018, to pages 1 and 13 and amending the title page of the bill, and moved its adoption.

Amendment S-5160 was adopted by a voice vote.

SPECIAL GUEST

President Schneider introduced to the Senate chamber the Honorable Swati Dandekar, former member of the Senate from Linn County, Marion, Iowa.

The Senate rose and expressed its welcome.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2445), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

House File 2467

On motion of Senator Rozenboom, **House File 2467**, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom offered amendment S-5210, filed by Senators Rozenboom and Edler from the floor to pages 1-3 and amending the title page of the bill, and moved its adoption.

Amendment S-5210 was adopted by a voice vote.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2467), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Sinclair
Breitbach	Greene	Lykam	Smith
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2235** and **House Files 2404, 2427, 2445, and 2467** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 2:23 p.m. until 9:00 a.m., Wednesday, April 4, 2018.

APPENDIX

REPORT OF COMMITTEE MEETING

LOCAL GOVERNMENT

Convened: Tuesday, March 27, 2018, 3:35 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, and Segebart.

Members Absent: McCoy and Quirnbach (both excused).

Committee Business: Governor's appointees.

Adjourned: 3:40 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 101, by Zaun, a concurrent resolution urging Congress to enact legislation to limit the interest rates collected or imposed by the United States Department of Education for certain federal student college loans.

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

INTRODUCTION OF BILL

Senate File 2402, by Smith, a bill for an act providing for an exclusion from the individual income tax for certain amounts of governmental pension or retirement pay related to periods of employment not covered by the federal Social Security Act, and including applicability provisions.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 2, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2114 – Relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Senate File 2231 – Relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Senate File 2256 – Relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Senate File 2310 – Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Senate File 2323 – Relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Senate File 2334 – Relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

Senate File 2349 – Relating to health plans established by associations of employers or sponsored by certain agricultural organizations.

Senate File 2366 – Concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

LOCAL GOVERNMENT

Chris McKee – City Development Board
Dennis Plautz – City Development Board

Rick Larkin – Mental Health Risk Pool Board
Andrew Nielsen – Mental Health Risk Pool Board
Peggy Rice – Mental Health Risk Pool Board
Shane Walter – Mental Health Risk Pool Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Katherine Asjes as a member of the Board of Medicine, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Thomas Carnahan as a member of the Commission on the Status of Women, is now automatically placed, without recommendation, upon the individual confirmation calendar.

AMENDMENTS FILED

S-5209	S.F.	2169	House
S-5210	H.F.	2467	Ken Rozenboom Jeff Edler
S-5211	H.F.	2280	Mark Chelgren
S-5212	S.F.	2235	Robert M. Hogg
S-5213	S.F.	2235	Matt McCoy
S-5214	H.F.	2280	Rita Hart

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 4, 2018

The Senate met in regular session at 9:05 a.m., President Schneider presiding.

Prayer was offered by Pastor Terry Amann of the Walnut Creek Church in Des Moines, Iowa. He was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabella O'Connor.

The Journal of Tuesday, April 3, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 481, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities. (S-5216)

ALSO: That the House has on April 3, 2018, **concurred** in the Senate amendment and **passed** the following bills in which the concurrence of the House was asked:

House File 2233, a bill for an act relating to mechanics' liens and public construction liens.

House File 2441, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions.

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

The Senate resumed session at 11:10 a.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Matthew Gibson, Commission on the Status of African Americans

Caleb Primrose, Iowa Autism Council

Lynne Rush, Boiler and Pressure Vessel Board

Chris McKee, City Development Board
Dennis Plautz, City Development Board

Cynthia Hummel, Board of Cosmetology Arts and Sciences

Tiffany Allison, Criminal and Juvenile Justice Planning Advisory Council

Joel Greer, Criminal and Juvenile Justice Planning Advisory Council

Gary Schriver, Commission of Persons with Disabilities

Linda Crookham-Hansen, Economic Development Authority
Mark Kittrell, Economic Development Authority

Bruce Lehrman, Economic Development Authority
Christian Murray, Economic Development Authority

Penny Clark, Electrical Examining Board

Ashley Koopmans, Employment Appeal Board

John Micka, Landscape Architectural Examining Board

Ricardo Martinez II, Iowa Law Enforcement Academy Council

Dr. Philip Bear, Board of Medicine

Rick Larkin, Mental Health Risk Pool Board
Andrew Nielsen, Mental Health Risk Pool Board
Shane Walter, Mental Health Risk Pool Board

Rebecca Ervin, Board of Mortuary Science

Michael Moore, Board of Nursing Home Administrators

Cheryl Arnold, Board of Physician Assistants

Madison Buttermore, Plumbing and Mechanical Systems Board
Toni Knight, Plumbing and Mechanical Systems Board

Dr. Roger Drown, Board of Podiatry

Dr. Lisa Streyffeler, Board of Psychology

Megan Johnson, Board of Sign Language Interpreters and
Translitterators

Mark Hillenbrand, Board of Social Work

Denise Renaud, Board of Speech Pathology and Audiology

Becky Jacobsen, Iowa Workforce Development Board
Randy Moore, Iowa Workforce Development Board
Lynn Schreder, Iowa Workforce Development Board

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

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, 1:

Taylor

Absent, 1:

Zumbach

Vacant, 1.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2442.

House File 2442

On motion of Senator Sinclair, **House File 2442**, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair offered amendment S-5217, filed by her from the floor to pages 2-5 of the bill, and moved its adoption.

Amendment S-5217 was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2442), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2391, 2394, and 2398.

Senate File 2391

On motion of Senator Carlin, **Senate File 2391**, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities, was taken up for consideration.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2391), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 2394

On motion of Senator Chelgren, **Senate File 2394**, a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Dawson offered amendment S-5219, filed by him from the floor to pages 2, 7, 9-12, 15, 18-20, 22, and 34 of the bill.

Senator Jochum asked and received unanimous consent that action on amendment S-5219 and **Senate File 2394** be **deferred**.

Senate File 2398

On motion of Senator Behn, **Senate File 2398**, a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties, was taken up for consideration.

Senator Shipley asked and received unanimous consent that action on **Senate File 2398** be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2391** and **House File 2442** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Rebecca Guinn as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on February 20, 2018, found on page 405 of the Senate Journal.

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

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

Yeas, 48:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom

Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, none.

Vacant, 1.

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

Senator Whitver called up the appointment of Harold Hommes as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 27, 2018, found on page 797 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, none.

Vacant, 1.

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

Senator Whitver called up the appointment of Brian Ohorilko as Administrator of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 28, 2018, found on page 816 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, none.

Vacant, 1.

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

Senator Whitver called up the appointment of Kristine Kramer as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 28, 2018, found on page 816 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Costello	Horn	Quirnbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	Zumbach

Nays, 1:

Taylor

Absent, none.

Vacant, 1.

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

HOUSE AMENDMENT CONSIDERED

Senate File 2169

Senator Whitver called up for consideration **Senate File 2169**, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries, amended by the House in House amendment S-5209, filed April 3, 2018.

Senator Hogg asked and received unanimous consent that action on amendment S-5209 and **Senate File 2169** be **deferred**.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2280.

House File 2280

On motion of Senator Chelgren, **House File 2280**, a bill for an act relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program, and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Chelgren offered amendment S-5211, filed by him on April 3, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bowman asked and received unanimous consent that action on amendment S-5211 and **House File 2280** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 637.

House File 637

On motion of Senator Zumbach, **House File 637**, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Zumbach offered amendment S-5151, filed by the committee on Appropriations on March 13, 2018, to pages 1-3 and amending the title page of the bill, and moved its adoption.

Amendment S-5151 was adopted by a voice vote.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 637), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 637** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2398

The Senate resumed consideration of **Senate File 2398**, a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties, previously deferred.

Senator Shipley offered amendment S-5215, filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment S-5215 was adopted by a voice vote.

Senator Shipley offered amendment S-5220, filed by him from the floor to pages 11 and 21 of the bill, and moved its adoption.

Amendment S-5220 was adopted by a voice vote.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2398), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2398** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:53 p.m. until 2:00 p.m.

RECONVENED

The Senate reconvened at 2:57 p.m., President Schneider presiding.

BUSINESS PENDING

Senate File 2169

The Senate resumed consideration of **Senate File 2169**, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries, and House amendment S-5209, previously deferred.

Senator Breitbach moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” (S.F. 2169), the vote was:

Yeas, 46:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Kapucian	Schultz
Bisignano	Dotzler	Kinney	Segebart
Bolkcom	Dvorsky	Kraayenbrink	Shiple
Boulton	Edler	Lofgren	Sinclair
Bowman	Feenstra	Lykam	Smith
Breitbach	Garrett	Mathis	Taylor
Brown	Greene	McCoy	Whitver
Carlin	Guth	Petersen	Zaun
Chapman	Hart	Quirmbach	Zumbach
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, 3:

Bertrand	Hogg	Johnson, D.
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Absent, none.

Vacant, 1.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Breitbach moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2169), the vote was:

Yeas, 32:

Behn	Danielson	Hart	Schultz
Bertrand	Dawson	Johnson, C.	Segebart
Bowman	Dotzler	Kapucian	Shiple
Breitbach	Edler	Kinney	Sinclair
Brown	Feenstra	Kraayenbrink	Smith
Carlin	Garrett	Lofgren	Whitver
Chapman	Greene	Rozenboom	Zaun
Chelgren	Guth	Schneider	Zumbach

Nays, 17:

Allen	Dvorsky	Lykam	Ragan
Bisignano	Hogg	Mathis	Taylor
Bolkcom	Horn	McCoy	
Boulton	Jochum	Petersen	
Costello	Johnson, D.	Quirmbach	

Absent, none.

Vacant, 1.

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

HOUSE AMENDMENT CONSIDERED

Senate File 481

Senator Whitver called up for consideration **Senate File 481**, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities, amended by the House in House amendment S-5216, filed April 4, 2018.

Senator D. Johnson asked and received unanimous consent that action on House amendment S-5216 and **Senate File 481** be **deferred**.

BUSINESS PENDING

Senate File 2394

The Senate resumed consideration of **Senate File 2394**, a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations, and amendment S-5219, previously deferred.

Senator Dawson asked and received unanimous consent that action on amendment S-5219 be deferred.

Senator Hogg deferred amendment S-5224, filed by him from the floor to page 7 of the bill.

Senator Hogg deferred amendment S-5223, filed by him from the floor to page 8 of the bill.

The Senate resumed consideration of amendment S-5219, previously deferred.

Senator Hogg offered amendment S-5225, filed by him from the floor to pages 1 and 7 of amendment S-5219, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5225 to amendment S-5219 be adopted?” (S.F. 2394), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Chapman	Horn	McCoy	

Nays, 27:

Behn	Dawson	Kapucian	ShIPLEY
Bertrand	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Absent, none.

Vacant, 1.

Amendment S-5225 to amendment S-5219 lost.

Senator Dawson moved the adoption of amendment S-5219.

Amendment S-5219 was adopted by a voice vote.

The Senate resumed consideration of amendment S-5224, previously deferred.

Senator Hogg moved the adoption of amendment S-5224.

A record roll call was requested.

On the question "Shall amendment S-5224 be adopted?" (S.F. 2394), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

Amendment S-5224 was adopted.

The Senate resumed consideration of amendment S-5223, previously deferred.

Senator Hogg moved the adoption of amendment S-5223.

Amendment S-5223 was adopted by a voice vote.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2394), the vote was:

Yeas, 45:

Allen	Dawson	Johnson, D.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bertrand	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chelgren	Horn	Quirmbach	
Costello	Jochum	Ragan	
Danielson	Johnson, C.	Rozenboom	

Nays, 4:

Bisignano	Chapman	Hogg	Taylor
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Absent, none.

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2169** and **2394** be **immediately messaged** to the House.

The Senate stood at ease at 3:54 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:55 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bowman, Dvorsky, and Quirmbach, until they return, on request of Senator Petersen.

BUSINESS PENDING

Senate File 481

The Senate resumed consideration of **Senate File 481**, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities, and House amendment S-5216, previously deferred.

Senator McCoy asked and received unanimous consent that action on House amendment S-5216 and **Senate File 481** be **deferred**.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2320.

Senate File 2320

On motion of Senator Chelgren, **Senate File 2320**, a bill for an act relating to county supervisor representation and districting plans, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Chelgren offered amendment S-5218, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5218 was adopted by a voice vote.

Senator Chelgren asked and received unanimous consent that **House File 2372** be **substituted** for **Senate File 2320**.

House File 2372

On motion of Senator Chelgren, **House File 2372**, a bill for an act relating to county supervisor representation and districting plans, was taken up for consideration.

Senator Hogg withdrew amendment S-5208, filed by him on April 2, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Hogg deferred amendment S-5170, filed by him on March 20, 2018, to page 1 of the bill.

Senator Hogg deferred amendment S-5171, filed by him on March 20, 2018, to page 1 of the bill.

Senator Hogg deferred amendment S-5203, filed by him on March 28, 2018, to page 1 of the bill.

Senator Chelgren withdrew amendment S-5221, filed by him from the floor to page 1 of the bill.

Senator Chelgren offered amendment S-5226, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5226 was adopted by a voice vote.

With the adoption of amendment S-5226, the Chair ruled the following amendments out of order: amendment S-5204, filed by Senator Hogg on March 28, 2018, to page 1 of the bill; and amendments S-5171 and S-5203, previously deferred.

Senator Hogg withdrew amendment S-5205, filed by him on March 29, 2018, to page 3 of the bill.

Senator Hogg withdrew amendment S-5170, previously deferred.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2372), the vote was:

Yeas, 26:

Behn	Costello	Johnson, C.	Shipley
Bertrand	Dawson	Kraayenbrink	Sinclair
Breitbach	Edler	Lofgren	Smith
Brown	Feenstra	Rozenboom	Whitver
Carlin	Garrett	Schneider	Zaun
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	

Nays, 20:

Allen	Dotzler	Johnson, D.	McCoy
Bisignano	Hart	Kapucian	Petersen
Bolkcom	Hogg	Kinney	Ragan
Boulton	Horn	Lykam	Taylor
Danielson	Jochum	Mathis	Zumbach

Absent, 3:

Bowman	Dvorsky	Quirnbach
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Vacant, 1.

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

WITHDRAWN

Senator Chelgren asked and received unanimous consent that **Senate File 2320** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2372** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 481

The Senate resumed consideration of **Senate File 481**, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities, and House amendment S-5216, previously deferred.

Senator D. Johnson offered amendment S-5228, filed by him from the floor to page 1 of House amendment S-5216 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5228 to House amendment S-5216 be adopted?" (S.F. 481), the vote was:

Yeas, 19:

Allen	Dotzler	Johnson, D.	Petersen
Bisignano	Hart	Kinney	Quirnbach
Bolkcom	Hogg	Lykam	Ragan
Boulton	Horn	Mathis	Taylor
Danielson	Jochum	McCoy	

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, 2:

Bowman	Dvorsky
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Vacant, 1.

Amendment S-5228 to House amendment S-5216 lost.

Senator D. Johnson offered amendment S-5227, filed by him from the floor to page 1 of House amendment S-5216, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5227 to House amendment S-5216 be adopted?" (S.F. 481), the vote was:

Yeas, 19:

Allen	Dotzler	Johnson, D.	Petersen
Bisignano	Hart	Kinney	Quirnbach
Bolkcom	Hogg	Lykam	Ragan
Boulton	Horn	Mathis	Taylor
Danielson	Jochum	McCoy	

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbach	Elder	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, 2:

Bowman	Dvorsky
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Vacant, 1.

Amendment S-5227 to House amendment S-5216 lost.

Senator Sinclair took the chair at 6:54 p.m.

President Schneider took the chair at 7:19 p.m.

Senator Garrett moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Garrett moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 481), the vote was:

Yeas, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shipleay
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Nays, 18:

Allen	Dotzler	Johnson, D.	Petersen
Bisignano	Hart	Kinney	Quirmbach
Bolkcom	Hogg	Lykam	Ragan
Boulton	Horn	Mathis	
Danielson	Jochum	McCoy	

Present, 1:

Taylor

Absent, 2:

Bowman Dvorsky

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 481** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2230, a bill for an act relating to kidnapping in the second degree, and providing penalties.

ALSO: That the House has on April 4, 2018, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

House File 2338, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

ALSO: That the House has on April 4, 2018, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, and **passed** the following bill in which the concurrence of the Senate is asked:

House File 2234, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property. (S-5229)

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 7:56 p.m. until 9:00 a.m., Thursday, April 5, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Anna Starcevich, Davenport—For being named as Iowa's Great 100 Nurses for 2018. Senator Hart.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Wednesday, April 4, 2018, 1:00 p.m.

Members Present: Breitbach, Chair; Sinclair, Vice Chair; McCoy, Ranking Member; Hogg and Lofgren.

Members Absent: None.

Committee Business: SSBs 3209 and 3210.

Adjourned: 2:00 p.m.

ALSO:

Convened: Wednesday, April 4, 2018, 2:05 p.m.

Members Present: Breitbach, Chair; Sinclair, Vice Chair; McCoy, Ranking Member; Hogg and Lofgren.

Members Absent: None.

Committee Business: HF's 2475 and 2477.

Adjourned: 2:25 p.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 2402

WAYS AND MEANS: Feenstra, Chair; Behn and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: HOUSE FILE 2475, a bill for an act relating to governmental ethics and the regulation of lobbyists and gifts and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Breitbach, Sinclair, McCoy, Hogg, and Lofgren. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2477, a bill for an act relating to disclosures of information to the auditor of state.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Breitbach, Sinclair, McCoy, Hogg, and Lofgren. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 4th day of April, 2018.

Senate File 2274.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 4, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2241 – Relating to the commission of a parole violation or a criminal offense while on parole.

Senate File 2257 – Defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Senate File 2271 – Relating to motor carriers, and making penalties applicable.

Senate File 2274 – Requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Senate File 2333 – Relating to amusement concessions concerning allowable prizes and including effective date provisions.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Gretchen Tegeler to School Budget Review Committee be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

JANET PETERSEN

AMENDMENTS FILED

S-5215	S.F.	2398	Tom Shipley
S-5216	S.F.	481	House
S-5217	H.F.	2442	Amy Sinclair
S-5218	S.F.	2320	Mark Chelgren
S-5219	S.F.	2394	Dan Dawson
S-5220	S.F.	2398	Tom Shipley
S-5221	H.F.	2372	Mark Chelgren
S-5222	H.F.	2280	Tod R. Bowman
S-5223	S.F.	2394	Robert M. Hogg
S-5224	S.F.	2394	Robert M. Hogg
S-5225	S.F.	2394	Robert M. Hogg
S-5226	H.F.	2372	Mark Chelgren
S-5227	S.F.	481	David Johnson
S-5228	S.F.	481	David Johnson
S-5229	H.F.	2234	House

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 5, 2018

The Senate met in regular session at 9:08 a.m., President Schneider presiding.

Prayer was offered by Pastor Terry Pollard of United Methodist Church in New Sharon, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jakem Ostrander.

The Journal of Wednesday, April 4, 2018, was approved.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:00 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Zumbach, until they arrive, on request of Senator Whitver; and Senator Bisignano, until he arrives, on request of Senator Petersen.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2400 and 2401.

Senate File 2400

On motion of Senator Feenstra, **Senate File 2400**, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2400), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	
Danielson	Jochum	Ragan	

Nays, none.

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

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

Senate File 2401

On motion of Senator Feenstra, **Senate File 2401**, a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2401), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	
Danielson	Jochum	Ragan	

Nays, none.

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2400** and **2401** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2381, 2414, and 2444.

House File 2381

On motion of Senator Garrett, **House File 2381**, a bill for an act relating to the disposition of a child found to have committed a delinquent act, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2381), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	
Danielson	Jochum	Ragan	

Nays, none.

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

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

House File 2414

On motion of Senator Garrett, **House File 2414**, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2414), the vote was:

Yeas, 45:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	
Costello	Horn	Quirnbach	
Danielson	Jochum	Ragan	

Nays, 1:

Taylor

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

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

House File 2444

On motion of Senator Shipley, **House File 2444**, a bill for an act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2444), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	
Danielson	Jochum	Ragan	

Nays, none.

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2381, 2414, and 2444** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:23 a.m. until 1:00 p.m., Monday April 9, 2018.

APPENDIX**REPORT OF COMMITTEE MEETING****APPROPRIATIONS**

Convened: Thursday, April 5, 2018, 1:00 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkom, Ranking Member; Boulton, Breitbach, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley.

Members Absent: Chelgren and Zumbach (both excused).

Committee Business: Consideration of HF 633 and SSB 3208.

Adjourned: 1:35 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2011, by committee on Government Oversight, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

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

INTRODUCTION OF BILL

Senate File 2403, by committee on Government Oversight, a bill for an act authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

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

FINAL COMMITTEE REPORTS OF BILL ACTION**GOVERNMENT OVERSIGHT**

Bill Title: SENATE JOINT RESOLUTION 2011 (SSB 3210), a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Breitbart, Sinclair, McCoy, Hogg, and Lofgren. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2403 (SSB 3209), A bill for an act authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Breitbart, Sinclair, and Lofgren. Nays, 2: McCoy and Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2360, the following correction was made:

1. Page 1, line 20, removed the italics from the letter "k".

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

S-5230	S.F.	2399	Herman C. Quirnbach
S-5231	S.F.	2399	Herman C. Quirnbach

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 9, 2018

The Senate met in regular session at 1:07 p.m., President Schneider presiding.

Prayer was offered by Pastor Bob Bekkerus of St. Mark Lutheran Church in West Des Moines, Iowa. He was the guest of Senator Schneider.

PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, April 5, 2018, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:10 p.m. until 10:00 a.m., Tuesday, April 10, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Charley and Holly Deam, Anamosa—For celebrating their 50th wedding anniversary. Senator Bowman.

INTRODUCTION OF BILL

Senate File 2404, by committee on Appropriations, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2404 (SSB 3208), a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Schneider, Kraayenbrink, Breitbach, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, McCoy, Ragan, Rozenboom, and Shipley. Nays, 3: Bolkcom, Boulton, and Mathis. Absent, 2: Chelgren and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 633, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5232.

Final Vote: Ayes, 19: Schneider, Kraayenbrink, Bolkcom, Boulton, Breitbach, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley. Nays, none. Absent, 2: Chelgren and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5232 H.F. 633 Appropriations

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 10, 2018

The Senate met in regular session at 10:01 a.m., President Schneider presiding.

Prayer was offered by Reverend Joe Stutler of the Humanists of Linn County and Universal Life Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Spencer Short.

The Journal of Monday, April 9, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 2018, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 637, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council.

House File 2467, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

ALSO: That the House has on April 9, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2480, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Read first time and attached to **companion Senate File 2404**.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 10:12 a.m. until 10:00 a.m., Wednesday, April 11, 2018.

APPENDIX

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 10th day of April, 2018.

Senate Files 192, 481, 2165, 2169, 2175, 2177, 2203, 2226, 2229, 2293, 2347, and 2364.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 10, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 481 – Relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

Senate File 2169 – Limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Senate File 2177 – Relating to consumer protection modifying provisions applicable to consumer security freezes and personal information security breach protection, and including effective date provisions.

Senate File 2203 – Authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

Senate File 2226 – Relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

Senate File 2229 – Relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

Senate File 2293 – Relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

Senate File 2347 – Providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

AMENDMENTS FILED

S-5233	H.F.	2377	Thomas A. Greene
S-5234	H.F.	2377	Thomas A. Greene

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 11, 2018

The Senate met in regular session at 10:04 a.m., President Schneider presiding.

Prayer was offered by the Honorable Dan Zumbach, member of the Senate from Delaware County, Ryan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Tuesday, April 10, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2277, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist or a county registrar.

ALSO: That the House has on April 10, 2018, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, **and passed** the following bill in which the concurrence of the Senate is asked:

House File 2442, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions. (S-5235)

ALSO: That the House has on April 10, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2481, a bill for an act relating to school funding by modifying provisions relating to the collection of sales tax for deposit in the secure an advanced vision for education fund, provisions relating to the use of tax revenue from the secure an advanced vision for education fund, and provisions relating to the calculation of the additional property tax levy, and making appropriations.

Read first time and attached to **similar Senate File 2393**.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:12 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:15 a.m., President Schneider presiding.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 115, a resolution for recognizing and congratulating University of Iowa Hawkeye wrestler Spencer Lee on his outstanding achievements in college wrestling.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 116, a resolution for recognizing Graceland University and congratulating its men's basketball team for its outstanding 2017–2018 season, which it finished dramatically by winning the 2018 National Association of Intercollegiate Athletics 81st Annual Division I Men's Basketball Championship.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolutions 115 and 116.

Senate Resolution 115

On motion of Senator Bowman, **Senate Resolution 115**, a resolution for recognizing and congratulating University of Iowa Hawkeye wrestler Spencer Lee on his outstanding achievements in college wrestling, with report of committee recommending passage, was taken up for consideration.

Senator Bowman moved the adoption of Senate Resolution 115, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Bowman introduced to the Senate chamber University of Iowa Head Wrestling Coach Tom Brands, Assistant Coach Ryan Morningstar, and the 2018 National Collegiate Athletic Association (NCAA) wrestling champion, Spencer Lee.

Spencer Lee addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

Senate Resolution 116

On motion of Senator Sinclair, **Senate Resolution 116**, a resolution for recognizing Graceland University and congratulating its men's basketball team for its outstanding 2017–2018 season, which it finished dramatically by winning the 2018 National Association of Intercollegiate Athletics 81st Annual Division I Men's Basketball Championship, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved the adoption of Senate Resolution 116, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Sinclair introduced to the Senate chamber Graceland University Men's basketball team, winners of the 2018 National Association of Intercollegiate Athletics 81st Annual Division I Men's Basketball championship. They were accompanied by Head Coach Craig Doty and President of Graceland College Patricia Draves.

The Senate rose and expressed its congratulations.

The Senate stood at ease at 10:31 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:24 p.m., President Schneider presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2389, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

ALSO: That the House has on April 11, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2258, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

ALSO: That the House has on April 11, 2018, **amended and adopted** the following resolution in which the concurrence of the Senate is asked:

Senate Joint Resolution 2006, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession. (S-5239)

RECESS

On motion of Senator Whitver, the Senate recessed at 12:25 p.m. until 1:30 p.m.

RECONVENED

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he returns, on request of Senator Whitver.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2399.

Senate File 2399

On motion of Senator Smith, **Senate File 2399**, a bill for an act exempting from the Iowa individual income tax the amount of income resulting from prize money and medals received from competition in the olympic or paralympic games, and including retroactive applicability provisions, was taken up for consideration.

Senator Quirmbach withdrew amendment S-5230, filed by him on April 5, 2018, to page 1 and amending the title page of the bill.

Senator Quirmbach offered amendment S-5231, filed by him on April 5, 2018, to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5231 be adopted?" (S.F. 2399), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 27:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	

Absent, 1:

Zumbach

Vacant, 1.

Amendment S-5231 lost.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2399), the vote was:

Yeas, 42:

Allen	Danielson	Jochum	Schneider
Behn	Dawson	Johnson, C.	Schultz
Bertrand	Dotzler	Johnson, D.	Segebart
Boulton	Dvorsky	Kinney	Shipley

Bowman	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Lykam	Taylor
Carlin	Greene	Mathis	Whitver
Chapman	Guth	Quirnbach	Zaun
Chelgren	Hart	Ragan	
Costello	Horn	Rozenboom	

Nays, 6:

Bisignano	Hogg	McCoy
Bolkcom	Kapucian	Petersen

Absent, 1:

Zumbach

Vacant, 1.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2371.

House File 2371

On motion of Senator Lofgren, **House File 2371**, a bill for an act exempting the state and municipalities from liability for claims involving honeybees on public property, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2371), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider

Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	

Nays, 1:

Bisignano

Absent, 1:

Zumbach

Vacant, 1.

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2404.

Senate File 2404

On motion of Senator C. Johnson, **Senate File 2404**, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes, was taken up for consideration.

Senator C. Johnson asked and received unanimous consent that **House File 2480** be **substituted** for **Senate File 2404**.

House File 2480

On motion of Senator C. Johnson, **House File 2480**, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes, was taken up for consideration.

Senator Mathis offered amendment S-5238, filed by her from the floor to pages 1 and 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5238 be adopted?" (H.F. 2480), the vote was:

Yeas, 22:

Allen	Danielson	Horn	Petersen
Bisignano	Dotzler	Jochum	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Greene	Lykam	Taylor
Bowman	Hart	Mathis	
Chelgren	Hogg	McCoy	

Nays, 26:

Behn	Dawson	Kapucian	ShIPLEY
Bertrand	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Whitver
Carlin	Guth	Schneider	Zaun
Chapman	Johnson, C.	Schultz	
Costello	Johnson, D.	Segebart	

Absent, 1:

Zumbach

Vacant, 1.

Amendment S-5238 lost.

Senator C. Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2480), the vote was:

Yeas, 41:

Allen	Dawson	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bertrand	Dvorsky	Kinney	Shipley
Bisignano	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	McCoy	Whitver
Carlin	Guth	Quirmbach	Zaun
Chapman	Hart	Ragan	
Costello	Horn	Rozenboom	
Danielson	Johnson, C.	Schneider	

Nays, 7:

Bolkcom	Chelgren	Jochum	Petersen
Boulton	Hogg	Mathis	

Absent, 1:

Zumbach

Vacant, 1.

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

WITHDRAWN

Senator C. Johnson asked and received unanimous consent that **Senate File 2404** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2399** and **House Files 2371** and **2480** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Rudolfo Reyes, Accountancy Examining Board

Dr. Ritu Gurung, Commission of Asian and Pacific Islander Affairs
Karlai Thornburg, Commission of Asian and Pacific Islander Affairs

Michelle Yoshimura-Smith, Commission of Asian and Pacific Islander Affairs

Dr. Lisa Woodroffe, Board of Athletic Training

Jenny Phan, Iowa Autism Council

Anna Hilpipre, Commission on Community Action Agencies

Tammy Bramley, Criminal and Juvenile Justice Planning Advisory Council

Lori Elmitt, Board of Dentistry

Ronda Eick, Healthy and Well Kids in Iowa (HAWK-I) Board

Ben Snyder, Interior Design Examining Board

Emily Naylor, Landscape Architectural Examining Board

Peggy Rice, Mental Health Risk Pool Board

Charlean Schlepp, Board of Nursing Home Administrators

Edward McKenna, Board of Pharmacy

Rachel Judisch, Board of Physical and Occupational Therapy

Travis Carlson, Board of Podiatry

Carrie Duncan, Iowa Workforce Development Board

John Krogman, Iowa Workforce Development Board

Rich Kurtenbach, Iowa Workforce Development Board

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

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 47:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider

Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, 1:

Taylor

Absent, 1:

Zumbach

Vacant, 1.

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Stephen Larson as Administrator of Alcoholic Beverages Division, placed on the Individual Confirmation Calendar on March 28, 2018, found on page 816 of the Senate Journal.

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

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

Yeas, 47:

Allen	Costello	Horn	Quirmbach
Behn	Danielson	Jochum	Ragan
Bertrand	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	

Nays, 1:

Taylor

Absent, 1:

Zumbach

Vacant, 1.

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

Senator Whitver called up the appointment of Katherine Asjes as a member of the Board of Medicine, placed on the Individual Confirmation Calendar on April 3, 2018, found on page 860 of the Senate Journal.

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

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 30:

Behn	Dawson	Johnson, D.	Segebart
Bertrand	Edler	Kapucian	Shipley
Breitbach	Feenstra	Kraayenbrink	Sinclair
Brown	Garrett	Lofgren	Smith
Carlin	Greene	Quirnbach	Whitver
Chapman	Guth	Rozenboom	Zaun
Chelgren	Horn	Schneider	
Costello	Johnson, C.	Schultz	

Nays, 18:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hart	Mathis	
Bowman	Hogg	McCoy	

Absent, 1:

Zumbach

Vacant, 1.

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

Senator Whitver called up the appointment of Gretchen Tegeler as a member of the School Budget Review Committee, placed on the Individual Confirmation Calendar on April 4, 2018, found on page 889 of the Senate Journal.

Senator C. Johnson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 42:

Allen	Dawson	Jochum	Rozenboom
Behn	Dotzler	Johnson, C.	Schneider
Bertrand	Dvorsky	Johnson, D.	Schultz
Bowman	Edler	Kapucian	Segebart
Breitbach	Feenstra	Kinney	Shiple
Brown	Garrett	Kraayenbrink	Sinclair
Carlin	Greene	Lofgren	Smith
Chapman	Guth	Lykam	Whitver
Chelgren	Hart	Mathis	Zaun
Costello	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 6:

Bisignano	Boulton	Petersen
Bolkcom	McCoy	Taylor

Absent, 1:

Zumbach

Vacant, 1.

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

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:09 p.m. until 9:00 a.m., Thursday, April 12, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

Schedule of Expenditures of Federal Awards Independent Auditor's Report, pursuant to Iowa Code section 11.6. Report received on April 10, 2018.

DEPARTMENT OF MANAGEMENT

Senate File 2117 Deappropriation Report, pursuant to Senate File 2117, section 1. Report received on April 10, 2018.

CERTIFICATE OF RECOGNITION

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

Zachary Hodgson, Urbandale—For reaching the rank of Eagle Scout, Troop #96. Senator Bisignano.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Wednesday, April 11, 2018, 10:15 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith.

Members Absent: None.

Committee Business: Consideration of SRs 115, 116, and 117.

Adjourned: 10:20 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 117, by Costello, a resolution for celebrating and recognizing the many accomplishments of Dr. Peggy Whitson.

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

Senate Resolution 118, by Whitver, a resolution for deferring action on the confirmation of certain appointments submitted by the Governor.

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

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 117, a resolution for celebrating and recognizing the many accomplishments of Dr. Peggy Whitson.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 192 – Relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Senate File 2165 – Concerning payments under the crime victim compensation program.

Senate File 2175 – Relating to partition of property in kind and partition of property by sale.

Senate File 2364 – Requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

AMENDMENTS FILED

S-5235	H.F.	2442	House
S-5236	H.F.	2377	Mark Costello
S-5237	H.F.	2342	Julian B. Garrett
S-5238	H.F.	2480	Liz Mathis
S-5239	S.J.R.	2006	House
S-5240	S.F.	220	Brad Zaun

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 12, 2018

The Senate met in regular session at 9:01 a.m., President Schneider presiding.

Prayer was offered by Victoria Daniels, secretary to Senator Bisignano.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Greer Simmons.

The Journal of Wednesday, April 11, 2018, was approved.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:04 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:11 a.m., President Schneider presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 117.

Senate Resolution 117

On motion of Senator Costello, **Senate Resolution 117**, a resolution for celebrating and recognizing the many accomplishments of Dr. Peggy Whitson, with report of committee recommending passage, was taken up for consideration.

Senator Costello moved the adoption of Senate Resolution 117, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Costello introduced to the Senate chamber NASA astronaut, Dr. Peggy Whitson.

Dr. Whitson addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 118, a resolution for deferring action on the confirmation of certain appointments submitted by the Governor.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 118.

Senate Resolution 118

On motion of Senator Whitver, **Senate Resolution 118**, a resolution for deferring action on the confirmation of certain appointments submitted by the Governor, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of Senate Resolution 118, which motion prevailed by a voice vote.

The Senate stood at ease at 9:48 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:25 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bisignano, until he arrives, on request of Senator Petersen; and Senators Bertrand and Zumbach, until they arrive, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Pam Kracht, Criminal and Juvenile Justice Planning Advisory Council

Dr. Jonathan Crosbie, Healthy and Well Kids in Iowa (Hawk-I) Board

Kathy Pearson, State Judicial Nominating Commission

Suresh Basnet, Commission of Asian and Pacific Islander Affairs

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

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 45:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith

Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	
Costello	Horn	Quirnbach	
Danielson	Jochum	Ragan	

Nays, 1:

Taylor

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2442

Senator Whitver called up for consideration **House File 2442**, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions, amended by the Senate and further amended by the House in House amendment S-5235 to Senate amendment H-8363, filed April 11, 2018.

Senator Sinclair moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Sinclair moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2442), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	
Danielson	Jochum	Ragan	

Nays, none.

Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2396.

Senate File 2396

On motion of Senator Dawson, **Senate File 2396**, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2396), the vote was:

Yeas, 44:

Allen	Dawson	Johnson, C.	Ragan
Behn	Dotzler	Johnson, D.	Rozenboom
Boulton	Edler	Kapucian	Schneider
Bowman	Feenstra	Kinney	Schultz
Breitbach	Garrett	Kraayenbrink	Segebart
Brown	Greene	Lofgren	Shipley
Carlin	Guth	Lykam	Sinclair
Chapman	Hart	Mathis	Smith
Chelgren	Hogg	McCoy	Taylor
Costello	Horn	Petersen	Whitver
Danielson	Jochum	Quirnbach	Zaun

Nays, 2:

Bolkcom	Dvorsky
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Absent, 3:

Bertrand	Bisignano	Zumbach
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Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Joint Resolution 2011.

Senate Joint Resolution 2011

On motion of Senator Breitbach, **Senate Joint Resolution 2011**, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds, was taken up for consideration.

Senator Breitbach moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

Senate Joint Resolution 2011, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds. WHEREAS, A Brotherhood Aimed Towards Education (ABATE) of Iowa District 4 holds a motorcycle rally toy run in October of each year to collect toys for Iowa children; and WHEREAS, all donations from this toy run benefit Iowa children; and WHEREAS, ABATE of Iowa wishes to sell commemorative t-shirts, sweatshirts, lapel pins, and patches for the further benefit of Iowa children and to defray the costs of a police escort; and WHEREAS, ABATE of Iowa District 4 plans to hold a toy run on or around October 14, 2018; and WHEREAS, because 11 IAC 100.4(4) and 11 IAC 100.5(2) prohibit sales to state employees or to the public on the state capitol complex grounds without prior approval, ABATE of Iowa District 4 may not be permitted to sell commemorative t-shirts, sweatshirts, lapel pins, and patches for the benefit of Iowa children during its toy run; NOW THEREFORE, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: Section 1. Notwithstanding the prior approval requirements of 11 IAC 100.4(4) and 11 IAC 100.5(2), the department of administrative services shall permit ABATE of Iowa District 4 to sell commemorative t-shirts, sweatshirts, lapel pins, and patches on the state capitol complex grounds during the toy run held on or around October 14, 2018, provided that ABATE of Iowa District 4 shall first provide the department of administrative services with a copy of an Iowa sales tax permit for the location of the sales, or proof of application for such a permit.

On the question “Shall the resolution be adopted?” (S.J.R. 2011), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	
Danielson	Jochum	Ragan	

Nays, none.

Absent, 3:

Bertrand Bisignano Zumbach

Vacant, 1.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Joint Resolution 2011, Senate File 2396, and House File 2442** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of David Langkamp as a member of the Board of Mortuary Science, placed on the Individual Confirmation Calendar on February 26, 2018, found on page 446 of the Senate Journal.

Senator Brown moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	
Costello	Horn	Quirmbach	

Nays, 1:

Taylor

Absent, 2:

Bertrand Zumbach

Vacant, 1.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Mike Cormack as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on April 2, 2018, found on page 845 of the Senate Journal.

Senator Schultz moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 27:

Behn	Dawson	Johnson, D.	Segebart
Breitbach	Edler	Kapucian	Shiple
Brown	Feenstra	Kraayenbrink	Sinclair
Carlin	Garrett	Lofgren	Smith
Chapman	Greene	Rozenboom	Whitver
Chelgren	Guth	Schneider	Zaun
Costello	Johnson, C.	Schultz	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 2:

Bertrand Zumbach

Vacant, 1.

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

Senator Whitver called up the appointment of Pennie Gonseth Cheers as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 28, 2018, found on page 816 of the Senate Journal.

Senator Smith moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	
Costello	Horn	Quirmbach	

Nays, 1:

Taylor

Absent, 2:

Bertrand Zumbach

Vacant, 1.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Thomas Carnahan as a member of the Commission on the Status of Women, placed on the Individual Confirmation Calendar on April 3, 2018, found on page 860 of the Senate Journal.

Senator Smith moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	
Costello	Horn	Quirmbach	

Nays, 1:

Taylor

Absent, 2:

Bertrand Zumbach

Vacant, 1.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 648.

House File 648

On motion of Senator Rozenboom, **House File 648**, a bill for an act relating to career and technical education programs and partnerships and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Chelgren withdrew amendment S-5241, filed by him from the floor to pages 1 and 2 and amending the title page of the bill.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 648), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 648** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:07 p.m. until 1:00 p.m., Monday, April 16, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Nursing Facilities Private Room Supplementation Report, pursuant to Iowa Code section 249A.4. Report received on April 12, 2018.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Peggy Whitson, Mount Ayr—For her record breaking accomplishments in space and for being an inspiration and role model for all Iowans. Senator Costello.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Thursday, April 12, 2018, 9:05 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith.

Members Absent: None.

Committee Business: Approved SR 118.

Adjourned: 9:10 a.m.

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 12, 2018:

I am withdrawing the name of Katie Lott to serve as a member of the Early Childhood Iowa State Board from further consideration by the Senate.

I am withdrawing the name of Robert Brownell to serve as a member of the Council on Human Services from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on April 12, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Early Childhood Iowa State Board, formerly held by Katie Lott. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Council on Human Services, formerly held by Robert Brownell. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENT FILED

S-5241 H.F. 648 Mark Chelgren

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 16, 2018

The Senate met in regular session at 1:06 p.m., President Schneider presiding.

Prayer was offered by Pastor Todd Heartstock of the United Methodist Church in Titonka, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Talise Tesar.

The Journal of Thursday, April 12, 2018, was approved.

COMMITTEE ON CREDENTIALS

Senator Whitver moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Sinclair, Chair; Kraayenbrink, Carlin, Jochum, and Ragan.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the person named in the attached copy of certification of the Secretary of State duly elected to and entitled to a seat in the Senate for the Eighty-seventh General Assembly.

AMY SINCLAIR, Chair
TIM KRAAYENBRINK
JIM CARLIN
PAM JOCHUM
AMANDA RAGAN

STATE OF IOWA

Office of the
Secretary Of State
CERTIFICATION

To the Honorable Secretary of the Senate:

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 the Special Election held on April 10, 2018, the following named person was duly elected to the office of State Senate for residue of the term ending January 2, 2019:

25th Annette Sweeney

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines, this sixteenth day of April, 2018.

PAUL D. PATE
Secretary of State

I hereby acknowledge receipt of the original copy of this document on this sixteenth day of April, 2018.

W. Charles Smithson
Secretary of the Senate

State of Iowa
Abstract of Votes

We, the undersigned members of the State Board of Canvassers, hereby certify the following to be a true and correct abstract of the votes cast at the Special Election held on Tuesday, April 10, 2018, for the office of State Senator District 25 as shown by the county abstract returns.

State Senator District 25

Annette Sweeney, Received five thousand two hundred and eleven (5,211) votes
Republican Party

Tracy Freese, Received three thousand three hundred ninety-seven (3,397) votes
Democratic Party

Scattering Received five (5) votes

Total Eight thousand six hundred and thirteen (8,613)

We therefore declare:

Annette Sweeney duly elected to fill a vacancy for the office of the State Senate District 25 for the residue of the term ending January 2, 2019.

IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the Great Seal of the State of Iowa at Des Moines, this Monday, April 16, 2018.

BOARD OF STATE CANVASSERS

KIM REYNOLDS
 PAUL D. PATE
 MARY MOSIMAN
 MICHAEL L. FITZGERALD
 MIKE NAIG

On motion of Senator Sinclair, the report was duly adopted by a voice vote, and the duly elected senator appeared before the bar of the Senate, was duly sworn, and subscribed her name to the oath of office.

OATH OF OFFICE

Senator Sweeney was administered the oath of office by the President of the Senate, Charles Schneider.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:13 p.m. until the completion of a meeting of the committee on Rules and Administration.

APPENDIX—1

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7. Report received on April 13, 2018.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, April 16, 2018, 1:05 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith.

Members Absent: None.

Committee Business: SRs 119, 120, 121, and 122.

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 119, by committee on Rules and Administration, a resolution for honoring Senator Rick Bertrand for his years of service in the Iowa Senate.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 120, by committee on Rules and Administration, a resolution for honoring Senator Robert (Bob) E. Dvorsky for his 34 years of service in the General Assembly.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 121, by committee on Rules and Administration, a resolution for honoring Senator Mark Chelgren for his years of service to the people of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 122, by committee on Rules and Administration, a resolution for honoring Senator Wally E. Horn for over four decades of service in the Iowa General Assembly.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 119, a resolution for honoring Senator Rick Bertrand for his years of service in the Iowa Senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 120, a resolution for honoring Senator Robert (Bob) E. Dvorsky for his 34 years of service in the General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 121, a resolution for honoring Senator Mark Chelgren for his years of service to the people of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 122, a resolution for honoring Senator Wally E. Horn for over four decades of service in the Iowa General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 1:16 p.m., President Schneider presiding.

The Senate stood at ease at 1:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:25 p.m., President Schneider presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 122.

Senate Resolution 122

On motion of Senator Hogg, **Senate Resolution 122**, a Resolution honoring Senator Wally E. Horn for over four decades of service in the Iowa General Assembly. WHEREAS, Wally E. Horn was first elected to the House of Representatives in 1972, and after five terms he was elected to the Senate in 1982; and WHEREAS, after serving in the United States Army and working for over 30 years as a teacher, coach, and facilitator in Cedar Rapids schools, Senator Horn has been a champion for educational and veterans issues; and WHEREAS, over four decades, Senator Horn, with the capable assistance of his wife, Phyllis Peterson, served as Majority Leader of the Senate; as chair of the Legislative Council and of the Rules and Administration, Ethics, Veterans Affairs, Labor and Business Relations, and Administrative Rules Review committees and on a wide array of other committees, currently serving on the Ethics (ranking member), State Government, Transportation, Veterans Affairs (ranking member), and Administrative Rules Review committees; and as keeper of the candy desk; and WHEREAS, Senator Horn has demonstrated a dedication to civic engagement through membership and service in numerous organizations including the National Conference of State Legislatures Executive Committee, Council of State Governments, Midwest Legislators Executive Committee, Executive Board of the Democratic Legislative Campaign Committee, Veterans of Foreign Wars,

American Legion, and numerous other community groups in Cedar Rapids, and as president of the Cedar Rapids Teachers Association; and WHEREAS, Senator Horn received the Hoover Uncommon Public Service Award in 2015, which is awarded to legislators who exemplify President Herbert Hoover's humanitarian efforts and have gone above and beyond the call of duty to demonstrate uncommon service and commitment to the people of Iowa; and WHEREAS, with 46 years of service, Senator Horn is the longest serving legislator in Iowa history, earning the title of Dean of the Senate; NOW THEREFORE, BE IT RESOLVED BY THE SENATE, That the Senate honors Senator Wally E. Horn for his four decades of service to the people of Iowa and wishes him all the best in the years to come, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Horn.

Senator Sinclair took the chair at 2:39 p.m.

President Schneider took the chair at 3:23 p.m.

Senator Hogg moved the adoption of Senate Resolution 122, which motion prevailed by a voice vote.

Senator Horn addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2443.

House File 2443

On motion of Senator Dawson, **House File 2443**, A bill for an act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Dawson offered amendment S-5246, filed by him from the floor to page 8 of the bill.

Senator Bisignano raised the point of order that amendment S-5246 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5246 out of order.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2443), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Sweeney
Chapman	Hart	McCoy	Taylor
Chelgren	Hogg	Petersen	Whitver
Costello	Horn	Quirmbach	Zaun

Nays, none.

Absent, 2:

Bertrand	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2443** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2342.

House File 2342

On motion of Senator Garrett, **House File 2342**, A bill for an act relating to the seizure and disposition of property by the department of natural resources and requiring a report, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Garrett withdrew amendment S-5237, filed by him on April 11, 2018, striking and replacing everything after the enacting clause of the bill.

Senator Kinney withdrew amendment S-5184, filed by him on March 26, 2018, to pages 1 and 2 of the bill.

Senator Garrett offered amendment S-5243, filed by him from the floor to pages 1, 2, and 5 of the bill, and moved its adoption.

Amendment S-5243 was adopted by a voice vote.

Senator Garrett withdrew amendment S-5186, filed by him on March 26, 2018, to page 2 of the bill.

Senator Kinney withdrew amendment S-5185, filed by him on March 26, 2018, to page 5 of the bill.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2342), the vote was:

Yeas, 30:

Behn	Dawson	Kinney	Sinclair
Bowman	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Taylor
Carlin	Greene	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson, C.	Segebart	
Costello	Kapucian	Shipley	

Nays, 18:

Allen	Dotzler	Jochum	Petersen
Bisignano	Dvorsky	Johnson, D.	Quirnbach
Bolkcom	Hart	Lykam	Ragan
Boulton	Hogg	Mathis	
Danielson	Horn	McCoy	

Absent, 2:

Bertrand	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2342** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2397.

House File 2397

On motion of Senator Dawson, **House File 2397**, A bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Dawson withdrew amendment S-5242, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Dawson offered amendment S-5247, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Boulton offered amendment S-5249, filed by him from the floor to page 2 of amendment S-5247, and moved its adoption.

Amendment S-5249 to amendment S-5247 was adopted by a voice vote.

Senator Dawson moved the adoption of amendment S-5247, as amended.

Amendment S-5247, as amended, was adopted by a voice vote.

With the adoption of amendment S-5247, the Chair ruled amendment S-5167, filed by Senator Boulton on March 20, 2018, to page 1 and amending the title page of the bill, out of order.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2397), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dotzler	Johnson, D.	Schultz
Bisignano	Dvorsky	Kapucian	Segebart
Bolkcom	Edler	Kinney	Shipley
Boulton	Feenstra	Kraayenbrink	Sinclair
Bowman	Garrett	Lofgren	Smith
Breitbach	Greene	Lykam	Sweeney
Brown	Guth	Mathis	Whitver
Chapman	Hart	McCoy	Zaun
Chelgren	Hogg	Petersen	
Costello	Horn	Ragan	

Nays, 3:

Carlin Quirnbach Taylor

Absent, 1:

Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2397** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:49 p.m. until 9:00 a.m., Tuesday, April 17, 2018.

APPENDIX—2

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 16th day of April, 2018.

Senate Files 449, 475, 2155, 2200, 2230, 2235, 2318, 2321, and 2360.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2155 – Concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Senate File 2200 – Regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

Senate File 2230 – Relating to kidnapping in the second degree, and providing penalties.

Senate File 2321 – Relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties.

AMENDMENTS FILED

S-5242	H.F.	2397	Dan Dawson
S-5243	H.F.	2342	Julian B. Garrett
S-5244	H.F.	2466	Ken Rozenboom
S-5245	S.F.	2397	Joe Bolkcom
S-5246	H.F.	2443	Dan Dawson
S-5247	H.F.	2397	Dan Dawson
S-5248	H.F.	2466	Ken Rozenboom
S-5249	H.F.	2397	Nate Boulton

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 17, 2018

The Senate met in regular session at 9:04 a.m., President Schneider presiding.

Prayer was offered by Reverend Andrew Windschitl of St. Francis Assisi Catholic Church in West Des Moines, Iowa. He was the guest of Senator Schneider.

The 2018 Legislative Choir sang “Come, Come Ye Saints” and “God Be with You”.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

The Journal of Monday, April 16, 2018, was approved.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:57 a.m., President Schneider presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolutions 120 and 119.

Senate Resolution 120

On motion of Senator Bolkcom, **Senate Resolution 122**, a resolution honoring Senator Robert (Bob) E. Dvorsky for his 32 years of service in the General Assembly. WHEREAS, Senator Bob Dvorsky was born in Burlington, and has resided in Coralville and served the area most of his adult life; and WHEREAS, employment as a job developer and an executive officer for the 6th Judicial District Department of Correctional Services gave Senator Dvorsky insight on matters relating to public and private employment needs in the state; and WHEREAS, Senator Dvorsky has devoted nearly 40 years of his life to public service, serving seven years on the Coralville City Council beginning in 1980; seven years in the Iowa House of Representatives beginning in 1987; and, beginning in 1994, 25 years in the Iowa Senate; and WHEREAS, never one to waste a minute, Senator Dvorsky has served as chairperson for the Local Government and Communications and Information Policy Committees, and chaired the Senate Appropriations Committee from 2005 through 2016; served 14 years on the Legislative Council; served on the Criminal Justice Information System Advisory Committee, the Medical Assistance Projections and Assessment Council, the School Finance Formula Review Committee, the Iowa Accountability and Transparency Board, the State Government Efficiency Review Committee, and the Sex Offender Research Council; and served on numerous interim study committees; and WHEREAS, praised for his ability to work across the aisle, Senator Dvorsky has promoted school aid and postsecondary education funding; prioritized infrastructure needs at the University of Iowa; worked to make the Iowa Communications Network operational statewide; and supported efforts to improve conditions for Iowa's workforce; and WHEREAS, Senator Dvorsky received the Arthur Neu Award for Exceptional Policy Development from the American Parole & Probation Association in 2007; in 2011 he received the Hoover Uncommon Public Service Award from the Herbert Hoover Presidential Library Association; and in 2013 he received the Legislative Friend of Housing Award from the Iowa Finance Authority; NOW THEREFORE, BE IT RESOLVED BY THE SENATE, That the Senate honors and thanks Senator Robert E. Dvorsky for his many years of service to the state and to his community and, in his well-earned retirement, wishes him many happy, healthy years to come, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Dvorsky.

Senator Sinclair took the chair at 11:27 a.m.

President Schneider took the chair at 12:14 p.m.

Senator Bolkcom moved the adoption of Senate Resolution 122, which motion prevailed by a voice vote.

Senator Dvorsky addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation.

Senate Resolution 119

On motion of Senator Carlin, **Senate Resolution 119**, a Resolution honoring Senator Rick Bertrand for his years of service in the Iowa Senate. WHEREAS, Rick Bertrand was first elected to the Senate in 2010, and has represented District 7, which serves the Sioux City area in northwestern Iowa; and WHEREAS, Senator Bertrand was born and raised on a farm on the northeast edge of Sioux City, graduated from the University of Northern Iowa in 1993 after studying economics and political science, and earned a master's degree in organizational leadership from Bellevue University in 2016; and WHEREAS, Senator Bertrand's professional career has emphasized commercial development and entrepreneurial experience; and WHEREAS, during his Senate tenure, Senator Bertrand has served on a variety of committees, including the Appropriations, Commerce, Natural Resources and Environment, State Government (Ranking Member), Transportation, and Veterans Affairs standing committees, the Transportation, Infrastructure, and Capitals Appropriations Subcommittee (Chair), and the Capitol Planning Commission; and WHEREAS, Senator Bertrand's career in the Senate has been exemplified by his commitment to liberty, integrity, and public service; NOW THEREFORE, BE IT RESOLVED BY THE SENATE, That the Senate honors and thanks Senator Rick Bertrand for his years of service in the Senate, and wishes him and his family the very best in the years to come, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Bertrand.

Senator Schultz took the chair at 1:02 p.m.

President Schneider took the chair at 1:08 p.m.

Senator Carlin moved the adoption of Senate Resolution 119, which motion prevailed by a voice vote.

Senator Bertrand addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:41 p.m. until the conclusion of the meeting of the committee on Ethics.

APPENDIX—1

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

2018 DHS Nursing Facilities Private Room Supplementation Report, pursuant to Iowa Code section 249A.4(10). Report received on April 17, 2018.

REPORTS OF COMMITTEE MEETINGS

ETHICS

Convened: Tuesday, April 17, 2018, 2:00 p.m.

Members Present: Behn, Chair; Guth, Vice Chair; Horn, Ranking Member; Costello, Jochum, and Kinney.

Members Absent: None.

Committee Business: SSB 3211.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, April 17, 2018, 1:45 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith.

Members Absent: None.

Committee Business: SR 123.

Adjourned: 1:55 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 123, by committee on Rules and Administration, a resolution for honoring Senator Matt McCoy for his years of service in the Iowa General Assembly.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 124, by committee on Ethics, a resolution for amending the Senate Code of Ethics relating to harassment.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILL RECEIVED**SSB 3211 Ethics**

Amending the Senate Code of Ethics relating to harassment.

SUBCOMMITTEE ASSIGNMENT**SSB 3211**

ETHICS: Behn, Chair; Costello, Guth, Horn, Jochum, and Kinney

FINAL COMMITTEE REPORT OF BILL ACTION**ETHICS**

Bill Title: SENATE RESOLUTION 124 (SSB 3211), a resolution for amending the Senate Code of Ethics relating to harassment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Behn, Guth, Horn, Costello, Jochum, and Kinney. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 3:15 p.m., President Schneider presiding.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Whitver and Petersen.

A Certificate of Excellence for serving with honor and distinction as a Senate Page during the 2018 Regular Session of the Eighty-seventh General Assembly and a gift was presented to each of the following pages:

Eric Chelgren, Isabela Gallegos, Ciara Gallen, Armaan Kumar, Haley Ledford, Jaelyn Lentz, Isabella O'Connor, Jakem Ostrander, Landra Reece, Spencer Short, Greer Simmons, Maddie Smith, Talise Tesar, and Nick Zaugg.

The Senate rose and expressed its appreciation.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 124.

Senate Resolution 124

On motion of Senator Guth, **Senate Resolution 124**, a resolution for amending the Senate Code of Ethics relating to harassment, was taken up for consideration.

Senator Guth moved the adoption of Senate Resolution 124, which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 121.

Senate Resolution 121

On motion of Senator Sinclair, **Senate Resolution 121**, a Resolution honoring Senator Mark Chelgren for his years of service to the people of Iowa. WHEREAS, the Honorable Mark Chelgren was born and raised in California but settled in Iowa to start a business and raise a family; and WHEREAS, Senator Chelgren was first elected to the Senate in 2010; and WHEREAS, whether filing bills or amendments or rising to make a point of personal privilege, Senator Chelgren passionately strove to make his fellow Senators and the legislative process more accountable to the public from his first days as a Senator; and WHEREAS, over the past eight years Senator Chelgren has faced many difficult issues with an entrepreneurial drive and spirit that will greatly be missed; and WHEREAS, Senator Chelgren has served on a wide array of legislative committees, previously serving on Economic Growth (Ranking Member), and currently serving on the Administrative Rules Review Committee (Chair), Justice System Appropriations Subcommittee (Chair), Appropriations, Education, Human Services, and Local Government standing committees, and the Health Policy Oversight Committee of the Legislative Council; and WHEREAS, Senator Chelgren will be remembered for his tireless effort on behalf of his constituents in Davis, Jefferson, Van Buren, and Wapello counties; NOW THEREFORE, BE IT RESOLVED BY THE SENATE, That the members of the Senate honor Senator Mark Chelgren for his eight years of dedication and service to the people of Iowa and wish him the best in the years to come, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Chelgren.

Senator Schultz took the chair at 4:59 p.m.

President Schneider took the chair at 5:03 p.m.

Senator Sinclair moved the adoption of Senate Resolution 121, which motion prevailed by a voice vote.

Senator Chelgren addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2303, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Senate File 2314, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

ALSO: That the House has on April 17, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2446, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

ALSO: That the House has on April 17, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2227, a bill for an act relating to the publication of county resolutions. (S-5251)

ALSO: That the House has on April 17, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2131, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging exceeding a certain number of consecutive days.

Read first time and referred to committee on **Ways and Means**.

House File 2478, a bill for an act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

Read first time and referred to committee on **Ways and Means**.

HOUSE AMENDMENTS CONSIDERED

Senate File 220

Senator Whitver called up for consideration **Senate File 220**, a bill for an act regulating the use of automated traffic law enforcement systems, and providing a penalty, amended by the House in House amendment S-5157, filed March 14, 2018.

Senator Zaun offered amendment S-5240, filed by him on April 11, 2018, to pages 1-8 and amending the title provisions of House amendment S-5157.

Senator Hogg raised the point of order that amendment S-5240 to House amendment S-5157 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-5240 in order.

The Senate resumed consideration of amendment S-5240 to House amendment S-5157.

Senator Zaun asked and received unanimous consent that action on amendment S-5240 to House amendment S-5157, House amendment S-5157, and **Senate File 220** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Petersen, until she returns, on request of Senator Ragan; and Senators Bertrand, Feenstra, and Zumbach, on request of Senator Whitver.

Senate Joint Resolution 2006

Senator Whitver called up for consideration **Senate Joint Resolution 2006**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession, amended by the House in House amendment S-5239, filed April 11, 2018.

Senator Smith moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Smith moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the resolution be adopted?” (S.J.R. 2006), the vote was:

Yeas, 35:

Allen	Danielson	Kinney	Segebart
Behn	Dawson	Kraayenbrink	Shipley
Bisignano	Edler	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Quirmbach	Sweeney
Carlin	Guth	Ragan	Taylor
Chapman	Hart	Rozenboom	Whitver
Chelgren	Johnson, C.	Schneider	Zaun
Costello	Kapucian	Schultz	

Nays, 11:

Bolkcom	Dotzler	Horn	Mathis
Boulton	Dvorsky	Jochum	McCoy
Bowman	Hogg	Johnson, D.	

Absent, 4:

Bertrand	Feenstra	Petersen	Zumbach
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The resolution, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2466.

House File 2466

On motion of Senator Rozenboom, **House File 2466**, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom withdrew amendment S-5244, filed by him on April 16, 2018, to pages 1 and 2 of the bill.

Senator Rozenboom withdrew amendment S-5248, filed by him on April 16, 2018, to pages 1 and 2 of the bill.

Senator Rozenboom offered amendment S-5250, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5250 was adopted by a voice vote.

With the adoption of amendment S-5250, the Chair ruled amendment S-5176, filed by Senator Rozenboom on March 21, 2018, to page 2 of the bill, out of order.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2466), the vote was:

Yeas, 46:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Garrett	Lofgren	Smith
Breitbach	Greene	Lykam	Sweeney
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Quirnbach	Zaun
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, 4:

Bertrand	Feenstra	Petersen	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Joint Resolution 2006** and **House File 2466** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:27 p.m. until 9:00 a.m., Wednesday, April 18, 2018.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gordon and Lorraine Kolterman, Buckeye—For celebrating their 50th wedding anniversary. Senator Sweeney.

Jim and Betty Portz, Springbrook—For celebrating their 50th wedding anniversary. Senator Bowman.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 123, a resolution for honoring Senator Matt McCoy for his years of service in the Iowa General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Whitver, Schneider, Petersen, Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 449 – Relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions.

Senate File 475 – Relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children’s health screenings, providing for or relating to fees, and including effective date provisions.

Senate File 2235 – Relating to criminal acts committed on or against critical infrastructure and providing penalties.

Senate File 2318 – Relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

Senate File 2360 – Providing for a dyslexia response task force and report.

AMENDMENTS FILED

S-5250	H.F.	2466	Ken Rozenboom
S-5251	S.F.	2227	House

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 18, 2018

The Senate met in regular session at 9:11 a.m., President Schneider presiding.

Prayer was offered by the Honorable Mark Chelgren, member of the Senate from Wapello County, Ottumwa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Spencer Short.

The Journal of Tuesday, April 17, 2018, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Thursday, April 19, 2018.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 2131

WAYS AND MEANS: Feenstra, Chair; Quirnbach and Smith

House File 2478

WAYS AND MEANS: Feenstra, Chair; Breitbach and Jochum

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 19, 2018

The Senate met in regular session at 9:01 a.m., President Schneider presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Wednesday, April 18, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2018, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2011, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

ALSO: That the House has on April 17, 2018, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 2342, a bill for an act relating to the seizure and disposition of property by the department of natural resources and requiring a report.

House File 2445, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

ALSO: That the House has on April 17, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2479, a bill for an act establishing a process for voter approval of a proposition to require a township to provide emergency medical service.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:03 a.m. until 1:00 p.m., Monday, April 23, 2018.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 23, 2018

The Senate met in regular session at 1:08 p.m., President Schneider presiding.

Prayer was offered by Reverend David Beckman, pastor of the St. John Evangelist Church in Independence, Iowa. He was the guest of Senator C. Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carter Howe, guest of Senator D. Johnson.

The Journal of Thursday, April 19, 2018, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:16 p.m. until 10:00 a.m., Tuesday, April 24, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on April 20, 2018.

DEPARTMENT OF REVENUE

Tax Expenditure Cost Estimate Report, pursuant to Iowa Code section 2.48. Report received on April 20, 2018.

REPORT OF COMMITTEE MEETING

GOVERNMENT OVERSIGHT

Convened: Monday, April 23, 2018, 3:20 p.m.

Members Present: Breitbach, Chair; Sinclair, Vice Chair; Hogg, and Lofgren.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: SSB 3212.

Adjourned: 3:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 125, by Quirmbach, Mathis, and D. Johnson, a resolution for recognizing and congratulating Andie Dominick on winning the 2018 Pulitzer Prize in editorial writing.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILL RECEIVED

SSB 3212 Government Oversight

Concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2372
(Reassigned)

WAYS AND MEANS: Edler, Chair; Bolkcom and Breitbach

SSB 3212

GOVERNMENT OVERSIGHT: Breitbach, Chair; Hogg, Lofgren, McCoy, and Sinclair

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 24, 2018

The Senate met in regular session at 10:06 a.m., Senator Chapman presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

The Journal of Monday, April 23, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2372, a bill for an act concerning county supervisor representation and districting plans.

ALSO: That the House has on April 23, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2353, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions. (S-5252)

ALSO: That the House has on April 23, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2483, a bill for an act relating to programs and activities under the purview of the department of human services.

Read first time and referred to committee on **Appropriations**.

House File 2487, a bill for an act relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honeybees and making an appropriation.

Read first time and referred to committee on **Appropriations**.

SPECIAL GUESTS

Senator Kapucian introduced to the Senate chamber a delegation from the Kenyan Parliamentary Service Commission led by the Honorable Dr. Naomi Shaban.

Dr. Shaban introduced her delegation and addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Sinclair, the Senate recessed at 10:19 a.m. until 1:00 p.m.

APPENDIX—1

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Roy Jacob Schindler, Davenport—Upon his graduation, Magna Cum Laude, from Norwich University in Northfield, Vermont. Senator Lykam.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Monday, April 23, 2018, 2:15 p.m.

Recessed: 2:20 p.m.

Reconvened: 2:50 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Quirnbach, Schultz, and Smith.

Members Absent: McCoy (excused).

Committee Business: SFs 2074, 2152, and 2372.

Adjourned: 3:20 p.m.

INTRODUCTION OF BILLS

Senate File 2405, by committee on Ways and Means, a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2406, by committee on Ways and Means, a bill for an act relating to the transferability of investment tax credits issued to eligible housing businesses under the enterprise zone program, including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 2405 (formerly SF 2372), a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Feenstra, Behn, Jochum, Bolkcom, Brown, Dotzler, Edler, Hogg, Quirnbach, Schultz, and Smith. Nays, 3: Breitbart, Carlin, and Dawson. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2406 (formerly SF 2152), a bill for an act relating to the transferability of investment tax credits issued to eligible housing businesses under the enterprise zone program, including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Feenstra, Behn, Jochum, Bolkcom, Breitbart, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Quirnbach, Schultz, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 1:13 p.m., President Schneider presiding.

The Senate stood at ease at 1:14 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 2:55 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boulton and D. Johnson, until they arrive, on request of Senator Bolcom; and Senators Bertrand, Zaun, and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2390.

Senate File 2390

On motion of Senator Feenstra, **Senate File 2390**, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions, was taken up for consideration.

Senator Feenstra offered amendment S-5255, filed by him from the floor to pages 2, 5, and 8 of the bill, and moved its adoption.

Amendment S-5255 was adopted by a voice vote.

With the adoption of amendment S-5255, the Chair ruled amendment S-5253, filed by Senator Feenstra from the floor, to pages 5 and 8 of the bill, out of order.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2390), the vote was:

Yeas, 42:

Allen	Dotzler	Johnson, C.	Rozenboom
Behn	Dvorsky	Kapucian	Schneider
Bisignano	Edler	Kinney	Schultz
Bolcom	Feenstra	Kraayenbrink	Segebart
Breitbach	Garrett	Lofgren	Shiple

Brown	Greene	Lykam	Sinclair
Carlin	Guth	Mathis	Smith
Chelgren	Hart	McCoy	Sweeney
Costello	Hogg	Petersen	Whitver
Danielson	Horn	Quirnbach	
Dawson	Jochum	Ragan	

Nays, 3:

Bowman	Chapman	Taylor
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Absent, 5:

Bertrand	Johnson, D.	Zumbach
Boulton	Zaun	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2227

Senator Whitver called up for consideration **Senate File 2227**, a bill for an act relating to the publication of county resolutions, amended by the House in House amendment S-5251, filed April 17, 2018.

Senator Garrett moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Garrett moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2227), the vote was:

Yeas, 45:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart

Bolkcom	Edler	Kraayenbrink	Shipley
Bowman	Feenstra	Lofgren	Sinclair
Breitbart	Garrett	Lykam	Smith
Brown	Greene	Mathis	Sweeney
Carlin	Guth	McCoy	Taylor
Chapman	Hart	Petersen	Whitver
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 5:

Bertrand	Johnson, D.	Zumbach
Boulton	Zaun	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2227** and **2390** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Bradley Earp as a member of the member of the Board of Physical and Occupational Therapy, placed on the Individual Confirmation Calendar on February 26, 2018, found on page 446 of the Senate Journal.

Senator Chapman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 44:

Allen	Danielson	Horn	Quirmbach
Behn	Dawson	Jochum	Ragan
Bisignano	Dotzler	Johnson, C.	Rozenboom
Bolkcom	Dvorsky	Kapucian	Schneider
Bowman	Edler	Kinney	Schultz
Breitbart	Feenstra	Kraayenbrink	Segebart

Brown	Garrett	Lofgren	Shipley
Carlin	Greene	Lykam	Sinclair
Chapman	Guth	Mathis	Smith
Chelgren	Hart	McCoy	Sweeney
Costello	Hogg	Petersen	Whitver

Nays, 1:

Taylor

Absent, 5:

Bertrand	Johnson, D.	Zumbach
Boulton	Zaun	

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:30 p.m. until 9:00 a.m., Wednesday, April 25, 2018.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Bethel African Methodist Episcopal Church, Iowa City—For celebrating their 150th anniversary. Senator Dvorsky.

Marilyn and Robert Everding, Maquoketa—For celebrating their 50th wedding anniversary. Senator Bowman.

Rape Victim Advocacy Program of Iowa City—For celebrating their 45th anniversary. Senator Dvorsky.

Dave Stannard, Coralville—For his 43 years of service as a firefighter and chief. Senator Dvorsky.

INTRODUCTION OF BILLS

Senate File 2407, by committee on Ways and Means, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2408, by committee on Government Oversight, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: SENATE FILE 2408 (SSB 3212), a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Breitbach, Sinclair, Hogg, and Lofgren. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 2407 (formerly SF 2074), a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Feenstra, Jochum, Bolkom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Schultz, and Smith. Nays, 2: Behn and Quirmbach. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2407, and they were attached to the committee report.

AMENDMENTS FILED

S-5252	S.F.	2353	House
S-5253	S.F.	2390	Randy Feenstra
S-5254	H.F.	2377	Thomas A. Greene
S-5255	S.F.	2390	Randy Feenstra

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 25, 2018

The Senate met in regular session at 9:01 a.m., President Schneider presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Tuesday, April 24, 2018, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:07 a.m. until 2:00 p.m., Thursday, April 26, 2018.

APPENDIX

STUDY BILLS RECEIVED

SSB 3213 Appropriations

Relating to appropriations to the justice system.

SSB 3214 Appropriations

Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and providing for other properly related matters.

SSB 3215 Appropriations

Relating to appropriations to the judicial branch.

SSB 3216 Appropriations

Relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

SSB 3217 Appropriations

Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents and certain regents institutions, and the insurance division, providing for properly related matters, and including effective date and retroactive applicability provisions.

SSB 3218 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

SSB 3219 Appropriations

Relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SUBCOMMITTEE ASSIGNMENTS**House File 2479**

WAYS AND MEANS: Feenstra, Chair; Breitbach and Jochum

House File 2483

APPROPRIATIONS: Costello, Chair; Breitbach and Ragan

House File 2487

APPROPRIATIONS: Shipley, Chair; Dotzler and Rozenboom

SSB 3213

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

SSB 3214

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

SSB 3215

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

SSB 3216

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

SSB 3217

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

SSB 3218

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

SSB 3219

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor on the 25th day of April, 2018.

Senate File 2389.

W. CHARLES SMITHSON
Secretary of the Senate

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 26, 2018

The Senate met in regular session at 2:19 p.m., President Schneider presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabela Gallegos.

The Journal of Wednesday, April 25, 2018, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:21 p.m. until 9:00 a.m., Friday, April 27, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Norm and Margaret Holle, Clinton—For celebrating their 50th wedding anniversary. Senator Hart.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, April 26, 2018, 10:05 a.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Breitbach, Chelgren, Costello, Dotzler, Garrett, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley.

Members Absent: Danielson, Greene, and Zumbach (all excused).

Committee Business: Consideration of SSBs 3213, 3214, 3215, 3216, and 3217.

Adjourned: 1:00 p.m.

ALSO:

Convened: Thursday, April 26, 2018, 4:05 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Breitbach, Chelgren, Costello, Dotzler, Garrett, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley.

Members Absent: Danielson, Greene, and Zumbach (all excused).

Committee Business: Consideration of SSBs 3218, 3219, and 3220.

Adjourned: 5:00 p.m.

INTRODUCTION OF BILLS

Senate File 2409, by committee on Appropriations, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2410, 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, the state board of regents and certain regents institutions, and the insurance division, providing for properly related matters, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2411, by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2412, by committee on Appropriations, a bill for an act relating to appropriations to the justice system.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2413, by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2414, 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 and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2415, 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 providing applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2416, by committee on Appropriations, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

SSB 3220 Appropriations

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 providing applicability provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 3220

APPROPRIATIONS: Schneider, Chair; Bolkom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2409 (SSB 3216), a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 7: Bolkom, Boulton, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2410 (SSB 3217), 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, the state board of regents and certain regents institutions, and the insurance division, providing for properly related matters, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 7: Bolkcom, Boulton, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2411 (SSB 3215), a bill for an act relating to appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 7: Bolkcom, Boulton, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2412 (SSB 3213), a bill for an act relating to appropriations to the justice system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 7: Bolkcom, Boulton, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 2412, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2413 (SSB 3214), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Ragan, Rozenboom, and Shipley. Nays, 6: Bolkcom, Boulton, Dotzler, Hart, Mathis, and McCoy. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 2413, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2414 (SSB 3218), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, Hart, C. Johnson, Lofgren, Mathis, Ragan, Rozenboom, and Shipley. Nays, 4: Bolkcom, Boulton, Dotzler, and McCoy. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2415 (SSB 3220), 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 providing applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 7: Bolkcom, Boulton, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2416 (SSB 3219), a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Garrett, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 7: Bolkcom, Boulton, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 3: Danielson, Greene, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 26, 2018, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2389 – Authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 27, 2018

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Caleb Hunter.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Andy Conlin.

The Journal of Thursday, April 26, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 385, a bill for an act relating to the revised uniform athlete agents Act and providing remedies and penalties.

ALSO: That the House has on April 26, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2488, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

Read first time and attached to **companion Senate File 2408**.

House File 2491, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

Read first time and attached to **similar Senate File 2409**.

House File 2494, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions.

Read first time and attached to **similar Senate File 2413**.

ALSO: That the House has on April 26, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2311, a bill for an act modifying various provisions relating to public utilities. (S-5256)

ALSO: That the House has on April 26, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2493, 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, and properly related matters, and including effective date and retroactive applicability provisions.

Read first time and attached to **similar Senate File 2410**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:02 a.m. until 10:00 a.m., Monday, April 30, 2018.

APPENDIX

AMENDMENT FILED

S-5256 S.F. 2311 House

JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 30, 2018

The Senate met in regular session at 10:04 a.m., President Schneider presiding.

Prayer was offered by the Honorable Jake Chapman, member of the Senate from Dallas County, Adel, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jakem Ostrander.

The Journal of Friday, April 27, 2018, was approved.

The Senate stood at ease at 10:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:01 p.m., President Schneider presiding.

QUORUM CALL

Senator Whitver requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver; and Senator D. Johnson, until he arrives, on request of Senator Petersen.

HOUSE AMENDMENTS CONSIDERED

Senate File 2353

Senator Whitver called up for consideration **Senate File 2353**, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions, amended by the House in House amendment S–5252, filed April 24, 2018.

Senator Brown moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Brown moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2353), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bolkcom	Dvorsky	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shiple
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Sweeney
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, 2:

Bisignano	Taylor
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Absent, 2:

Johnson, D.	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2311

Senator Whitver called up for consideration **Senate File 2311**, a bill for an act modifying various provisions relating to public utilities, amended by the House in House amendment S-5256, filed April 27, 2018.

Senator Hogg offered amendment S-5260, filed by him from the floor to pages 4 and 11 of House amendment S-5256.

Senator Hogg asked and received unanimous consent that action on amendment S-5260 to House amendment S-5256, House amendment S-5256, and **Senate File 2311** be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2353** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2377.

House File 2377

On motion of Senator Greene, **House File 2377**, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Greene offered amendment S-5254, filed by him on April 24, 2018, to pages 1, 13, and 16 of the bill, and moved its adoption.

Amendment S-5254 was adopted by a voice vote.

With the adoption of amendment S-5254, the Chair ruled amendment S-5234, filed by Senator Greene on April 10, 2018, to page 1 of the bill, out of order.

Senator Costello withdrew amendment S-5236, filed by him on April 11, 2018, to pages 2 and 16 of the bill.

Senator Greene withdrew amendment S-5141, filed by him on March 12, 2018, to page 4 of the bill.

Senator Jochum offered amendment S-5265, filed by her from the floor to page 14 and amending the title page of the bill.

Senator Chapman raised the point of order that amendment S-5265 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5265 out of order.

Senator Greene withdrew amendment S-5233, filed by him on April 10, 2018, to page 23.

Senator Dawson asked and received unanimous consent that action on **House File 2377** be **deferred**.

BUSINESS PENDING

House File 2377

The Senate resumed consideration of **House File 2377**, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions, previously deferred.

Senator Dawson offered amendment S-5267, filed by him from the floor to pages 1, 2, and 16 of the bill, and moved its adoption.

Amendment S-5267 was adopted by a voice vote.

Senator Greene moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2377), the vote was:

Yeas, 48:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Kapucian	Schultz
Bolkcom	Dvorsky	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shipley
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Sweeney
Carlin	Guth	McCoy	Taylor
Chapman	Hart	Petersen	Whitver
Chelgren	Hogg	Quirmbach	Zaun

Nays, none.

Absent, 2:

Johnson, D. Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2377** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2407.

Senate File 2407

On motion of Senator Feenstra, **Senate File 2407**, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2407), the vote was:

Yeas, 40:

Allen	Dvorsky	Johnson, C.	Schneider
Bertrand	Edler	Kapucian	Schultz
Bolkcom	Feenstra	Kinney	Segebart
Boulton	Garrett	Kraayenbrink	Shipley
Breitbach	Greene	Lofgren	Sinclair
Brown	Guth	Lykam	Smith
Costello	Hart	McCoy	Sweeney
Danielson	Hogg	Petersen	Taylor
Dawson	Horn	Ragan	Whitver
Dotzler	Jochum	Rozenboom	Zaun

Nays, 8:

Behn	Bowman	Chapman	Mathis
Bisignano	Carlin	Chelgren	Quirmbach

Absent, 2:

Johnson, D.	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2407** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 3:28 p.m. until 6:00 p.m.

RECONVENED

The Senate reconvened at 6:07 p.m., President Schneider presiding.

The Senate stood at ease at 6:08 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 7:03 p.m., President Schneider presiding.

BUSINESS PENDING

Senate File 2311

The Senate resumed consideration of **Senate File 2311**, a bill for an act modifying various provisions relating to public utilities, and House amendment S-5256, previously deferred.

Senator Hogg withdrew amendment S-5269, filed by him from the floor to pages 3 and 4 of House amendment S-5256.

Senator Hogg moved the adoption of amendment S-5260 to House amendment S-5256, previously deferred.

A record roll call was requested.

On the question "Shall amendment S-5260 to House amendment S-5256 be adopted?" (S.F. 2311), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kapucian	Quirnbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Nays, 26:

Behn	Dawson	Kraayenbrink	Sinclair
Bertrand	Edler	Lofgren	Smith
Breitbach	Feenstra	Rozenboom	Sweeney
Brown	Garrett	Schneider	Whitver
Chapman	Greene	Schultz	Zaun
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, 2:

Johnson, D. Zumbach

Amendment S-5260 to House amendment S-5256 lost.

Senator Hogg offered amendment S-5271, filed by him from the floor to page 5 of House amendment S-5256, and moved its adoption.

Amendment S-5271 to House amendment S-5256 lost by a voice vote.

Senator Hogg deferred amendment S-5262, filed by him from the floor to pages 6-9 of House amendment S-5256.

Senator Hogg withdrew amendment S-5263, filed by him from the floor to page 6 of House amendment S-5256.

Senator Hogg withdrew amendment S-5272, filed by him from the floor to page 6 of House amendment S-5256.

Senator Hogg offered amendment S-5264, filed by him from the floor to pages 7 and 8 of House amendment S-5256, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5264 to House amendment S-5256 be adopted?" (S.F. 2311), the vote was:

Yeas, 21:

Allen	Danielson	Jochum	Quirmbach
Bertrand	Dotzler	Kinney	Ragan
Bisignano	Dvorsky	Lykam	Taylor
Bolkcom	Hart	Mathis	
Boulton	Hogg	McCoy	
Bowman	Horn	Petersen	

Nays, 27:

Behn	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Sweeney

Chapman	Greene	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun
Costello	Johnson, C.	Segebart	

Absent, 2:

Johnson, D. Zumbach

Amendment S-5264 to House amendment S-5256 lost.

Senator Hogg withdrew amendment S-5268, filed by him from the floor to pages 7 and 8 of House amendment S-5256.

Senator Hogg withdrew amendment S-5259, filed by him from the floor to page 10 of House amendment S-5256.

Senator Hogg offered amendment S-5275, filed by him from the floor to page 10 of House amendment S-5256, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5275 to House amendment S-5256 be adopted?” (S.F. 2311), the vote was:

Yeas, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Nays, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Sweeney
Chapman	Greene	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun

Absent, 2:

Johnson, D. Zumbach

Amendment S-5275 to House amendment S-5256 lost.

Senator Hogg withdrew amendment S-5270, filed by him from the floor to pages 11-12 of House amendment S-5256.

Senator Hogg offered amendment S-5274, filed by him from the floor to page 12 of House amendment S-5256, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5274 to House amendment S-5256 be adopted?" (S.F. 2311), the vote was:

Yeas, 19:

Allen	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor
Danielson	Horn	McCoy	

Nays, 29:

Behn	Costello	Kapucian	Sinclair
Bertrand	Dawson	Kraayenbrink	Smith
Bisignano	Edler	Lofgren	Sweeney
Breitbach	Feenstra	Rozenboom	Whitver
Brown	Garrett	Schneider	Zaun
Carlin	Greene	Schultz	
Chapman	Guth	Segebart	
Chelgren	Johnson, C.	Shipley	

Absent, 2:

Johnson, D.	Zumbach
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Amendment S-5274 to House amendment S-5256 lost.

Senator Hogg withdrew amendment S-5262 to House amendment S-5256, previously deferred.

Senator Breitbach moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Breitbart moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311), the vote was:

Yeas, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbart	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Sweeney
Chapman	Greene	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 2:

Johnson, D. Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2492, a bill for an act relating to appropriations to the justice system, and including effective date provisions.

Read first time and attached to **similar Senate File 2412**.

House File 2495, a bill for an act relating to appropriations to the judicial branch.

Read first time and attached to **similar Senate File 2411**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2311** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 8:26 p.m. until 9:00 a.m., Tuesday, May 1, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT FOR THE BLIND

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on April 27, 2018.

Recycling Report, pursuant to Iowa Code section 216B.3. Report received on April 27, 2018.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Oliver Russell Field, North Liberty—On the day of his birth. Senator Kinney.

AMENDMENTS FILED

S-5257	S.F.	2413	Craig Johnson
S-5258	H.F.	2494	Craig Johnson
S-5259	S.F.	2311	Robert M. Hogg

S-5260	S.F.	2311	Robert M. Hogg
S-5261	H.F.	2491	Robert M. Hogg
S-5262	S.F.	2311	Robert M. Hogg
S-5263	S.F.	2311	Robert M. Hogg
S-5264	S.F.	2311	Robert M. Hogg
S-5265	H.F.	2377	Pam Jochum
S-5266	S.F.	2410	Mark S. Lofgren
S-5267	H.F.	2377	Dan Dawson
S-5268	S.F.	2311	Robert M. Hogg
S-5269	S.F.	2311	Robert M. Hogg
S-5270	S.F.	2311	Robert M. Hogg
S-5271	S.F.	2311	Robert M. Hogg
S-5272	S.F.	2311	Robert M. Hogg
S-5273	H.F.	2493	Mark S. Lofgren
S-5274	S.F.	2311	Robert M. Hogg
S-5275	S.F.	2311	Robert M. Hogg
S-5276	S.F.	2416	Dennis Guth

JOURNAL OF THE SENATE

ONE HUNDRED FOURTEENTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, May 1, 2018

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Landra Reece.

The Journal of Monday, April 30, 2018, was approved.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:20 a.m., President Schneider presiding.

BILL REFERRED TO COMMITTEE

President Schneider announced that **House File 2406** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:21 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:06 p.m., President Schneider presiding.

The Senate stood at ease at 1:07 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 1:28 p.m., President Schneider presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 123.

Senate Resolution 123

On motion of Senator Dotzler, **Senate Resolution 123**, a resolution honoring Senator Matt McCoy for his years of service in the Iowa General Assembly. WHEREAS, Matt McCoy, born and raised in Des Moines, Eagle Scout, and father to Jack, has been involved in public service at the local and state level for much of his adult life; and WHEREAS, Matt McCoy was first elected to the House of Representatives in 1992, and after two terms he was elected to the Senate in 1996; and WHEREAS, over two decades, Senator McCoy has served on a wide array of legislative committees, including serving as chair of the Commerce Committee and the Transportation, Infrastructure, and Capitals Appropriations Subcommittee; and WHEREAS, Senator McCoy currently serves on the Appropriations, Commerce, Government Oversight (Ranking Member), Local Government, and Ways and Means Committees, and on the Transportation, Infrastructure, and Capitals Appropriations Subcommittee (Ranking Member), and the Capital Projects Committee of the Legislative Council; and WHEREAS, Senator McCoy has also served on numerous boards and commissions in his capacity as Senator, including the Capitol Planning Commission, Investment Board of the Iowa Public Employees' Retirement System, and the Iowa Comprehensive Health Insurance Association Board; and WHEREAS, Senator McCoy, the first openly gay person

elected State Senator, has long championed the civil and human rights of all Iowans, as evidenced by his efforts working for passage of additional protections under the Iowa Civil Rights Act in 2007 and for HIV transmission decriminalization in 2014, as well as his advocacy for antibullying legislation, inclusion of transgender Iowans in the state's hate crimes statute, and a ban on conversion therapy; and WHEREAS, Senator McCoy's years of public service have earned him numerous honors and awards, including the 2014 Des Moines Convention & Visitors Bureau Civic Champion Award, the 2014 Community HIV/Hepatitis Advocates of Iowa Award, the Ducks Unlimited Public Policy Award for 2013–14, the Iowa Corn Growers Association 2014 Award, the Autism Society of Iowa's Hometown Hero Award, and the Outstanding Service Award by the Iowa Health Care Association & Iowa Center for Assisted Living; NOW THEREFORE, BE IT RESOLVED BY THE SENATE, That the Senate honors Senator Matt McCoy for his years of public service in the Iowa General Assembly and wishes him all the best in the years to come, was taken up for consideration.

The Senate rose and expressed its tribute to Senator McCoy.

Senator Dotzler moved the adoption of Senate Resolution 123, which motion prevailed by a voice vote.

Senator McCoy addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation.

SPECIAL GUEST

President Schneider introduced to the Senate chamber the Honorable Dave Mulder, former member of the Senate from Sioux County, Sioux Center, Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Whitver, the Senate recessed at 2:45 p.m. until 6:00 p.m.

RECONVENED

The Senate reconvened at 6:22 p.m., President Schneider presiding.

SPECIAL GUESTS

President Schneider introduced to the Senate chamber the Honorable Thomas J. Vilsack, former member of the Senate, former Governor of the State of Iowa, and former Secretary of Agriculture; accompanied by his wife and former First Lady, Christie Vilsack.

The Senate rose and expressed its welcome.

The Senate stood at ease at 6:24 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 7:04 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2409 and 2413.

Senate File 2409

On motion of Senator Shipley, **Senate File 2409**, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, was taken up for consideration.

Senator Shipley asked and received unanimous consent that **House File 2491** be **substituted** for **Senate File 2409**.

House File 2491

On motion of Senator Shipley, **House File 2491**, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, was taken up for consideration.

Senator D. Johnson offered amendment S-5261, filed by Senator Hogg on April 30, 2018, to page 19 of the bill.

Senator Shipley raised the point of order that amendment S-5261 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5261 out of order.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2491), the vote was:

Yeas, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Sweeney
Chapman	Greene	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 1:

Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2409** be **withdrawn** from further consideration of the Senate.

Senate File 2413

On motion of Senator C. Johnson, **Senate File 2413**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions, was taken up for consideration.

Senator C. Johnson offered amendment S-5257, filed by him on April 30, 2018, to pages 6-10 of the bill, and moved its adoption.

Amendment S-5257 was adopted by a voice vote.

Senator C. Johnson asked and received unanimous consent that **House File 2494** be **substituted** for **Senate File 2413**.

House File 2494

On motion of Senator C. Johnson, **House File 2494**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions, was taken up for consideration.

Senator C. Johnson offered amendment S-5258, filed by him on April 30, 2018, to page 6 of the bill, and moved its adoption.

Amendment S-5258 was adopted by a voice vote.

Senator C. Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2494), the vote was:

Yeas, 34:

Allen	Dawson	Kraayenbrink	Segebart
Behn	Edler	Lofgren	Shiple
Bertrand	Feenstra	Lykam	Sinclair
Bisignano	Garrett	Mathis	Smith
Breitbach	Greene	Quirnbach	Sweeney
Brown	Guth	Ragan	Whitver
Carlin	Johnson, C.	Rozenboom	Zaun
Chapman	Kapucian	Schneider	
Costello	Kinney	Schultz	

Nays, 15:

Bolkcom	Danielson	Hogg	McCoy
Boulton	Dotzler	Horn	Petersen
Bowman	Dvorsky	Jochum	Taylor
Chelgren	Hart	Johnson, D.	

Absent, 1:

Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator C. Johnson asked and received unanimous consent that **Senate File 2413** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2411.

Senate File 2411

On motion of Senator Chelgren, **Senate File 2411**, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Senator Chelgren offered amendment S-5277, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5277 was adopted by a voice vote.

Senator Chelgren asked and received unanimous consent that **House File 2495** be **substituted** for **Senate File 2411**.

House File 2495

On motion of Senator Chelgren, **House File 2495**, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2495), the vote was:

Yeas, 28:

Behn	Costello	Johnson, C.	Segebart
Bertrand	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Sweeney
Chapman	Greene	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 1:

Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Chelgren asked and received unanimous consent that **Senate File 2411** be **withdrawn** from further consideration of the Senate.

The Senate stood at ease at 8:11 p.m. until the fall of the gavel.

The Senate resumed session at 9:06 p.m., President Schneider presiding.

QUORUM CALL

Senator Schultz requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent, and a quorum present.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2410.

Senate File 2410

On motion of Senator Lofgren, **Senate File 2410**, 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, the state board of regents and certain regents institutions, and the insurance division, providing for properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Lofgren offered amendment S-5266, filed by him on April 30, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5266 was adopted by a voice vote.

Senator Lofgren asked and received unanimous consent that **House File 2493** be **substituted** for **Senate File 2410**.

House File 2493

On motion of Senator Lofgren, **House File 2493**, 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, the state board of regents and certain regents institutions, and the insurance division, providing for properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Lofgren offered amendment S-5273, filed by him on April 30, 2018, to pages 1, 3, 9-13, and 18 of the bill.

Senator Dotzler offered amendment S-5285, filed by him from the floor to pages 1-3 of amendment S-5273.

Senator Lofgren raised the point of order that amendment S-5285 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5285 out of order.

Senator Dotzler withdrew amendment S-5280, filed by him from the floor to page 1 of amendment S-5273.

Senator Petersen asked and received unanimous consent that action on amendment S-5273 and **House File 2494** be **deferred**.

The Senate stood at ease at 9:32 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:25 p.m., President Schneider presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 359, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties. (S-5288)

The Senate stood at ease at 11:26 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:58 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Allen, Bisignano, and Taylor, until they return, on request of Senator Petersen.

HOUSE AMENDMENT CONSIDERED

Senate File 359

Senator Whitver called up for consideration **Senate File 359**, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties, amended by the House in House amendment S-5288, filed May 1, 2018.

Senator Sinclair took the chair at 1:24 a.m.

President Schneider took the chair at 2:10 a.m.

Senator Chapman moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Chapman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 359), the vote was:

Yeas, 29:

Behn	Dawson	Kapucian	Sinclair
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	
Chelgren	Johnson, C.	Segebart	
Costello	Johnson, D.	Shipley	

Nays, 17:

Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	
Danielson	Horn	McCoy	
Dotzler	Jochum	Petersen	

Absent, 4:

Allen	Bisignano	Taylor	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 359** and **House Files 2491, 2494, and 2495** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:22 a.m. until 11:00 a.m., Wednesday, May 2, 2018.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Rob and Char Brenneman, Washington—For earning the Wergin Good Farm Neighbor award. Senator Kinney.

Eugene and Nancy Burken, Miles—For celebrating their 50th wedding anniversary. Senator Bowman.

Lonnie and Connie Ernst, Preston—For celebrating their 50th wedding anniversary. Senator Bowman.

Ed and Sharon McCarthy, Cascade—For celebrating their 40th wedding anniversary. Senator Bowman.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2353, the following corrections were made:

1. Page 18, line 17: removed the “(1)”
2. Page 24, line 10: italicized the words “Training services”

W. CHARLES SMITHSON
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 2018, when the votes were taken on Senate Files 2227 and 2390; and the appointment of Bradley Earp to the Board of Physical and Occupational Therapy. Had I been present, I would have voted YEA on all.

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 30, 2018, when the votes were taken on Senate File 2353 and House File 2377. Had I been present, I would have voted YEA on both.

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 30, 2018, when the votes were taken on Senate Files 2311 and 2407. Had I been present, I would have voted NAY on both.

DAVID JOHNSON

AMENDMENTS FILED

S-5277	S.F.	2411	Mark Chelgren
S-5278	S.F.	2416	Tony Bisignano
S-5279	S.F.	2416	Dennis Guth
S-5280	H.F.	2493	William A. Dotzler, Jr.
S-5281	S.F.	2412	Mark Chelgren
S-5282	S.F.	2416	Liz Mathis
S-5283	S.F.	2416	Nate Boulton
S-5284	H.F.	2493	Janet Petersen
S-5285	H.F.	2493	William A. Dotzler, Jr.
S-5286	H.F.	2493	Janet Petersen
S-5287	H.F.	2493	William A. Dotzler, Jr.
S-5288	S.F.	359	House
S-5289	S.F.	2416	Dennis Guth

JOURNAL OF THE SENATE

ONE HUNDRED FIFTEENTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 2, 2018

The Senate met in regular session at 11:15 a.m., President Schneider presiding.

Prayer was offered by the Honorable Mark Chelgren, member of the Senate from Wapello County, Ottumwa, Iowa. Senator Chelgren requested a moment of silence in memory of Jim Meyerdirk, spouse of Senate colleague Cindy Meyerdirk, who passed away suddenly.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Tuesday, May 1, 2018, was approved.

The Senate stood at ease at 11:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:18 p.m., President Schneider presiding.

QUORUM CALL

Senator Dawson requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent, and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 2018, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2298, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

Senate File 2322, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

ALSO: That the House has on May 2, 2018, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

House File 2377, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

ALSO: That the House has on May 2, 2018, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2316, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers. (S-5293)

Senate File 2388, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions. (S-5292)

ALSO: That the House has on May 2, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2486, a bill for an act relating to postsecondary institutions by exempting from the sales tax the sale of instructional materials required for use in a course of instruction at a postsecondary institution in this state and by excluding postsecondary institutions from the sales tax exemption for sales where the profits are used by or donated to certain nonprofit entities for educational, religious, or charitable purposes.

Read first time and referred to committee on **Ways and Means**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2416.

Senate File 2416

On motion of Senator Guth, **Senate File 2416**, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, was taken up for consideration.

Senator Guth offered amendment S-5276, filed by him on April 30, 2018, to pages 2-4, 8-13, 15, 16, and 18 of the bill, and moved its adoption.

Amendment S-5276 was adopted by a voice vote.

Senator Guth offered amendment S-5279, filed by him on May 1, 2018, to pages 6 and 21 of the bill.

Senator Boulton withdrew amendment S-5283, filed by him on May 1, 2018, to page 1 of amendment S-5279.

Senator Guth withdrew amendment S-5279.

Senator Guth offered amendment S-5289, filed by him on May 1, 2018, to page 6 of the bill, and moved its adoption.

Amendment S-5289 was adopted by a voice vote.

Senator Bisignano withdrew amendment S-5278, filed by him on May 1, 2018, to page 21 of the bill.

Senator Mathis offered amendment S-5282, filed by her on May 1, 2018, to page 21 of the bill.

Senator Guth raised the point of order that amendment S-5282 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5282 out of order.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren and Sinclair, until they return, on request of Senator Whitver.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2416), the vote was:

Yeas, 28:

Behn	Dawson	Johnson, D.	Segebart
Bertrand	Edler	Kapucian	Shiple
Breitbach	Feenstra	Kraayenbrink	Smith
Brown	Garrett	Lofgren	Sweeney
Carlin	Greene	Rozenboom	Whitver
Chapman	Guth	Schneider	Zaun
Costello	Johnson, C.	Schultz	Zumbach

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 2:

Chelgren

Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Guth asked and received unanimous consent that **Senate File 2416** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 3:00 p.m. until the completion of a meeting on the committee of Ways and Means.

RECONVENED

The Senate reconvened at 5:07 p.m., President Schneider presiding.

The Senate stood at ease at 5:08 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:41 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2414.

Senate File 2414

On motion of Senator C. Johnson, **Senate File 2414**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, was taken up for consideration.

Senator C. Johnson offered amendment S-5296, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Jochum offered amendment S-5298, filed by her from the floor to pages 5-6 of amendment S-5296, and moved its adoption.

A nonrecord roll call was requested.

Amendment S-5298 to amendment S-5296 lost.

Senator Quirnbach offered amendment S-5297, filed by him from the floor to page 8 of amendment S-5296, and moved its adoption.

A nonrecord roll call was requested.

Amendment S-5297 to amendment S-5296 lost.

With the defeat of amendment S-5297 to amendment S-5296, the Chair ruled amendment S-5291, filed by Senator Quirnbach from the floor to page 8 of the bill, out of order.

Senator C. Johnson moved the adoption of amendment S-5296.

Amendment S-5296 was adopted by a voice vote.

Senator C. Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2414), the vote was:

Yeas, 45:

Allen	Dawson	Kapucian	Schultz
Behn	Dvorsky	Kinney	Segebart
Bertrand	Edler	Kraayenbrink	Shipley
Bisignano	Feenstra	Lofgren	Smith
Boulton	Garrett	Lykam	Sweeney
Bowman	Greene	Mathis	Taylor
Breitbach	Guth	McCoy	Whitver
Brown	Hart	Petersen	Zaun
Carlin	Horn	Quirnbach	Zumbach

Chapman	Jochum	Ragan
Costello	Johnson, C.	Rozenboom
Danielson	Johnson, D.	Schneider

Nays, 3:

Bolkcom	Dotzler	Hogg
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Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2414** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2412.

Senate File 2412

On motion of Senator Dawson, **Senate File 2412**, a bill for an act relating to appropriations to the justice system, was taken up for consideration.

Senator Dawson offered amendment S-5281, filed by Senator Chelgren on May 1, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5281 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 2492** be **substituted** for **Senate File 2412**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Bolkcom.

House File 2492

On motion of Senator Dawson, **House File 2492**, a bill for an act relating to appropriations to the justice system, was taken up for consideration.

Senator Dawson offered amendment S-5290, filed by Senator Chelgren from the floor to pages 1, 3, 6, 14-16, 20, and 22 and amending the title page of the bill.

Senator Bisignano offered amendment S-5295, filed by Senator Bisignano, et al., from the floor to pages 1, 2, 4, and amending the title provisions of amendment S-5290, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5295 to amendment S-5290 be adopted?" (H.F. 2492), the vote was:

Yeas, 20:

Allen	Dotzler	Horn	Mathis
Bolkcom	Dvorsky	Jochum	Petersen
Boulton	Greene	Johnson, D.	Quirnbach
Bowman	Hart	Kinney	Ragan
Danielson	Hogg	Lykam	Taylor

Nays, 27:

Behn	Costello	Kapucian	Shiple
Bertrand	Dawson	Kraayenbrink	Smith
Bisignano	Edler	Lofgren	Sweeney
Breitbach	Feenstra	Rozenboom	Whitver
Brown	Garrett	Schneider	Zaun
Carlin	Guth	Schultz	Zumbach
Chapman	Johnson, C.	Segebart	

Absent, 3:

Chelgren	McCoy	Sinclair
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Amendment S-5295 to amendment S-5290 lost.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Allen, until he returns, on request of Senator Petersen; and Senator Feenstra, until he returns, on request of Senator Whitver.

The Senate resumed consideration of amendment S-5290.

Senator Schneider called up the following motion to reconsider, filed by Senator Bisignano from the floor and moved its adoption:

MR. PRESIDENT, I move to reconsider the vote by which amendment S-5295 to amendment S-5290 to House File 2492 failed to be adopted by the Senate on May 2, 2018.

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S-5295 to amendment S-5290 be adopted? (H.F. 2492), the vote was:

Yeas, 20:

Bisignano	Dotzler	Horn	Mathis
Bolkcom	Dvorsky	Jochum	Petersen
Boulton	Greene	Johnson, D.	Quirmbach
Bowman	Hart	Kinney	Ragan
Danielson	Hogg	Lykam	Taylor

Nays, 25:

Behn	Dawson	Lofgren	Sweeney
Bertrand	Edler	Rozenboom	Whitver
Breitbach	Garrett	Schneider	Zaun
Brown	Guth	Schultz	Zumbach
Carlin	Johnson, C.	Segebart	
Chapman	Kapucian	Shipley	
Costello	Kraayenbrink	Smith	

Absent, 5:

Allen	Feenstra	Sinclair
Chelgren	McCoy	

The motion lost.

Senator Dawson moved the adoption of amendment S-5290.

Amendment S-5290 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2492), the vote was:

Yeas, 27:

Behn	Dawson	Kapucian	Shipley
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Nays, 20:

Bisignano	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirnbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Absent, 3:

Allen	Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Dawson asked and received unanimous consent that **Senate File 2412** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2492** be **immediately messaged** to the House.

APPENDIX—1**REPORT OF COMMITTEE MEETING****WAYS AND MEANS**

Convened: Wednesday, May 2, 2018, 3:05 p.m.

Recessed: 3:10 p.m.

Reconvened: 3:55 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith.

Members Absent: None.

Committee Business: Passed HF 2478 and SSB 3195.

Adjourned: 5:00 p.m.

INTRODUCTION OF BILL

Senate File 2417, by committee on Ways and Means, a bill for an act relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILL RECEIVED**SSB 3221 Appropriations**

Relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 3221

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 2417 (SSB 3195), a bill for an act relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Feenstra, Behn, Breitbach, Brown, Carlin, Dawson, Edler, Schultz, and Smith. Nays, 6: Jochum, Bolkcom, Dotzler, Hogg, McCoy, and Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2478, a bill for an act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

The Senate stood at ease at 8:41 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:38 p.m., President Schneider presiding.

QUORUM CALL

Senator Behn requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent, and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Chapman asked and received unanimous consent to take up for consideration Senate File 2415.

Senate File 2415

On motion of Senator Kraayenbrink, **Senate File 2415**, 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 providing applicability provisions, was taken up for consideration.

Senator Kraayenbrink offered amendment S-5294, filed by him from the floor to pages 3, 4, 6, 10, 13, 14, 20, 23, 25, 29, and 34-36. of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5294 be adopted?" (S.F. 2415), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Bolkcom	Edler	Kinney	Segebart
Boulton	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Lofgren	Smith
Breitbach	Greene	Lykam	Sweeney
Brown	Guth	Mathis	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Costello	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 2:

Chelgren Sinclair

Amendment S-5294 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he returns, on request of Senator Whitver.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2415), the vote was:

Yeas, 26:

Behn	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	
Dawson	Kapucian	Shipley	

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 3:

Bertrand Chelgren Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hogg, until he returns, on request of Senator Petersen.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

House File 2234

Senator Whitver called up for consideration **House File 2234**, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property, amended by the Senate and further amended by the House in House amendment S-5229 to Senate amendment H-8264, filed April 4, 2018.

Senator Zumbach moved that the Senate concur in the House amendment to the Senate amendment.

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” (H.F. 2234), the vote was:

Yeas, 26:

Behn	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	
Dawson	Kapucian	Shipley	

Nays, 20:

Allen	Danielson	Jochum	McCoy
Bisignano	Dotzler	Johnson, D.	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Horn	Mathis	Taylor

Absent, 4:

Bertrand	Chelgren	Hogg	Sinclair
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The motion prevailed and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Zumbach moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2234), the vote was:

Yeas, 27:

Behn	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Taylor
Carlin	Greene	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Costello	Johnson, C.	Segebart	Zumbach
Dawson	Kapucian	Shipley	

Nays, 19:

Allen	Danielson	Jochum	McCoy
Bisignano	Dotzler	Johnson, D.	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Horn	Mathis	

Absent, 4:

Bertrand	Chelgren	Hogg	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2414, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

ALSO: That the House has on May 2, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2416, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters. (S-5300)

UNFINISHED BUSINESS
(Deferred May 1, 2018)

House File 2493

The Senate resumed consideration of **House File 2493**, 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, and properly related matters, and including effective date and retroactive applicability provisions, and amendment S-5273, deferred May 1, 2018.

Senator Breitbach offered amendment S-5301, filed by him from the floor to page 1 of amendment S-5273, and moved its adoption.

Amendment S-5301 to amendment S-5273 was adopted by a voice vote.

With the adoption of amendment S-5301 to amendment S-5273, the Chair ruled amendment S-5284, filed by Senator Petersen on May 1, 2018, to page 3 of the bill, out of order; and amendment S-5286, filed by Senator Petersen on May 1, 2018, to page 18 of the bill, out of order.

Senator Lofgren moved the adoption of amendment S-5273, as amended.

Amendment S-5273, as amended, was adopted by a voice vote.

Senator Dotzler offered amendment S-5287, filed by him on May 1, 2018, to pages 12 and 18 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5287 be adopted?” (H.F. 2493), the vote was:

Yeas, 20:

Allen	Danielson	Jochum	McCoy
Bisignano	Dotzler	Johnson, D.	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Horn	Mathis	Taylor

Nays, 26:

Behn	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	
Dawson	Kapucian	Shipley	

Absent, 4:

Bertrand	Chelgren	Hogg	Sinclair
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Amendment S–5287 lost.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2493), the vote was:

Yeas, 27:

Behn	Edler	Kapucian	Shipley
Breitbach	Feenstra	Kraayenbrink	Smith
Brown	Garrett	Lofgren	Sweeney
Carlin	Greene	Rozenboom	Whitver
Chapman	Guth	Schneider	Zaun
Costello	Johnson, C.	Schultz	Zumbach
Dawson	Johnson, D.	Segebart	

Nays, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirmbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Horn	McCoy	

Absent, 4:

Bertrand	Chelgren	Hogg	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Lofgren asked and received unanimous consent that **Senate File 2410** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2408 and House File 2475.

Senate File 2408

On motion of Senator Breitbach, **Senate File 2408**, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions, was taken up for consideration.

Senator Breitbach asked and received unanimous consent that **House File 2488** be **substituted** for **Senate File 2408**.

House File 2488

On motion of Senator Breitbach, **House File 2488**, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2488), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, D.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shiple
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Sweeney
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver
Carlin	Hart	Petersen	Zaun
Chapman	Horn	Quirmbach	Zumbach
Costello	Jochum	Ragan	
Danielson	Johnson, C.	Rozenboom	

Nays, none.

Absent, 4:

Bertrand	Chelgren	Hogg	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Breitbach asked and received unanimous consent that **Senate File 2408** be **withdrawn** from further consideration of the Senate.

House File 2475

On motion of Senator Lofgren, **House File 2475**, a bill for an act relating to governmental ethics and the regulation of lobbyists and gifts, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2475), the vote was:

Yeas, 46:

Allen	Dawson	Johnson, D.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Sweeney
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver
Carlin	Hart	Petersen	Zaun
Chapman	Horn	Quirmbach	Zumbach
Costello	Jochum	Ragan	
Danielson	Johnson, C.	Rozenboom	

Nays, none.

Absent, 4:

Bertrand	Chelgren	Hogg	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2415** and **House Files 2234, 2475, 2488, and 2493** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 12:06 a.m. until 9:00 a.m., Thursday, May 3, 2018.

APPENDIX—2

STUDY BILL RECEIVED

SSB 3222 Appropriations

Relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 3222

APPROPRIATIONS: Schneider, Chair; Bolkcom, Boulton, Breitbach, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach

House File 2486

WAYS AND MEANS: Feenstra, Chair; Behn and Quirmbach

REPORT OF THE SECRETARY OF THE SENATE

May 2, 2018

The Honorable Paul D. Pate
Secretary of State of Iowa
Hand-Delivered

Re: Transmittal of Senate Joint Resolution 2006

Dear Secretary Pate:

Please find the attached Senate Joint Resolution 2006 for filing with your office. Pursuant to Joint Senate/House Rule 21(2), the specific type of “joint resolution” does not require consideration and signature by the Governor.

Sincerely,

W. Charles Smithson
Secretary of the Senate

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 2nd day of May, 2018.

Senate Files 359 and 2311.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

S-5290	H.F.	2492	Mark Chelgren
S-5291	S.F.	2414	Herman C. Quirmbach
S-5292	S.F.	2388	House
S-5293	S.F.	2316	House
S-5294	S.F.	2415	Tim Kraayenbrink
S-5295	H.F.	2492	Tony Bisignano Rita Hart Jim Lykam Matt McCoy Janet Petersen Chaz Allen Nate Boulton
S-5296	S.F.	2414	Craig Johnson
S-5297	S.F.	2414	Herman C. Quirmbach
S-5298	S.F.	2414	Pam Jochum
S-5299	H.F.	2477	Liz Mathis
S-5300	S.F.	2416	House
S-5301	H.F.	2493	Michael Breitbach

JOURNAL OF THE SENATE

ONE HUNDRED SIXTEENTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 3, 2018

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by the Honorable C. Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Greer Simmons.

The Journal of Wednesday, May 2, 2018, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:05 a.m. until 12:00 p.m., Friday, May 4, 2018.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Wayne Gross, Waterloo—For celebrating his 95th birthday. Senator Dotzler.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Thursday, May 3, 2018, 12:30 p.m.

Members Present: Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Breitbach, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, and Shipley.

Members Absent: Chelgren and Zumbach (both excused).

Committee Business: Considered SSBs 3221 and 3222; and SF 2081; and HF 2487.

Adjourned: 2:45 p.m.

INTRODUCTION OF BILLS

Senate File 2418, 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, providing penalties, and including effective date and retroactive and other applicability date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2419, by committee on Appropriations, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2420, by committee on Appropriations, a bill for an act relating to commercial and industrial property tax replacement claims.

Read first time under Rule 28 and **placed on Appropriations calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2418 (SSB 3222), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Costello, Garrett, Greene, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 8: Bolkom, Boulton, Danielson, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 2: Chelgren and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2419 (SSB 3221), a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Costello, Garrett, Greene, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 8: Bolkom, Boulton, Danielson, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 2: Chelgren and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2420 (formerly SF 2081), a bill for an act relating to commercial and industrial property tax replacement claims.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Schneider, Kraayenbrink, Breitbach, Costello, Garrett, Greene, Guth, C. Johnson, Lofgren, Rozenboom, and Shipley. Nays, 8: Bolkom, Boulton, Danielson, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 2: Chelgren and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 2420, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 2487, a bill for an act relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honeybees and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Schneider, Kraayenbrink, Breitbach, Chelgren, Costello, Danielson, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach. Nays, 3: Bolkcom, Boulton, and Dotzler. Absent, 2: Chelgren and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RESOLUTION ENROLLED, SIGNED, AND SENT TO THE SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State for deposit on the 2nd day of May, 2018.

Senate Joint Resolution 2006.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 3rd day of May, 2018.

Senate Files 2227, 2303, and 2314.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENT FILED

S-5302 S.F. 2417 Randy Feenstra

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTEENTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, May 4, 2018

The Senate met in regular session at 12:09 p.m., President Schneider presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Thursday, May 3, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 3, 2018, passed the following bills in which the concurrence of the House was asked:

Senate File 2390, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

Senate File 2400, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

Senate File 2407, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Senate File 2415, 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 providing applicability provisions.

ALSO: That the House has on May 3, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2494, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions.

ALSO: That the House has on May 3, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2500, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on May 3, 2018, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, **and passed** the following bills in which the concurrence of the Senate is asked:

House File 2492, a bill for an act relating to appropriations to the justice system, and including effective date provisions. (S-5305)

House File 2493, 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, and properly related matters, and including effective date and retroactive applicability provisions. (S-5304)

The Senate stood at ease at 12:13 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:55 p.m., Senator Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator D. Johnson, until he arrives, on request of Senator Hogg; Senators Allen and Taylor, until they arrive, on request of Senator Petersen; and Senators Bertrand, Chelgren, and Sinclair, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 631.

House File 631

On motion of Senator Dawson, **House File 631**, a bill for an act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Dawson offered amendment S-5303, filed by him from the floor to pages 1-12 of the bill, and moved its adoption.

Amendment S-5303 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 631), the vote was:

Yeas, 44:

Behn	Dawson	Jochum	Ragan
Bisignano	Dotzler	Johnson, C.	Rozenboom
Bolkcom	Dvorsky	Kapucian	Schneider
Boulton	Edler	Kinney	Schultz

Bowman	Feenstra	Kraayenbrink	Segebart
Breitbach	Garrett	Lofgren	Shiple
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Sweeney
Chapman	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun
Danielson	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 6:

Allen	Chelgren	Sinclair
Bertrand	Johnson, D.	Taylor

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

President Whitver asked and received unanimous consent that **House File 631** be **immediately messaged** to the House.

The Senate stood at ease at 2:02 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:59 p.m., Senator Schneider presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 2388

Senator Whitver called up for consideration **Senate File 2388**, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions, amended by the House in House amendment S-5292, filed May 2, 2018.

Senator Feenstra moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Feenstra moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2388), the vote was:

Yeas, 35:

Allen	Dawson	Kapucian	Schultz
Behn	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Sweeney
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Ragan	Zaun
Costello	Horn	Rozenboom	Zumbach
Danielson	Johnson, C.	Schneider	

Nays, 11:

Bisignano	Dotzler	Jochum	Quirmbach
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hogg	Petersen	

Absent, 4:

Bertrand	Chelgren	Johnson, D.	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2440.

House File 2440

On motion of Senator Rozenboom, **House File 2440**, a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions, with report of committee recommending passage, placed on the Unfinished Business Calendar on March 22, 2018, was taken up for consideration.

Senator Hogg asked and received unanimous consent to withdraw amendment S-5129, filed by Senator D. Johnson on March 7, 2018, to page 5 of the bill.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2440), the vote was:

Yeas, 34:

Allen	Dawson	Kinney	Segebart
Behn	Edler	Kraayenbrink	Shipley
Bisignano	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Sweeney
Breitbach	Greene	Mathis	Whitver
Brown	Guth	Ragan	Zaun
Carlin	Hart	Rozenboom	Zumbach
Chapman	Johnson, C.	Schneider	
Costello	Kapucian	Schultz	

Nays, 12:

Bolkcom	Dotzler	Horn	Petersen
Boulton	Dvorsky	Jochum	Quirmbach
Danielson	Hogg	McCoy	Taylor

Absent, 4:

Bertrand	Chelgren	Johnson, D.	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

President Whitver asked and received unanimous consent that **Senate File 2388** and **House File 2440** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2416

Senator Whitver called up for consideration **Senate File 2416**, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, amended by the House in House amendment S-5300, filed May 2, 2018.

Senator Mathis asked and received unanimous consent that action on amendment S-5300 and **Senate File 2416** be **deferred**.

The Senate stood at ease at 4:12 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:50 p.m., Senator Schneider presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2418.

Senate File 2418

On motion of Senator Costello, **Senate File 2418**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Senator Costello offered amendment S-5306, filed by him from the floor to pages 1, 6, 10, 11, 25, 26, 29, 32-34, 48, 74, 86, 91, and 92 of the bill, and moved its adoption.

Amendment S-5306 was adopted by a voice vote.

Senator Danielson offered amendment S-5309, filed by Senator Danielson, et al., from the floor to pages 26 and 29 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5309 be adopted?" (S.F. 2418), the vote was:

Yeas, 22:

Allen	Danielson	Horn	Petersen
Bisignano	Dotzler	Jochum	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Greene	Lykam	Taylor
Bowman	Hart	Mathis	
Brown	Hogg	McCoy	

Nays, 25:

Behn	Edler	Lofgren	Sweeney
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schneider	Zaun
Carlin	Guth	Schultz	Zumbach
Chapman	Johnson, C.	Segebart	
Costello	Kapucian	Shipley	
Dawson	Kraayenbrink	Smith	

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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Amendment S-5309 lost.

Senator Jochum offered amendment S-5308, filed by Senator Jochum, et al., from the floor to page 111 of the bill.

Senator Costello raised the point of order that amendment S-5308 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-5308 in order.

The Senate stood at ease at 5:43 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 6:14 p.m., President Schneider presiding.

Senator Jochum moved the adoption of amendment S-5308.

A record roll call was requested.

On the question "Shall amendment S-5308 be adopted?" (S.F. 2418), the vote was:

Yeas, 23:

Allen	Danielson	Horn	Petersen
Bisignano	Dotzler	Jochum	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Greene	Lykam	Taylor
Bowman	Hart	Mathis	Zaun
Chapman	Hogg	McCoy	

Nays, 24:

Behn	Dawson	Kapucian	Segebart
Bertrand	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Sweeney
Carlin	Guth	Schneider	Whitver
Costello	Johnson, C.	Schultz	Zumbach

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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Amendment S-5308 lost.

President Pro Tempore Behn took the chair at 7:20 p.m.

President Schneider took the chair at 7:48 p.m.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2418), the vote was:

Yeas, 27:

Behn	Dawson	Kapucian	Shiple
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2418** be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2493

Senator Whitver called up for consideration **House File 2493**, 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, and properly related matters, and including effective date and retroactive applicability provisions, amended by the Senate and further amended by the House in House amendment S–5304 to Senate amendment H–8467, filed May 4, 2018.

Senator Lofgren moved that the Senate concur in the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 2493), the vote was:

Yeas, 46:

Allen	Danielson	Jochum	Rozenboom
Behn	Dawson	Johnson, C.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Sweeney
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, 1:

Taylor

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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The motion prevailed and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Lofgren moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2493), the vote was:

Yeas, 27:

Behn	Dawson	Kapucian	Shipley
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver

Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2493** be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2492

Senator Whitver called up for consideration **House File 2492**, a bill for an act relating to appropriations to the justice system, and including effective date provisions, amended by the Senate and further amended by the House in House amendment S-5305 to Senate amendment H-8466, filed May 4, 2018.

Senator Dawson moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Dawson moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2492), the vote was:

Yeas, 27:

Behn	Dawson	Kapucian	Shipley
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2492** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2416

The Senate resumed consideration of **Senate File 2416**, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and House amendment S-5300, previously deferred.

Senator Mathis offered amendment S-5307, filed by her from the floor to page 1 of amendment S-5300, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5307 to House amendment S–5300 be adopted?” (S.F. 2416), the vote was:

Yeas, 21:

Allen	Danielson	Jochum	Quirnbach
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hart	Mathis	
Bowman	Hogg	McCoy	
Brown	Horn	Petersen	

Nays, 26:

Behn	Edler	Kraayenbrink	Smith
Bertrand	Feenstra	Lofgren	Sweeney
Breitbach	Garrett	Rozenboom	Whitver
Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	
Dawson	Kapucian	Shipley	

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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Amendment S–5307 to House amendment S–5300 lost.

Senator Guth moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Guth moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2416), the vote was:

Yeas, 28:

Behn	Dawson	Kapucian	Shipley
Bertrand	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Sweeney
Carlin	Greene	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Costello	Johnson, C.	Segebart	Zumbach

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 2:

Chelgren	Johnson, D.
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2416** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 8:43 p.m. until 9:00 a.m., Saturday, May 5, 2018.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 4, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 359 – Prohibiting and requiring certain actions relating to a fetus and providing penalties.

Senate File 2227 – Relating to a bill for an act relating to the publication of county resolutions.

Senate File 2303 – Relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Senate File 2311 – Modifying various provisions relating to public utilities, providing for a study of electric vehicle infrastructure support, and including effective date provisions.

Senate File 2314 – Relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

AMENDMENTS FILED

S-5303	H.F.	631	Dan Dawson
S-5304	H.F.	2493	House
S-5305	H.F.	2492	House
S-5306	S.F.	2418	Mark Costello
S-5307	S.F.	2416	Liz Mathis
S-5308	S.F.	2418	Pam Jochum Amanda Ragan
S-5309	S.F.	2418	Jeff Danielson William A. Dotzler, Jr. Robert Dvorsky Joe Bolkom
S-5310	S.F.	2417	Randy Feenstra

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTEENTH CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Saturday, May 5, 2018

The Senate met in regular session at 9:05 a.m., President Schneider presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddie Smith.

The Journal of Friday, May 4, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 4, 2018, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

Senate File 2099, a bill for an act relating to probate and the administration of small estates and including applicability provisions.

ALSO: That the House has on May 4, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2418, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions. (S-5311)

ALSO: That the House has on May 4, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 631, a bill for an act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions.

The Senate stood at ease at 9:10 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:21 p.m., President Schneider presiding.

QUORUM CALL

Senator Zaun requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hart, until she arrives, on request of Senator Petersen; and Senator Sweeney, until she arrives, on request of Senator Whitver.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2478.

House File 2478

On motion of Senator Feenstra, **House File 2478**, a bill for an act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction, with report of committee recommending passage, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2478), the vote was:

Yeas, 47:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shiple
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver
Carlin	Hogg	Petersen	Zaun
Chapman	Horn	Quirnbach	Zumbach
Costello	Jochum	Ragan	

Nays, none.

Absent, 3:

Chelgren	Hart	Sweeney
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 633.

House File 633

On motion of Senator Kraayenbrink, **House File 633**, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kraayenbrink offered amendment S-5232, filed by the committee on Appropriations on April 9, 2018, to page 1 of the bill.

Senator Kraayenbrink offered amendment S-5312, filed by him from the floor to pages 1 and 2 and amending the title provisions of amendment S-5232, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5312 to amendment S-5232 be adopted?" (H.F. 633), the vote was:

Yeas, 47:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shiplee
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver
Carlin	Hogg	Petersen	Zaun
Chapman	Horn	Quirmbach	Zumbach
Costello	Jochum	Ragan	

Nays, none.

Absent, 3:

Chelgren	Hart	Sweeney
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Amendment S-5312 to amendment S-5232 was adopted.

Senator Kraayenbrink moved the adoption of amendment S-5232, as amended.

Amendment S-5232, as amended, was adopted by a voice vote.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 633), the vote was:

Yeas, 47:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver
Carlin	Hogg	Petersen	Zaun
Chapman	Horn	Quirmbach	Zumbach
Costello	Jochum	Ragan	

Nays, none.

Absent, 3:

Chelgren	Hart	Sweeney
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 633** and **2478** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2417.

Senate File 2417

On motion of Senator Feenstra, **Senate File 2417**, a bill for an act relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-5302, filed by him on May 3, 2018, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Feenstra offered amendment S-5310, filed by him on May 4, 2018, to pages 1-150 and amending the title provisions of amendment S-5302, and moved its adoption.

Amendment S-5310 to amendment S-5302 was adopted by a voice vote.

With the adoption of amendment S-5310 to amendment S-5302, the chair ruled the following amendments out of order:

Amendment S-5313, filed by Senator D. Johnson, from the floor, to pages 82, 86-88, 98, 100, and 121 of amendment S-5302;

Amendment S-5314, filed by Senator D. Johnson from the floor, to pages 82, 86-88, 98, 100, 121 and 125 of amendment S-5302; and

Amendment S-5315, filed by Senator McCoy from the floor to pages 78, 79, 81-84, 87, 90-92, 95, 96, 100-103, 106, 113-122, 125, and 126 of amendment S-5302.

Senator Feenstra moved the adoption of amendment S-5302, as amended.

Amendment S-5302, as amended, was adopted by a voice vote.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2417), the vote was:

Yeas, 28:

Behn	Dawson	Kapucian	Shipley
Bertrand	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Sweeney
Carlin	Greene	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Costello	Johnson, C.	Segebart	Zumbach

Nays, 20:

Allen	Danielson	Jochum	McCoy
Bisignano	Dotzler	Johnson, D.	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hogg	Lykam	Ragan
Bowman	Horn	Mathis	Taylor

Absent, 2:

Chelgren	Hart
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2417** be **immediately messaged** to the House.

The Senate stood at ease at 2:11 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:09 p.m., President Schneider presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 5, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2502, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, contingent effective date, applicability, and retroactive applicability provisions.

Read first time and attached to **similar Senate File 2419**.

Senator Chapman asked and received unanimous consent for the committee on Ways and Means to meet.

RECESS

On motion of Senator Chapman, the Senate recessed at 3:10 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 3:48 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he returns, on request of Senator Whitver.

HOUSE AMENDMENT CONSIDERED

Senate File 2418

Senator Whitver called up for consideration **Senate File 2418**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, amended by the House in House amendment S-5311, filed May 5, 2018.

Senator Costello moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 2418), the vote was:

Yeas, 45:

Allen	Dvorsky	Kinney	Segebart
Behn	Edler	Kraayenbrink	Shiple
Bisignano	Feenstra	Lofgren	Sinclair

Bolkcom	Garrett	Lykam	Smith
Boulton	Greene	Mathis	Sweeney
Bowman	Guth	McCoy	Taylor
Breitbach	Hogg	Petersen	Whitver
Brown	Horn	Quirmbach	Zaun
Costello	Jochum	Ragan	Zumbach
Danielson	Johnson, C.	Rozenboom	
Dawson	Johnson, D.	Schneider	
Dotzler	Kapucian	Schultz	

Nays, 2:

Carlin	Chapman
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Absent, 3:

Bertrand	Chelgren	Hart
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The motion prevailed and the Senate **concurred** in the House amendment.

Senator Costello moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2418), the vote was:

Yeas, 26:

Behn	Feenstra	Lofgren	Smith
Breitbach	Garrett	Rozenboom	Sweeney
Brown	Greene	Schneider	Whitver
Carlin	Guth	Schultz	Zaun
Costello	Johnson, C.	Segebart	Zumbach
Dawson	Kapucian	Shiplely	
Edler	Kraayenbrink	Sinclair	

Nays, 21:

Allen	Danielson	Johnson, D.	Quirmbach
Bisignano	Dotzler	Kinney	Ragan
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Chapman	Jochum	Petersen	

Absent, 3:

Bertrand	Chelgren	Hart
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2500.

House File 2500

On motion of Senator Feenstra, **House File 2500**, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Bowman asked and received unanimous consent that action on **House File 2500** be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2418** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2316

Senator Whitver called up for consideration **Senate File 2316**, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers, amended by the House in House amendment S-5293, filed May 2, 2018.

Senator Sinclair withdrew amendment S-5316, filed by her from the floor to pages 1 and 2 of House amendment S-5293, and moved its adoption.

Senator Sinclair moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Sinclair moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2316), the vote was:

Yeas, 47:

Allen	Dawson	Johnson, D.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Sweeney
Brown	Guth	McCoy	Taylor
Carlin	Hogg	Petersen	Whitver
Chapman	Horn	Quirmbach	Zaun
Costello	Jochum	Ragan	Zumbach
Danielson	Johnson, C.	Rozenboom	

Nays, none.

Absent, 3:

Bertrand	Chelgren	Hart
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2316** be **immediately messaged** to the House.

BUSINESS PENDING

House File 2500

The Senate resumed consideration of **House File 2500**, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions, previously deferred.

Senator Bowman offered amendment S-5320, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Feenstra raised the point of order that amendment S-5320 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5320 out of order.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2500), the vote was:

Yeas, 45:

Allen	Dotzler	Kinney	Segebart
Behn	Dvorsky	Kraayenbrink	Shipley
Bisignano	Edler	Lofgren	Sinclair
Bolkcom	Feenstra	Lykam	Smith
Boulton	Garrett	Mathis	Sweeney
Bowman	Guth	McCoy	Taylor
Breitbach	Hogg	Petersen	Whitver
Carlin	Horn	Quirnbach	Zaun
Chapman	Jochum	Ragan	Zumbach
Costello	Johnson, C.	Rozenboom	
Danielson	Johnson, D.	Schneider	
Dawson	Kapucian	Schultz	

Nays, 2:

Brown	Greene
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Absent, 3:

Bertrand	Chelgren	Hart
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 5, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 633, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2500** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2252.

House File 2252

On motion of Senator Smith, **House File 2252**, a bill for an act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2252), the vote was:

Yeas, 41:

Allen	Dvorsky	Kinney	Segebart
Behn	Edler	Kraayenbrink	Shiple
Bisignano	Feenstra	Lofgren	Sinclair
Boulton	Garrett	Lykam	Smith
Bowman	Greene	Mathis	Sweeney
Breitbach	Guth	Petersen	Whitver
Brown	Horn	Quirnbach	Zaun
Carlin	Jochum	Ragan	Zumbach
Chapman	Johnson, C.	Rozenboom	
Costello	Johnson, D.	Schneider	
Dawson	Kapucian	Schultz	

Nays, 6:

Bolkcom	Dotzler	McCoy
Danielson	Hogg	Taylor

Absent, 3:

Bertrand	Chelgren	Hart
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2252** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2419.

Senate File 2419

On motion of Senator Breitbach, **Senate File 2419**, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions, was taken up for consideration.

Senator Breitbach offered amendment S-5318, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5318 was adopted by a voice vote.

With the adoption of amendment S-5318, the Chair ruled amendment S-5317, filed by Senator Breitbach from the floor, to pages 1 and 2 of the bill, out of order.

Senator Breitbach asked and received unanimous consent that **House File 2502** be **substituted** for **Senate File 2419**.

House File 2502

On motion of Senator Breitbach, **House File 2502**, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions, was taken up for consideration.

Senator Mathis offered amendment S-5319, filed by her from the floor to page 37 of the bill.

Senator Breitbach raised the point of order that amendment S-5319 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5319 out of order.

Senator Greene offered amendment S-5321, filed by him from the floor to page 37 of the bill.

Senator Breitbach raised the point of order that amendment S-5321 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5321 out of order.

Senator Lykam offered amendment S-5322, filed by him from the floor to page 37 of the bill.

Senator Breitbach raised the point of order that amendment S-5322 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5322 out of order.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2502), the vote was:

Yeas, 30:

Behn	Dawson	Kraayenbrink	Smith
Bisignano	Edler	Lofgren	Sweeney
Bowman	Feenstra	Rozenboom	Taylor
Breitbach	Garrett	Schneider	Whitver
Brown	Guth	Schultz	Zaun
Carlin	Johnson, C.	Segebart	Zumbach
Chapman	Kapucian	Shipley	
Costello	Kinney	Sinclair	

Nays, 17:

Allen	Dvorsky	Johnson, D.	Quirnbach
Bolkcom	Greene	Lykam	Ragan
Boulton	Hogg	Mathis	
Danielson	Horn	McCoy	
Dotzler	Jochum	Petersen	

Absent, 3:

Bertrand	Chelgren	Hart
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Breitbach asked and received unanimous consent that **Senate File 2419** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2502** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 102, by Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

RECESS

On motion of Senator Whitver, the Senate recessed at 4:48 p.m. until the conclusion of a meeting on the committee of Rules and Administration.

RECONVENED

The Senate reconvened at 5:10 p.m., President Schneider presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 5, 2018, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2417, A bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, providing for other properly related matters, making penalties applicable, and including immediate and contingent effective date and retroactive and other applicability provisions.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 102.

Senate Concurrent Resolution 102

On motion of Senator Horn, **Senate Concurrent Resolution 102**, a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Whitver moved the adoption of Senate Concurrent Resolution 102, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Concurrent Resolution 102** be **immediately messaged** to the House.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 102, duly adopted, the day of May 5, 2018, having arrived, President Schneider declared the 2018 Regular Session of the Eighty-seventh General Assembly adjourned sine die.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Boone County Courthouse—For their 100 year of service celebration. Senator Behn.

Lyman Dillon—For his contribution to the former Red X Route. Senator Bowman.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Saturday, May 5, 2018, 3:15 p.m.

Members Present: Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbart, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith.

Members Absent: None.

Committee Business: Considered HF 2500.

Adjourned: 3:20 p.m.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 2500, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbart, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on May 4, 2018, when the votes were taken on Senate Files 2388 and 2416; and House Files 631 and 2493. Had I been present, I would have voted YEA on all.

ALSO: I was necessarily absent from the Senate chamber on May 4, 2018, when the votes were taken on Senate File 2418 and House Files 2440 and 2492. Had I been present, I would have voted NAY on all.

DAVID JOHNSON

MR. PRESIDENT: I was necessarily absent from the Senate chamber on May 5, 2018, when the votes were taken on House File 633 and amendment S-5312. Had I been present, I would have voted YEA on both.

ANNETTE SWEENEY

AMENDMENTS FILED

S-5311	S.F.	2418	House
S-5312	H.F.	633	Tim Kraayenbrink
S-5313	S.F.	2417	David Johnson
S-5314	S.F.	2417	David Johnson
S-5315	S.F.	2417	Matt McCoy
S-5316	S.F.	2316	Amy Sinclair
S-5317	S.F.	2419	Michael Breitbach
S-5318	S.F.	2419	Michael Breitbach
S-5319	H.F.	2502	Liz Mathis
S-5320	H.F.	2500	Tod R. Bowman
S-5321	H.F.	2502	Thomas A. Greene
S-5322	H.F.	2502	Jim Lykam

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 5, 2018, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 102, a concurrent resolution to provide for adjournment sine die.

REMARKS BY THE PRESIDENT OF THE SENATE

Senators, guests, fellow Iowans,

I would like to start by saying it is a great honor to serve as president and presiding officer of this body. The Iowa Senate is a made up of some of the best people our state has to offer. Each Senator in this chamber worked hard this legislative session to represent their communities to the rest of the state. Today, the legislative session ends and we return to the “citizen” part of being a citizen legislator. We return to towns like Council Bluffs, Dubuque, and Independence, proud to have done our part to serve our constituents.

Each of us ran for election to the Iowa Senate for our own reasons. But we share a common goal—to make Iowa the best state in America to live, work, and raise a family.

One of the main reasons I ran for office was to transform our state from one that continues to lose people and wealth to other states into one that is a magnet for both jobs and the people to fill that demand.

This session, we made great strides toward achieving this goal by passing the most significant tax reform in the history of our state.

The opportunity to overhaul our tax code does not come around often. So we aimed high. Our goals were to simplify our tax code, modernize it for a 21st century economy, make our state more competitive, and allow Iowans to keep more of their own money. I am proud to say the reforms offered by the Senate Republican caucus delivered on these goals.

The tax relief bill we passed provides \$2 billion in tax cuts over the next six years. Once fully implemented, it will drive down rates for individuals, farmers, and employers. It will make it easier and less time consuming for the average Iowan to file a tax return. It will improve our ability to compete against other states for economic development opportunities. And, it creates more upside opportunity for entrepreneurs who leave their job to start a business, agree to take over their family farm, or commit their life savings to take on their dream venture.

Tax reform is a win for Iowans and I'm proud the Senate Republican caucus delivered.

In addition to serving as the President of the Senate, I am proud to serve as the Chair of the Appropriations Committee.

Iowa's state government should thoughtfully consider every dollar it spends. Iowans expect that of us. This year, we passed a budget that is both responsible and funds our priorities.

Iowans across our state get up early, work long hours, and sacrifice their time and talent for benefit of their families and their communities. Iowans work hard for every dollar they make, every penny they earn. The very least we in this building can do is be good stewards of the dollars they send to the state.

In November 2016, Iowans decided they were tired of business as usual. They voted for a change. They voted for an Iowa where people have more money in their pockets. They voted for an Iowa where the laws of the state reflect the values of its citizens.

Our plan a year and a half ago was no secret. And, our goal four months ago was no different. Our objective was as simple as it was audacious—to make Iowa the best state in America.

This was not going to be just another General Assembly. I am proud to be a part of the most consequential General Assembly in the modern history of our state. Though our work is not done, I am confident the bills we passed this session will make our state a better place to live, work and raise a family.

Before we adjourn, I would like to wish everyone a safe, healthy and prosperous summer. Thank you for your hard work on behalf of your constituents and our state. God bless you and your families. And, God bless the great state of Iowa.

REMARKS BY THE MAJORITY LEADER

Senator Whitver provided the following remarks:

President Schneider, Senate Minority Leader Petersen, colleagues and friends, I stand before you very proud that we honored the bold commitments we envisioned at the start of this Legislative Session.

We came together to ease the tax burdens on hard-working Iowans, provided new access to affordable healthcare for Iowans in need of coverage, enhanced our mental health system, made steps to continue improving our water quality, work toward developing and expanding our skilled workforce and maintained our commitment to revitalize rural Iowa.

On a personal note I want to thank everyone for their support and encouragement this Legislative Session. I delivered my opening remarks as the Senate President and today deliver closing comments as a Senate Majority Leader, who is proud of our caucus for their dedicated commitment to their constituents, the state of Iowa and their fellow Senators. Despite challenges that we encountered this session, they remained focused and did not lose sight of why they are here—to do the people's work.

Colleagues, we adjourn today able to go home to our districts and tell our constituents we kept our word, honored our commitment to them and produced historic results that will help our state forge a path of success for future generations. That starts with tax reform.

Tax reform is something we stood up to talk about for years during our time in the minority, and pledged to accomplish when given the opportunity to govern in the majority. I am proud of the tireless dedication of Senate Republicans to see through with this promise.

We never wavered on our commitment on making tax reform happen. This is something Senate Republicans and I spoke about repeatedly during my entire time at the Capitol. When it came to giving hard-working Iowans a tax break, we did not stand up to speak to hear ourselves talk.

We rose to speak because we believe this is necessary. We spoke about this passionately because we want to see our great state grow. We stood up for those whose pleas for help fell on deaf ears for nearly two decades. Simply put, we made our vision a reality to lend a helping hand to an overwhelming majority of Iowans, and unleash limitless opportunities for years to come.

Iowa families deserve to have more of their hard-earned money in their pockets. Though it took 20 years to fulfill our pledge, we leave here today able to say we accomplished what we set out to do this General Assembly.

On the first day of this 87th General Assembly, I encouraged my colleagues to think big and act boldly. I knew if we dared to dream big the legislation we passed would positively impact our state and set the course for an economic revival in Iowa. We came here every day with the goal of keeping our word to the voters who sent us here. Promises made, promises kept.

Passing tax reform is a giant step in that economic revival as it plays a significant role in helping us compete with neighboring states. This bold initiative not only helps draw new people into our state, but it also rewards hard-working Iowans by providing them with more resources to prosper and live comfortably in their communities.

Over the last two years, we worked to expand our workforce, strengthen our economy, rejuvenate our Ag industry, ease the tax burdens on Iowans, create financial stability for our rural communities and school districts, and provide students with a top-notch education. As we bring a close to this 87th General Assembly, I stand before you proud of the work we have accomplished on behalf of Iowans. Though we did not always see eye to eye on policy; it is hard to argue the positive results that it generated for the future of the state we love.

We can all agree that Iowa is the best state in the country. Now, people outside of Iowa are beginning to understand what we have known for years.

My friends, we find ourselves at a defining moment in our great state. We can make the decision to go backward and hope better days lie ahead, or we can put our strong Iowa work ethic to the test to continue forging a path for economic growth and prosperity. We have made great strides in the last two years, but our work is far from finished. Senate Republicans remain committed to finishing what we came here to do: Improving our business climate, making education a priority and working to create new career opportunities across this great state.

In closing, I want to thank my Senate Republican colleagues, Senator Petersen, the Senate Democrats, the Senate Republican and Democrat caucus staffs for putting in so many hours researching bills and helping to keep us informed, the staff in my office, staff in the Senate President's office, the Secretary of the Senate and his hard-working people and the sergeant at arms, our door keepers, Randy Wallace and everyone who makes a Legislative Session successful. It is an honor to work with all of you.

It's a great day to be an Iowan; let's work to make tomorrow even better. Thank you.

REMARKS BY THE MINORITY LEADER

Senator Petersen provided the following remarks:

As we wrap up the 2018 Legislative session, I want to thank my Democratic colleagues for the honor of leading our team as the Senate Democratic Leader.

I also want to give a shout out to the retirees for their service: Senator Bertrand and Senator Chelgren. We're looking forward to giving Senators Rozenboom, Brown, C. Johnson, Lofgren and Breitbart the ability to sit on the same side of the aisle with your caucus next year.

To our Democratic colleagues who are retiring: Senator Dvorsky, Senator McCoy, and the legendary Senator Wall Horn—we will truly miss having the three of you on our team.

I also want to take a moment to ask the chamber to join me in showing our appreciation to our smart, talented, caring and hard-working caucus staffs—from both the Democratic and Republican caucuses.

Thank you to the Secretary of the Senate and his staff, the Senate pages and all the hard-working staff at the Legislative Services Agencies.

Let's give all of them a round of applause.

Mr. President, Mr. Majority Leader, all of my Senate Colleagues, and to all of the Iowans we represent: During my opening day address of this session, I said that Iowans want their leaders to work together, to lead with civility, and to make good things happen for the people of our state.

Senate Democrats listened to the people they serve and responded by offering real solutions to real problems. With very few exceptions, those ideas fell on deaf ears.

Senate Republicans leaders said their agenda was simple: "KICK THE DOOR IN!"

Unfortunately, Iowans are already feeling the consequences of having the door kicked in on them.

The Republican-controlled legislature and Governor Reynolds did a lot of bad things to good people this session.

Iowans believe we should be investing in education and job training—that is how we can help each other get ahead in life.

Instead, you kicked the door in on our school children, college students, educators and Iowans seeking job training to advance their careers.

This year, Republicans cut funding to community colleges and state universities, making it harder for Iowa families to afford sending their kids to college.

Businesses have been telling us that Iowa has a skilled worker shortage. Yet, Republicans failed to adequately support apprenticeship and job-training programs that can help Iowans advance their careers and bring home a bigger paycheck to support their families.

Republicans kicked the door in on our seniors and retirees.

Republicans made choices with the state budget. And those choices resulted in damaging consequences.

When you made a decision to underfund programs for our seniors, you turned your back on taking great care of our older population—helping them stay connected to their communities and helping them live happy, healthy, and safe lives in their homes for as long as possible.

Instead, you alarmed tens of thousands of retirees who were worried because you were working with out-of-state interests to dismantle or weaken the retirement security of Iowans.

Our parents and grandparents living in nursing homes are still stuck with your oversight by telephone—when many of them cannot even hear well enough to talk on the phone.

You did nothing to protect seniors from financial exploitation, neglect and abuse or help families struggling to find caregivers for the people they love.

Republicans kicked the door in on Iowa workers and job creators in our small towns.

Instead of boosting support for Iowa entrepreneurs creating solar jobs in small towns, we saw you threaten the very programs that helped them get their local businesses off the ground.

We have bright young people who could put our state on the map in the tech sector, but Republicans did nothing to help them get their businesses rolling.

We could have worked together to increase our commitments to the renewable energy sector that is fueling our economy and creating jobs in small towns across our state.

Republicans kicked the door in on Iowan's health care.

Republicans helped Governor Reynolds sell out Iowa's health care to Wall Street companies.

What did Iowans get?

Less care and Iowa health care providers struggling to get paid.

Republicans took control of women's health care with dangerous policies that hurt Iowa women and girls. Additionally, it will hurt our state's reputation and ability to attract new businesses, families and millennials who want to live and work in a state that values women.

Republicans kicked the door in on balancing the state budget.

There is a reason why Republicans couldn't balance the budget the past two years.

Republicans made a choice—an active decision to sell off Iowa tax dollars at fire sale prices to out-of-state corporations and millionaires.

You've ripped off hard-working Iowans who will be stuck with the consequences of your deliberate actions.

This year, like last year, we saw Republican leaders putting cover-ups and cronyism ahead of doing what was right.

First, we saw the entire Senate Republican caucus continue to follow the bad decisions of their leadership who chose to fire Kirsten Anderson just hours after she turned in a complaint of sexual harassment. It wasn't until the Waveland Tap video surfaced and one of your leaders kicked the door in on himself that your caucus finally took any meaningful, bipartisan action on improving the work environment in the Iowa Senate.

Iowa taxpayers were outraged that they were stuck footing the bill for the \$1.75 million lawsuit and paying the salaries and benefits of the perpetrator and retaliators for years. It is still shocking to know that the only person fired in the scandal was the victim—Kirsten Anderson.

Second, Senate Republicans made an active decision to protect Governor Reynolds by ensuring the results of the investigation of her long-time friend and former Iowa Finance Director will not be completed until after the gubernatorial election. Iowans.

Colleagues, we can do better!

I am in the Iowa Senate because I love Iowans! They are caring, hard-working people. They deserve leaders who are focused less on kicking in doors, and more on taking care of them.

It is time to put Iowans first again.

It's time to invest in our people and our state's future by

- making our schools number one again
- ensuring Iowans have access to good paying jobs no matter where they live
- putting Iowans back in charge of our health care instead of turning it over to

Wall Street companies and politicians.

Iowans—thank you for making your voices heard this legislative session. Democrats love you and we look forward to working with you to ensure bluer skies are ahead for state—and a much bluer Iowa Senate.

SENATE REPORTS RECEIVED AFTER ADJOURNMENT

The following is a record of Senate reports received after the close of the 2018 Regular Session.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral, pursuant to Iowa Code section 12C.20. Report received on June 1, 2018.

DEPARTMENT OF CORRECTIONS

Judicial Review Report—Department of Corrections, pursuant to Iowa Code section 625.29. Report received on May 7, 2018.

DEPARTMENT OF HUMAN SERVICES

Biennial Mental Health Services Report, pursuant to Iowa Code section 249N.8. Report received on May 16, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on June 5, 2018.

Medicaid Managed Care Oversight Quarterly Meeting Minutes, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on May 30, 2018.

Medical Assistance Act Report, pursuant to Iowa Code section 249A.4. Report received on June 5, 2018.

Preferred Drug List Program Report, pursuant to Iowa Code section 249A.20A. Report received on June 5, 2018.

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services 1/1/17–3/31/17 Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on May 5, 2017.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on May 14, 2018.

IOWA PUBLIC TELEVISION

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on June 4, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 4, 2018.

BOARD OF REGENTS

Activities, Projects, and Programs Funded with Board of Regents Innovation Fund Appropriations, pursuant to 2018 House File 2493, section 12.1(b)(1)(b). Report received on May 18, 2018.

STATE PUBLIC DEFENDER

Judicial Review Report—Office of the State Public Defender, pursuant to Iowa Code section 625.29. Report received on May 24, 2018.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on May 24, 2018.

OFFICE OF THE TREASURER OF STATE

Honey Creek Park Development Report, pursuant to Iowa Code section 463.16. Report received on June 4, 2018.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 5th day of May, 2018.

Senate Joint Resolution 2011 and Senate Files 385, 2099, 2298, 2316, 2322, 2353, 2388, 2390, 2400, 2407, 2414, 2415, 2416, 2417, and 2418.

W. CHARLES SMITHSON
Secretary of the Senate

SENATE BILLS APPROVED AND ITEM VETOED AFTER ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2018 Regular Session:

SENATE BILLS APPROVED

Senate Joint Resolution 2011 – Authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds. Approved May 16, 2018.

Senate File 385 – Relating to the revised uniform athlete agents Act and providing remedies and penalties. Approved May 16, 2018.

Senate File 2099 – Relating to probate and the administration of small estates and including effective date and applicability provisions. Approved May 16, 2018.

Senate File 2298 – Relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties. Approved May 16, 2018.

Senate File 2322 – Relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs. Approved May 16, 2018.

Senate File 2353 – Relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions. Approved May 16, 2018.

Senate File 2388 – Relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions. Approved May 17, 2018.

Senate File 2390 – Relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions. Approved May 16, 2018.

Senate File 2400 – Relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions. Approved May 16, 2018.

Senate File 2407 – Modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions. Approved May 16, 2018.

Senate File 2414 – Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions. Approved June 1, 2018.

Senate File 2415 – 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 providing applicability provisions. Approved June 1, 2018.

Senate File 2416 – Relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and including effective date provisions. Approved June 1, 2018.

Senate File 2417 – Relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, providing for other properly related matters, making penalties applicable, and including immediate and contingent effective date and retroactive and other applicability provisions. Approved May 30, 2018.

GOVERNOR'S VETO MESSAGE

Senate File 2316

June 1, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

Senate File 2316, an Act relating to transactions by domestic stock insurers, small employer group health insurers, and universal life insurance.

Senate File 2316 sets forth a regulatory process that would allow domestic stock insurance companies domiciled in Iowa to divide into two or more resulting companies. While I am supportive of the underlying bill, I am unable to approve it as amended to include Section 18. Section 18 proposes to allow self-employed persons without employees to qualify for small group health insurance coverage. These changes conflict with federal law.

For the above reasons, I respectfully disapprove of Senate File 2316 in its entirety. It is hereby vetoed in whole.

Sincerely,

KIM REYNOLDS
Governor

GOVERNOR'S ITEM VETO MESSAGE

Senate File 2418

June 1, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 2418, an Act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

The above Senate File is hereby approved this date with the following exception of which I disapprove.

I am unable to approve the designated portion of Section 20 of Senate File 2418, inserting a new subsection 22 into 2017 Iowa Acts, Chapter 174, Section 51. This item provides that \$195,000 of the funds appropriated by 2017 Iowa Acts, Chapter 174, Section 51 shall be used by the Department of Human Services (DHS) for a request for proposal relating to a partnership between the University of Iowa Hospitals and Clinics and a durable medical equipment provider. There is nothing in current law that would prevent a durable medical equipment provider from independently responding to a request for proposal and/or providing durable medical equipment products and services in the State of Iowa. The request for proposal process should be applied fairly and competitively to all providers of durable medical equipment and not limited in a way that excludes Iowa's existing providers.

The effect of this specific item veto disapproval of Section 20 of Senate File 2418, inserting a new subsection 22 into 2017 Iowa Acts, Chapter 174, Section 51, shall cause the \$195,000 contained in this item to revert back to the General Fund. None of the \$195,000 contained in this item shall be retained by DHS, nor shall it be diverted for purposes not legislatively specified.

For the above reasons, I respectfully disapprove Senate File 2418 in part only as specified above, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. The remainder of Senate File 2418 not disapproved of as stated herein is approved as of this date.

Sincerely,

KIM REYNOLDS
Governor

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2298, the following correction was made:

1. Page 1, line 31: changed the misspelled word “distributer” to “distributor”.

ALSO: MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 385, the following correction was made:

1. Page 7, line 4: removed the hyphen between the words “last” and “known”.

ALSO: MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2407, the following corrections were made:

2. Page 3, line 27: italicized the stricken letter “b”
3. Page 3, line 33: italicized the stricken letter “e”

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2417, the following correction was made:

1. Page 18, line 16: added quotes around the letter “e”

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED
EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION

S-5001

- 1 Amend Senate File 2117 as follows:
2 1. Page 1, line 3, by striking <AND JUDICIAL>
3 2. Page 1, line 7, by striking <and the judicial branch>
4 3. Page 3, by striking lines 22 and 23.
5 4. Page 3, line 25, by striking <and the judicial branch>
6 5. Page 3, line 33, by striking <and the judicial branch>

ROBERT M. HOGG
DAVID JOHNSON

S-5002

- 1 Amend Senate File 2164 as follows:
2 1. Page 1, before line 1 by inserting:
3 <DIVISION I
4 PERCENTS OF GROWTH — REPLACEMENT PAYMENTS>
5 2. Page 2, line 34, after <This> by inserting <division of
6 this>
7 3. Page 2, after line 35 by inserting:
8 <DIVISION ____
9 STATE AND DISTRICT COSTS PER PUPIL
10 Sec. ____ Section 257.2, subsection 12, Code 2018, is
11 amended to read as follows:
12 12. “*Supplemental state aid*” means the amount by which state
13 cost per pupil and district cost per pupil will increase from
14 one budget year to the next as the result of the state percent
15 of growth.
16 Sec. ____ Section 257.8, subsection 5, Code 2018, is amended
17 to read as follows:
18 5. *Alternate supplemental state aid — definitions*.
19 a. For budget years beginning July 1, 2000, and subsequent
20 budget years, references to the terms “*supplemental state aid*”,
21 “*regular program state cost per pupil*”, and “*regular program*
22 *district cost per pupil*” shall mean those terms as calculated
23 for those school districts that calculated regular program
24 supplemental state aid for the school budget year beginning
25 July 1, 1999, with the additional thirty-eight dollars
26 specified in section 257.8, subsection 4, Code 2013.
27 b. For the budget year beginning July 1, 2018, and
28 subsequent budget years, references to “supplemental state
29 aid” and “regular program state cost per pupil” shall mean
30 those terms as calculated including the additional amount for
31 the budget year beginning July 1, 2018, under section 257.9,

32 subsection 2, paragraph “b”, and references to “regular program
 33 district cost per pupil” shall mean that term as calculated
 34 including any adjustments made under section 257.10, subsection
 35 2.

Page 2

1 Sec. ____ Section 257.9, subsection 2, Code 2018, is amended
 2 to read as follows:

3 2. *Regular program state cost per pupil for 1992–1993 and*
 4 *succeeding years.*

5 a. For the budget year beginning July 1, 1992, and
 6 succeeding budget years beginning before July 1, 2018, the
 7 regular program state cost per pupil for a budget year is the
 8 regular program state cost per pupil for the base year plus the
 9 regular program supplemental state aid for the budget year.

10 b. For the budget year beginning July 1, 2018, the regular
 11 program state cost per pupil is the regular program state
 12 cost per pupil for the base year plus the regular program
 13 supplemental state aid for the budget year, plus five dollars.

14 c. For the budget year beginning July 1, 2019, and
 15 succeeding budget years, the regular program state cost per
 16 pupil for a budget year is the regular program state cost per
 17 pupil for the base year plus the regular program supplemental
 18 state aid for the budget year.

19 Sec. ____ Section 257.10, subsection 2, paragraph b, Code
 20 2018, is amended to read as follows:

21 b. If the regular program district cost per pupil of a
 22 school district for the budget year under paragraph “a” exceeds
 23 one hundred five percent of the regular program state cost
 24 per pupil for the budget year and the state percent of growth
 25 for the budget year is greater than two percent, the regular
 26 program district cost per pupil for the budget year for that
 27 district shall be reduced to one hundred five percent of the
 28 regular program state cost per pupil for the budget year.
 29 However, under such conditions, if the difference between the
 30 regular program district cost per pupil for the budget year and
 31 the regular program state cost per pupil for the budget year
 32 is greater than an amount equal to two percent multiplied by
 33 the regular program state cost per pupil for the base year, the
 34 regular program district cost per pupil for the budget year
 35 shall be reduced by the amount equal to two percent multiplied

Page 3

1 by the regular program state cost per pupil for the base year.

2 Sec. ____ Section 257.10, subsection 2, Code 2018, is
 3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. c. For the budget year beginning July 1,
 5 2018, and succeeding budget years, if the regular program
 6 district cost per pupil for the budget year calculated under
 7 this subsection in any school district is less than the

8 regular program state cost per pupil for the budget year, the
 9 department of management shall increase the regular program
 10 district cost per pupil of that district to an amount equal to
 11 the regular program state cost per pupil for the budget year.

12 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
 13 Act, being deemed of immediate importance, takes effect upon
 14 enactment.

15 DIVISION ____

16 SCHOOL DISTRICT SUPPLEMENTARY WEIGHTING

17 Sec. ____ Section 257.11, Code 2018, is amended by adding
 18 the following new subsection:

19 NEW SUBSECTION. 7A. *School district transportation costs.*

20 a. In order to provide additional funds for school district
 21 transportation costs resulting from the transportation of
 22 resident pupils required by chapter 285 and paid from sources
 23 other than the district's physical plant and equipment levy
 24 fund under section 298A.4 or revenue received from the secure
 25 an advanced vision for education fund under section 423F.2, a
 26 supplementary weighting plan for such pupils is adopted.

27 b. For the budget year beginning July 1, 2018, and each
 28 succeeding budget year, each school district shall be assigned
 29 a supplementary weighting amount equal to ten percent of the
 30 combined weighting amount calculated under paragraph "c",
 31 subparagraph (2), for that budget year.

32 c. (1) (a) *Transportation cost factor.* For each budget
 33 year beginning on or after July 1, 2018, the department of
 34 management shall calculate for each school district all of the
 35 following:

Page 4

1 (i) The sum of the school district's total transportation
 2 costs incurred for the transportation of pupils required under
 3 chapter 285, and paid from sources other than the district's
 4 physical plant and equipment levy fund under section 298A.4
 5 or revenue received from the secure an advanced vision for
 6 education fund under section 423F.2, for the three years
 7 immediately preceding the base year.

8 (ii) The sum of the school district's regular program
 9 district cost for the three years immediately preceding the
 10 base year, excluding amounts attributable to budget adjustments
 11 received under section 257.14.

12 (iii) The school district's budget enrollment multiplied by
 13 the quotient of the school district's amount under subparagraph
 14 subdivision (i) divided by the school district's amount under
 15 subparagraph subdivision (ii).

16 (iv) The school district's amount under subparagraph
 17 subdivision (iii) divided by the sum of the amounts calculated
 18 under subparagraph subdivision (iii) for all school districts.

19 (v) The amount calculated under subparagraph subdivision
 20 (iv) multiplied by ninety percent of the sum of all school
 21 districts' transportation costs incurred for the transportation

22 of pupils required under chapter 285 for the year preceding
 23 the base year and paid from sources other than the district's
 24 physical plant and equipment levy fund under section 298A.4
 25 or revenue received from the secure an advanced vision for
 26 education fund under section 423F.2.

27 (vi) The quotient of the amount calculated under
 28 subparagraph subdivision (v) divided by the regular program
 29 state cost per pupil for the budget year.

30 (b) *Budget enrollment factor.* For each budget year
 31 beginning on or after July 1, 2018, the department of
 32 management shall calculate for each school district all of the
 33 following:

34 (i) The quotient of the school district's budget enrollment
 35 divided by the statewide total budget enrollment multiplied by

Page 5

1 five percent of the sum of all school districts' transportation
 2 costs incurred for the transportation of pupils required under
 3 chapter 285 for the year preceding the base year and paid from
 4 sources other than the district's physical plant and equipment
 5 levy fund under section 298A.4 or revenue received from the
 6 secure an advanced vision for education fund under section
 7 423F.2.

8 (ii) The amount calculated under subparagraph subdivision
 9 (i) divided by the regular program state cost per pupil for the
 10 budget year.

11 (c) *Route miles factor.* For each budget year beginning
 12 on or after July 1, 2018, the department of management shall
 13 calculate for each school district all of the following:

14 (i) The quotient of the school district's total route
 15 miles traveled for the transportation of pupils required under
 16 chapter 285 for the year preceding the base year divided by the
 17 school district's budget enrollment.

18 (ii) The school district's amount under subparagraph
 19 subdivision (i) divided by the sum of the amounts calculated
 20 under subparagraph subdivision (i) for all school districts.

21 (iii) The amount calculated under subparagraph subdivision
 22 (ii) multiplied by five percent of the sum of all school
 23 districts' transportation costs incurred for the transportation
 24 of pupils required under chapter 285 for the year preceding
 25 the base year and paid from sources other than the district's
 26 physical plant and equipment levy fund under section 298A.4
 27 or revenue received from the secure an advanced vision for
 28 education fund under section 423F.2.

29 (iv) The amount calculated under subparagraph subdivision
 30 (iii) divided by the regular program state cost per pupil for
 31 the budget year.

32 (2) The combined weighting amount for each school district
 33 is the sum of the following:

34 (a) The amount calculated under subparagraph (1),
 35 subparagraph division (a), subparagraph subdivision (vi).

Page 6

1 (b) The amount calculated under subparagraph (1),
2 subparagraph division (b), subparagraph subdivision (ii).
3 (c) The amount calculated under subparagraph (1),
4 subparagraph division (c), subparagraph subdivision (iv).
5 *d.* Funding received by a school district as the result of
6 supplementary weighting under this subsection shall not affect
7 a school district's eligibility for transportation assistance
8 under section 257.31, subsection 17.
9 *e.* Amounts received by a school district as the result
10 of supplementary weighting under this subsection shall be
11 deposited in the school district's general fund and may be used
12 for any general fund purpose.
13 *f.* If a school district established as the result of a
14 reorganization under chapter 275 does not have sufficient
15 transportation cost data, regular program district cost per
16 pupil data, or enrollment data for the calculation of amounts
17 required under this subsection, the department of management
18 shall use estimated transportation cost data, regular program
19 district cost per pupil data, and enrollment data derived from
20 data for prior budget years from each district involved in
21 the reorganization until such amounts can be calculated using
22 actual data for the reorganized school district.
23 *g.* For the budget years beginning July 1, 2018, July 1,
24 2019, and July 1, 2020, and if necessary, any subsequent budget
25 years, if insufficient or incomplete transportation cost data
26 makes the implementation of this subsection impractical, the
27 department of management shall, in consultation with the
28 department of education and the legislative services agency,
29 establish procedures and modified methodologies for calculating
30 supplementary weighting and funding amounts under this
31 subsection.
32 Sec. ____ Section 257.11, subsection 8, Code 2018, is
33 amended to read as follows:
34 8. *Pupils ineligible.* A Except for transportation weighting
35 under subsection 7A, a pupil eligible for the weighting plan

Page 7

1 provided in section 256B.9 is not eligible for supplementary
2 weighting pursuant to this section unless it is determined
3 that the course generating the supplemental weighting has no
4 relationship to the pupil's disability. A pupil attending an
5 alternative program or an at-risk pupils' program, including
6 alternative high school programs, is not eligible for
7 supplementary weighting under subsection 2.
8 Sec. ____ Section 257.31, subsection 17, paragraphs a and d,
9 Code 2018, are amended to read as follows:
10 *a.* If a district's average transportation costs per
11 pupil exceed the state average transportation costs per
12 pupil determined under paragraph "c" by one hundred fifty

13 percent, the committee may grant transportation assistance aid
 14 to the district using exclusively the funds transferred to
 15 the committee in accordance with section 321.34, subsection
 16 22. Such aid shall be miscellaneous income and shall not be
 17 included in district cost.

18 *d.* Funds transferred to the committee in accordance with
 19 section 321.34, subsection 22, are appropriated to and may be
 20 expended for the purposes of the committee, as described in
 21 this ~~section~~ subsection. However, highest priority shall be
 22 given to districts that meet the conditions described in this
 23 subsection. Notwithstanding any other provision of the Code,
 24 unencumbered or unobligated funds transferred to the committee
 25 pursuant to section 321.34, subsection 22, remaining on June
 26 30 of the fiscal year for which the funds were transferred,
 27 shall not revert but shall be available for expenditure for the
 28 purposes of this subsection in subsequent fiscal years.

29 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
 30 Act, being deemed of immediate importance, takes effect upon
 31 enactment.>

32 4. Title page, by striking lines 2 through 5 and inserting
 33 <modifying and establishing provisions relating to the funding
 34 of school districts, and including effective>

35 5. By renumbering, redesignating, and correcting internal

Page 8

1 references as necessary.

TIM KRAAYENBRINK
 AMY SINCLAIR

S-5003

1 Amend House File 2230, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I
 4 PERCENTS OF GROWTH — REPLACEMENT PAYMENTS>

5 2. Page 2, line 34, after <This> by inserting <division of
 6 this>

7 3. Page 2, after line 35 by inserting:

8 <DIVISION ____
 9 STATE AND DISTRICT COSTS PER PUPIL

10 Sec. ____ Section 257.2, subsection 12, Code 2018, is
 11 amended to read as follows:

12 12. "*Supplemental state aid*" means the amount by which state
 13 cost per pupil and district cost per pupil will increase from
 14 one budget year to the next as the result of the state percent
 15 of growth.

16 Sec. ____ Section 257.8, subsection 5, Code 2018, is amended
 17 to read as follows:

18 5. *Alternate supplemental state aid — definitions*.

19 a. For budget years beginning July 1, 2000, and subsequent

20 budget years, references to the terms “*supplemental state aid*”,
 21 “*regular program state cost per pupil*”, and “*regular program*
 22 *district cost per pupil*” shall mean those terms as calculated
 23 for those school districts that calculated regular program
 24 supplemental state aid for the school budget year beginning
 25 July 1, 1999, with the additional thirty-eight dollars
 26 specified in section 257.8, subsection 4, Code 2013.
 27 b. For the budget year beginning July 1, 2018, and
 28 subsequent budget years, references to “supplemental state
 29 aid” and “regular program state cost per pupil” shall mean
 30 those terms as calculated including the additional amount for
 31 the budget year beginning July 1, 2018, under section 257.9,
 32 subsection 2, paragraph “b”, and references to “regular program
 33 district cost per pupil” shall mean that term as calculated
 34 including any adjustments made under section 257.10, subsection
 35 2.

Page 2

1 Sec. ____ Section 257.9, subsection 2, Code 2018, is amended
 2 to read as follows:
 3 2. *Regular program state cost per pupil for 1992-1993 and*
 4 *succeeding years.*
 5 a. For the budget year beginning July 1, 1992, and
 6 succeeding budget years beginning before July 1, 2018, the
 7 regular program state cost per pupil for a budget year is the
 8 regular program state cost per pupil for the base year plus the
 9 regular program supplemental state aid for the budget year.
 10 b. For the budget year beginning July 1, 2018, the regular
 11 program state cost per pupil is the regular program state
 12 cost per pupil for the base year plus the regular program
 13 supplemental state aid for the budget year, plus five dollars.
 14 c. For the budget year beginning July 1, 2019, and
 15 succeeding budget years, the regular program state cost per
 16 pupil for a budget year is the regular program state cost per
 17 pupil for the base year plus the regular program supplemental
 18 state aid for the budget year.
 19 Sec. ____ Section 257.10, subsection 2, paragraph b, Code
 20 2018, is amended to read as follows:
 21 b. If the regular program district cost per pupil of a
 22 school district for the budget year under paragraph “a” exceeds
 23 one hundred five percent of the regular program state cost
 24 per pupil for the budget year and the state percent of growth
 25 for the budget year is greater than two percent, the regular
 26 program district cost per pupil for the budget year for that
 27 district shall be reduced to one hundred five percent of the
 28 regular program state cost per pupil for the budget year.
 29 However, under such conditions, if the difference between the
 30 regular program district cost per pupil for the budget year and
 31 the regular program state cost per pupil for the budget year
 32 is greater than an amount equal to two percent multiplied by
 33 the regular program state cost per pupil for the base year, the

34 regular program district cost per pupil for the budget year
 35 shall be reduced by the amount equal to two percent multiplied

Page 3

1 by the regular program state cost per pupil for the base year.
 2 Sec. ____. Section 257.10, subsection 2, Code 2018, is
 3 amended by adding the following new paragraph:
 4 NEW PARAGRAPH. c. For the budget year beginning July 1,
 5 2018, and succeeding budget years, if the regular program
 6 district cost per pupil for the budget year calculated under
 7 this subsection in any school district is less than the
 8 regular program state cost per pupil for the budget year, the
 9 department of management shall increase the regular program
 10 district cost per pupil of that district to an amount equal to
 11 the regular program state cost per pupil for the budget year.
 12 Sec. ____. EFFECTIVE UPON ENACTMENT. This division of this
 13 Act, being deemed of immediate importance, takes effect upon
 14 enactment.

15 DIVISION ____

16 SCHOOL DISTRICT SUPPLEMENTARY WEIGHTING

17 Sec. ____. Section 257.10, subsection 8, paragraph a, Code
 18 2018, is amended to read as follows:
 19 a. Combined district cost is the sum of the regular
 20 program district cost per pupil multiplied by the weighted
 21 enrollment minus the additional pupils added due to section
 22 257.11, subsection 7A, the regular program state cost per pupil
 23 multiplied by the number of pupils added due to section 257.11,
 24 subsection 7A, the special education support services district
 25 cost, the total teacher salary supplement district cost, the
 26 total professional development supplement district cost, the
 27 total early intervention supplement district cost, and the
 28 total teacher leadership supplement district cost, plus the sum
 29 of the additional district cost allocated to the district to
 30 fund media services and educational services provided through
 31 the area education agency, the area education agency total
 32 teacher salary supplement district cost and the area education
 33 agency total professional development supplement district cost.
 34 Sec. ____. Section 257.11, Code 2018, is amended by adding
 35 the following new subsection:

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1 NEW SUBSECTION. 7A. *School district transportation costs.*
 2 a. In order to provide additional funds for school district
 3 transportation costs resulting from the transportation of
 4 resident pupils required by chapter 285 and paid from sources
 5 other than the district's physical plant and equipment levy
 6 fund under section 298A.4 or revenue received from the secure
 7 advanced vision for education fund under section 423F.2, a
 8 supplementary weighting plan for such pupils is adopted.
 9 b. For the budget year beginning July 1, 2018, and each

10 succeeding budget year, each school district shall be assigned
11 a supplementary weighting amount equal to ten percent of the
12 combined weighting amount calculated under paragraph “c”,
13 subparagraph (2), for that budget year.

14 c. (1) (a) *Transportation cost factor.* For each budget
15 year beginning on or after July 1, 2018, the department of
16 management shall calculate for each school district all of the
17 following:

18 (i) The sum of the school district’s total transportation
19 costs incurred for the transportation of pupils required under
20 chapter 285, and paid from sources other than the district’s
21 physical plant and equipment levy fund under section 298A.4
22 or revenue received from the secure an advanced vision for
23 education fund under section 423F.2, for the three years
24 immediately preceding the base year.

25 (ii) The sum of the school district’s regular program
26 district cost for the three years immediately preceding the
27 base year, excluding amounts attributable to budget adjustments
28 received under section 257.14.

29 (iii) The school district’s budget enrollment multiplied by
30 the quotient of the school district’s amount under subparagraph
31 subdivision (i) divided by the school district’s amount under
32 subparagraph subdivision (ii).

33 (iv) The school district’s amount under subparagraph
34 subdivision (iii) divided by the sum of the amounts calculated
35 under subparagraph subdivision (iii) for all school districts.

Page 5

1 (v) The amount calculated under subparagraph subdivision
2 (iv) multiplied by ninety percent of the sum of all school
3 districts’ transportation costs incurred for the transportation
4 of pupils required under chapter 285 for the year preceding
5 the base year and paid from sources other than the district’s
6 physical plant and equipment levy fund under section 298A.4
7 or revenue received from the secure an advanced vision for
8 education fund under section 423F.2.

9 (vi) The quotient of the amount calculated under
10 subparagraph subdivision (v) divided by the regular program
11 state cost per pupil for the budget year.

12 (b) *Budget enrollment factor.* For each budget year
13 beginning on or after July 1, 2018, the department of
14 management shall calculate for each school district all of the
15 following:

16 (i) The quotient of the school district’s budget enrollment
17 divided by the statewide total budget enrollment multiplied by
18 five percent of the sum of all school districts’ transportation
19 costs incurred for the transportation of pupils required under
20 chapter 285 for the year preceding the base year and paid from
21 sources other than the district’s physical plant and equipment
22 levy fund under section 298A.4 or revenue received from the
23 secure an advanced vision for education fund under section

24 423F.2.

25 (ii) The amount calculated under subparagraph subdivision
26 (i) divided by the regular program state cost per pupil for the
27 budget year.

28 (c) *Route miles factor.* For each budget year beginning
29 on or after July 1, 2018, the department of management shall
30 calculate for each school district all of the following:

31 (i) The quotient of the school district's total route
32 miles traveled for the transportation of pupils required under
33 chapter 285 for the year preceding the base year divided by the
34 school district's budget enrollment.

35 (ii) The school district's amount under subparagraph

Page 6

1 subdivision (i) divided by the sum of the amounts calculated
2 under subparagraph subdivision (i) for all school districts.

3 (iii) The amount calculated under subparagraph subdivision
4 (ii) multiplied by five percent of the sum of all school
5 districts' transportation costs incurred for the transportation
6 of pupils required under chapter 285 for the year preceding
7 the base year and paid from sources other than the district's
8 physical plant and equipment levy fund under section 298A.4
9 or revenue received from the secure an advanced vision for
10 education fund under section 423F.2.

11 (iv) The amount calculated under subparagraph subdivision
12 (iii) divided by the regular program state cost per pupil for
13 the budget year.

14 (2) The combined weighting amount for each school district
15 is the sum of the following:

16 (a) The amount calculated under subparagraph (1),
17 subparagraph division (a), subparagraph subdivision (vi).

18 (b) The amount calculated under subparagraph (1),
19 subparagraph division (b), subparagraph subdivision (ii).

20 (c) The amount calculated under subparagraph (1),
21 subparagraph division (c), subparagraph subdivision (iv).

22 *d.* Funding received by a school district as the result of
23 supplementary weighting under this subsection shall not affect
24 a school district's eligibility for transportation assistance
25 under section 257.31, subsection 17.

26 *e.* Amounts received by a school district as the result
27 of supplementary weighting under this subsection shall be
28 deposited in the school district's general fund and may be used
29 for any general fund purpose.

30 *f.* If a school district established as the result of a
31 reorganization under chapter 275 does not have sufficient
32 transportation cost data, regular program district cost per
33 pupil data, or enrollment data for the calculation of amounts
34 required under this subsection, the department of management
35 shall use estimated transportation cost data, regular program

Page 7

1 district cost per pupil data, and enrollment data derived from
2 data for prior budget years from each district involved in
3 the reorganization until such amounts can be calculated using
4 actual data for the reorganized school district.
5 *g.* For the budget years beginning July 1, 2018, July 1,
6 2019, and July 1, 2020, and if necessary, any subsequent budget
7 years, if insufficient or incomplete transportation cost data
8 makes the implementation of this subsection impractical, the
9 department of management shall, in consultation with the
10 department of education and the legislative services agency,
11 establish procedures and modified methodologies for calculating
12 supplementary weighting and funding amounts under this
13 subsection.

14 Sec. ____ Section 257.11, subsection 8, Code 2018, is
15 amended to read as follows:

16 8. *Pupils ineligible.* A Except for transportation weighting
17 under subsection 7A, a pupil eligible for the weighting plan
18 provided in section 256B.9 is not eligible for supplementary
19 weighting pursuant to this section unless it is determined
20 that the course generating the supplemental weighting has no
21 relationship to the pupil's disability. A pupil attending an
22 alternative program or an at-risk pupils' program, including
23 alternative high school programs, is not eligible for
24 supplementary weighting under subsection 2.

25 Sec. ____ Section 257.31, subsection 17, paragraphs a and d,
26 Code 2018, are amended to read as follows:

27 *a.* If a district's average transportation costs per
28 pupil exceed the state average transportation costs per
29 pupil determined under paragraph "c" by one hundred fifty
30 percent, the committee may grant transportation assistance aid
31 to the district using exclusively the funds transferred to
32 the committee in accordance with section 321.34, subsection
33 22. Such aid shall be miscellaneous income and shall not be
34 included in district cost.

35 *d.* Funds transferred to the committee in accordance with

Page 8

1 section 321.34, subsection 22, are appropriated to and may be
2 expended for the purposes of the committee, as described in
3 this ~~section~~ subsection. However, highest priority shall be
4 given to districts that meet the conditions described in this
5 subsection. Notwithstanding any other provision of the Code,
6 unencumbered or unobligated funds transferred to the committee
7 pursuant to section 321.34, subsection 22, remaining on June
8 30 of the fiscal year for which the funds were transferred,
9 shall not revert but shall be available for expenditure for the
10 purposes of this subsection in subsequent fiscal years.

11 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
12 Act, being deemed of immediate importance, takes effect upon

13 enactment.>

14 4. Title page, by striking lines 2 through 5 and inserting
15 <modifying and establishing provisions relating to the funding
16 of school districts, and including effective>

17 5. By renumbering, redesignating, and correcting internal
18 references as necessary.

TIM KRAAYENBRINK

S-5004

1 Amend Senate File 2117 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

<DIVISION I

APPROPRIATION REDUCTIONS

6 Section 1. EXECUTIVE AND JUDICIAL BRANCH APPROPRIATION
7 REDUCTIONS.

8 1. For the period beginning on the effective date of this
9 section and ending on June 30, 2018, the following departments
10 and agencies and the judicial branch are subject to a reduction
11 in expenditures made from appropriations from the general fund
12 in the following amounts:

13	a. Department of administrative services		
14	.....	\$	62,560
15	b. Auditor of state		
16	.....	\$	8,062
17	c. Department of commerce		
18	.....	\$	24,866
19	d. Executive council		
20	.....	\$	777
21	e. Governor's office		
22	.....	\$	20,888
23	f. Governor's office of drug control policy		
24	.....	\$	2,058
25	g. Department of human rights		
26	.....	\$	21,228
27	h. Department of inspections and appeals		
28	.....	\$	204,748

29 In identifying and implementing the reduction pursuant
30 to this paragraph, the director of the department shall be
31 authorized to make allocations between department divisions
32 in the manner and to the extent as the director determines
33 appropriate, in consultation with the department of management.

34	i. State public defender		
35	\$	236,041

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1	j. Department of management		
2	\$	22,629
3	k. Department of revenue		

4	\$	528,271
5	l. Secretary of state		
6	.....	\$	31,525
7	m. Treasurer of state		
8	.....	\$	9,256
9	n. Department of agriculture and land stewardship		
10	.....	\$	377,376
11	o. Department of natural resources		
12	.....	\$	123,373
13	p. Department of cultural affairs		
14	.....	\$	103,786
15	q. Economic development authority		
16	.....	\$	132,013
17	r. Iowa workforce development		
18	.....	\$	141,013
19	s. Department for the blind		
20	.....	\$	19,720
21	t. College student aid commission		
22	.....	\$	94,172
23	u. Department of education		
24	.....	\$	1,169,660
25	In identifying and implementing the reduction pursuant to		
26	this paragraph, the department shall not reduce the standing		
27	appropriation under section 285.2, subsection 1, paragraph “b”		
28	for purposes of nonpublic school transportation.		
29	v. Community colleges		
30	.....	\$	1,813,797
31	w. Vocational rehabilitation		
32	.....	\$	54,472
33	x. Iowa public television		
34	.....	\$	160,000
35	y. Board of regents		

Page 3

1	.....	\$	14,563,265
2	The board shall not use the reduction in this paragraph as		
3	the basis for increasing the tuition rate and mandatory fees		
4	for the academic year 2018–2019 for institutions of higher		
5	learning governed by the board.		
6	z. Department on aging		
7	.....	\$	220,024
8	aa. Department of public health		
9	.....	\$	925,742
10	ab. Department of human services		
11	.....	\$	6,237,126
12	In identifying and implementing the reduction pursuant		
13	to this paragraph, the department shall not reduce benefits		
14	available under the Medicaid state plan and approved waivers.		
15	ac. Department of veterans affairs		
16	.....	\$	36,877
17	ad. Iowa veterans home		

18	.....	\$	65,164
19	ae. Department of justice		
20	.....	\$	378,471
21	af. Iowa civil rights commission		
22	.....	\$	31,293
23	ag. Department of corrections		
24	.....	\$	3,405,688
25	ah. Law enforcement academy		
26	.....	\$	8,607
27	ai. Department of public defense		
28	.....	\$	59,193
29	aj. Department of homeland security and emergency		
30	management		
31	.....	\$	19,130
32	ak. Department of public safety		
33	.....	\$	200,000
34	The department shall not apply any reduction to expenditures		
35	made from appropriations to the division of the state patrol.		

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1	al. Judicial branch		
2	\$	1,611,815
3	2. The department of management, in consultation with		
4	the departments and agencies and the judicial branch listed		
5	in subsection 1, shall identify and implement the reductions		
6	in subsection 1 with respect to the appropriate general fund		
7	appropriations. Within fifteen days of the effective date of		
8	this section, the department of management shall transmit a		
9	report to the general assembly and legislative services agency		
10	listing the appropriation reductions applied.		
11	3. In order to implement the reductions in subsection 1,		
12	the departments and agencies and the judicial branch may adjust		
13	allocations made from appropriations that are being reduced.		
14	4. In order to implement the reductions in subsection 1, the		
15	department of management may reduce a standing appropriation to		
16	a department or agency required to reduce expenditures pursuant		
17	to subsection 1.		
18	Sec. 2. LIMITATIONS OF STANDING APPROPRIATION — FY		
19	2017–2018. Notwithstanding the standing appropriation in the		
20	following designated section for the fiscal year beginning July		
21	1, 2017, and ending June 30, 2018, the amount appropriated from		
22	the general fund of the state pursuant to the section for the		
23	following designated purpose shall not exceed the following		
24	amount:		
25	For regional tourism marketing under section 99F.11,		
26	subsection 3, paragraph “d”, subparagraph (2):		
27	.....	\$	750,000
28	Sec. 3. TRANSFER — IOWA SKILLED WORKER AND JOB CREATION		
29	FUND. There is transferred from the Iowa skilled worker and		
30	job creation fund created in section 8.75 to the general fund		
31	of the state for the fiscal year beginning July 1, 2017, and		

32 ending June 30, 2018, the following amount:
 33 \$ 10,000,000
 34 Sec. 4. SUPPLEMENTAL REIMBURSEMENT FOR GROUND EMERGENCY
 35 MEDICAL TRANSPORTATION PROVIDED TO MEDICAID BENEFICIARIES. The

Page 5

1 department of human services shall submit a Medicaid state
 2 plan amendment to the centers for Medicare and Medicaid
 3 services of the United States department of health and human
 4 services to request authorization to establish and administer a
 5 methodology to provide supplemental reimbursement to eligible
 6 ground emergency medical transportation providers that provide
 7 ground emergency medical transportation services to Medicaid
 8 beneficiaries. For purposes of this section, “eligible ground
 9 emergency medical transportation provider” means a provider who
 10 provides ground emergency medical transportation services to
 11 Medicaid beneficiaries and is enrolled as a Medicaid provider
 12 during the period being claimed.

13 The emergency medical transportation intergovernmental
 14 transfer obligation under this section is contingent on
 15 continuation of the federal Medicaid funding methodology on the
 16 effective date of this Act. Should the federal methodology
 17 change after the effective date of this Act, the department
 18 will no longer be obligated to fund this intergovernmental
 19 transfer.

20 Sec. 5. LEGISLATORS’ PER DIEM FOR THE 2018 REGULAR
 21 SESSION. Notwithstanding section 2.10, subsection 1, to the
 22 contrary, members of the Eighty-seventh General Assembly shall
 23 be limited to the receipt of a per diem for expenses of office
 24 for the Second Regular Session convening in 2018 for a maximum
 25 of ninety calendar days rather than one hundred calendar days.

26 Sec. 6. 2017 Iowa Acts, chapter 169, section 17, subsection
 27 1, paragraph a, subparagraph (1) is amended to read as follows:

28 (1) For the purposes of providing assistance under the high
 29 quality jobs program as described in section 15.335B:
 30 \$ 15,900,000
 31 5,900,000

32 Sec. 7. 2017 Iowa Acts, chapter 170, section 5, subsection
 33 1, is amended to read as follows:

34 1. The appropriations made pursuant to section 2.12 for the
 35 expenses of the general assembly and legislative agencies for

Page 6

1 the fiscal year beginning July 1, 2017, and ending June 30,
 2 2018, are reduced by the following amount:
 3 \$ 400,000
 4 1,000,000

5 Sec. 8. 2017 Iowa Acts, chapter 174, section 31, subsection
 6 1, paragraph c, subparagraph (3), is amended to read as
 7 follows:

8 (3) (a) For the fiscal year beginning July 1, 2017, the
 9 graduate medical education and disproportionate share hospital
 10 fund shall remain at the amount in effect on June 30, 2017,
 11 ~~except that the portion of the fund attributable to graduate~~
 12 ~~medical education shall be reduced in an amount that reflects~~
 13 ~~the elimination of graduate medical education payments made to~~
 14 ~~out of state hospitals.~~

15 (b) Effective March 1, 2018, a hospital that is located
 16 in Iowa, is classified as state government-owned or nonstate
 17 government-owned, and qualifies for graduate medical education
 18 or disproportionate share hospital payments shall transfer
 19 to the medical assistance program an amount equal to provide
 20 the nonfederal share for a graduate medical education and
 21 disproportionate share hospital payment. Distribution of the
 22 payments shall be made on a monthly basis. A hospital that
 23 meets the specified conditions shall receive and retain one
 24 hundred percent of the total graduate medical education and
 25 disproportionate share hospital payments.

26 Sec. 9. REPEAL. 2017 Iowa Acts, chapter 170, section 18,
 27 is repealed.

28 DIVISION II

29 SUPPLEMENTAL APPROPRIATIONS

30 Sec. 10. INDIGENT DEFENSE. There is appropriated from the
 31 general fund of the state to the office of the state public
 32 defender of the department of inspections and appeals for the
 33 fiscal year beginning July 1, 2017, and ending June 30, 2018,
 34 the following amount, or so much thereof as is necessary to
 35 supplement appropriations made for the following designated

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1 purpose:
 2 For payments on behalf of eligible adults and juveniles from
 3 the indigent defense fund in accordance with section 815.11:
 4 \$ 1,700,000
 5 Sec. 11. UTILITY COSTS. There is appropriated from the
 6 general fund of the state to the department of administrative
 7 services for the fiscal year beginning July 1, 2017, and ending
 8 June 30, 2018, the following amount, or so much thereof as is
 9 necessary, to supplement appropriations made for the following
 10 designated purpose:
 11 For payment of utility costs:
 12 \$ 451,871
 13 Sec. 12. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 14 appropriated from the pharmaceutical settlement account created
 15 in section 249A.33 to the department of human services for the
 16 fiscal year beginning July 1, 2017, and ending June 30, 2018,
 17 the following amount, or so much thereof as is necessary, to be
 18 used for the purpose designated:
 19 Notwithstanding any provision of law to the contrary, to
 20 supplement the appropriations made in this Act for medical
 21 contracts under the medical assistance program for the fiscal

22 year beginning July 1, 2017, and ending June 30, 2018:
 23 \$ 800,000
 24 864,257

25 DIVISION III
 26 EFFECTIVE DATE

27 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
 28 immediate importance, takes effect upon enactment.>

CHARLES SCHNEIDER

S-5005

1 Amend Senate File 2117 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <DIVISION I
 5 APPROPRIATION REDUCTIONS

6 Section 1. EXECUTIVE AND JUDICIAL BRANCH APPROPRIATION
 7 REDUCTIONS.

8 1. For the period beginning on the effective date of this
 9 section and ending on June 30, 2018, the following departments
 10 and agencies and the judicial branch are subject to a reduction
 11 in expenditures made from appropriations from the general fund
 12 in the following amounts:

13 a. Department of administrative services		
14	\$	62,560
15 b. Auditor of state		
16	\$	8,062
17 c. Department of commerce		
18	\$	24,866
19 d. Executive council		
20	\$	777
21 e. Governor's office		
22	\$	20,888
23 f. Governor's office of drug control policy		
24	\$	2,058
25 g. Department of human rights		
26	\$	21,228
27 h. Department of inspections and appeals		
28	\$	204,748
29 In identifying and implementing the reduction pursuant		
30 to this paragraph, the director of the department shall be		
31 authorized to make allocations between department divisions		
32 in the manner and to the extent as the director determines		
33 appropriate, in consultation with the department of management.		
34 i. State public defender		
35	\$	236,041

Page 2

1 j. Department of management		
2	\$	22,629

3	k. Department of revenue	
4	.....	\$ 528,271
5	l. Secretary of state	
6	.....	\$ 31,525
7	m. Treasurer of state	
8	.....	\$ 9,256
9	n. Department of agriculture and land stewardship	
10	.....	\$ 377,376
11	o. Department of natural resources	
12	.....	\$ 123,373
13	p. Department of cultural affairs	
14	.....	\$ 103,786
15	q. Economic development authority	
16	.....	\$ 132,013
17	r. Iowa workforce development	
18	.....	\$ 141,013
19	s. Department for the blind	
20	.....	\$ 19,720
21	t. College student aid commission	
22	.....	\$ 94,172
23	u. Department of education	
24	.....	\$ 1,169,660
25	In identifying and implementing the reduction pursuant to	
26	this paragraph, the department shall not reduce the standing	
27	appropriation under section 285.2, subsection 1, paragraph "b"	
28	for purposes of nonpublic school transportation.	
29	v. Community colleges	
30	.....	\$ 1,813,797
31	w. Vocational rehabilitation	
32	.....	\$ 54,472
33	x. Iowa public television	
34	.....	\$ 160,000
35	y. Board of regents	

Page 3

1	.....	\$ 14,563,265
2	z. Department on aging	
3	.....	\$ 220,024
4	aa. Department of public health	
5	.....	\$ 925,742
6	ab. Department of human services	
7	.....	\$ 6,237,126
8	In identifying and implementing the reduction pursuant	
9	to this paragraph, the department shall not reduce benefits	
10	available under the Medicaid state plan and approved waivers.	
11	ac. Department of veterans affairs	
12	.....	\$ 36,877
13	ad. Iowa veterans home	
14	.....	\$ 65,164
15	ae. Department of justice	
16	.....	\$ 378,471

17	af. Iowa civil rights commission	
18	.....	\$ 31,293
19	ag. Department of corrections	
20	.....	\$ 3,405,688
21	ah. Law enforcement academy	
22	.....	\$ 8,607
23	ai. Department of public defense	
24	.....	\$ 59,193
25	aj. Department of homeland security and emergency	
26	management	
27	.....	\$ 19,130
28	ak. Department of public safety	
29	.....	\$ 200,000
30	The department shall not apply any reduction to expenditures	
31	made from appropriations to the division of the state patrol.	
32	al. Judicial branch	
33	.....	\$ 1,611,815
34	2. The department of management, in consultation with	
35	the departments and agencies and the judicial branch listed	

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1 in subsection 1, shall identify and implement the reductions
 2 in subsection 1 with respect to the appropriate general fund
 3 appropriations. Within fifteen days of the effective date of
 4 this section, the department of management shall transmit a
 5 report to the general assembly and legislative services agency
 6 listing the appropriation reductions applied.

7 3. In order to implement the reductions in subsection 1,
 8 the departments and agencies and the judicial branch may adjust
 9 allocations made from appropriations that are being reduced.

10 4. In order to implement the reductions in subsection 1, the
 11 department of management may reduce a standing appropriation to
 12 a department or agency required to reduce expenditures pursuant
 13 to subsection 1.

14 Sec. 2. LIMITATIONS OF STANDING APPROPRIATION — FY
 15 2017–2018. Notwithstanding the standing appropriation in the
 16 following designated section for the fiscal year beginning July
 17 1, 2017, and ending June 30, 2018, the amount appropriated from
 18 the general fund of the state pursuant to the section for the
 19 following designated purpose shall not exceed the following
 20 amount:

21	For regional tourism marketing under section 99F.11,	
22	subsection 3, paragraph “d”, subparagraph (2):	
23	.....	\$ 750,000

24	Sec. 3. TRANSFER — IOWA SKILLED WORKER AND JOB CREATION	
25	FUND. There is transferred from the Iowa skilled worker and	
26	job creation fund created in section 8.75 to the general fund	
27	of the state for the fiscal year beginning July 1, 2017, and	
28	ending June 30, 2018, the following amount:	
29	.....	\$ 10,000,000

30 Sec. 4. SUPPLEMENTAL REIMBURSEMENT FOR GROUND EMERGENCY

31 MEDICAL TRANSPORTATION PROVIDED TO MEDICAID BENEFICIARIES. The
 32 department of human services shall submit a Medicaid state
 33 plan amendment to the centers for Medicare and Medicaid
 34 services of the United States department of health and human
 35 services to request authorization to establish and administer a

Page 5

1 methodology to provide supplemental reimbursement to eligible
 2 ground emergency medical transportation providers that provide
 3 ground emergency medical transportation services to Medicaid
 4 beneficiaries. For purposes of this section, "eligible ground
 5 emergency medical transportation provider" means a provider who
 6 provides ground emergency medical transportation services to
 7 Medicaid beneficiaries and is enrolled as a Medicaid provider
 8 during the period being claimed.

9 The emergency medical transportation intergovernmental
 10 transfer obligation under this section is contingent on
 11 continuation of the federal Medicaid funding methodology on the
 12 effective date of this Act. Should the federal methodology
 13 change after the effective date of this Act, the department
 14 will no longer be obligated to fund this intergovernmental
 15 transfer.

16 Sec. 5. LEGISLATORS' PER DIEM FOR THE 2018 REGULAR
 17 SESSION. Notwithstanding section 2.10, subsection 1, to the
 18 contrary, members of the Eighty-seventh General Assembly shall
 19 be limited to the receipt of a per diem for expenses of office
 20 for the Second Regular Session convening in 2018 for a maximum
 21 of ninety calendar days rather than one hundred calendar days.

22 Sec. 6. 2017 Iowa Acts, chapter 169, section 17, subsection
 23 1, paragraph a, subparagraph (1) is amended to read as follows:

24 (1) For the purposes of providing assistance under the high
 25 quality jobs program as described in section 15.335B:

26	\$	<u>15,900,000</u>
27		<u>5,900,000</u>

28 Sec. 7. 2017 Iowa Acts, chapter 170, section 5, subsection
 29 1, is amended to read as follows:

30 1. The appropriations made pursuant to section 2.12 for the
 31 expenses of the general assembly and legislative agencies for the
 32 fiscal year beginning July 1, 2017, and ending June 30,
 33 2018, are reduced by the following amount:

34	\$	<u>400,000</u>
35		<u>1,000,000</u>

Page 6

1 Sec. 8. 2017 Iowa Acts, chapter 174, section 31, subsection
 2 1, paragraph c, subparagraph (3), is amended to read as
 3 follows:

4 (3) (a) For the fiscal year beginning July 1, 2017, the
 5 graduate medical education and disproportionate share hospital
 6 fund shall remain at the amount in effect on June 30, 2017,

7 ~~except that the portion of the fund attributable to graduate~~
8 ~~medical education shall be reduced in an amount that reflects~~
9 ~~the elimination of graduate medical education payments made to~~
10 ~~out of state hospitals.~~

11 (b) Effective March 1, 2018, a hospital that is located
12 in Iowa, is classified as state government-owned or nonstate
13 government-owned, and qualifies for graduate medical education
14 or disproportionate share hospital payments shall transfer
15 to the medical assistance program an amount equal to provide
16 the nonfederal share for a graduate medical education and
17 disproportionate share hospital payment. Distribution of the
18 payments shall be made on a monthly basis. A hospital that
19 meets the specified conditions shall receive and retain one
20 hundred percent of the total graduate medical education and
21 disproportionate share hospital payments.

22 Sec. 9. REPEAL. 2017 Iowa Acts, chapter 170, section 18,
23 is repealed.

24 DIVISION II

25 SUPPLEMENTAL APPROPRIATIONS

26 Sec. 10. INDIGENT DEFENSE. There is appropriated from the
27 general fund of the state to the office of the state public
28 defender of the department of inspections and appeals for the
29 fiscal year beginning July 1, 2017, and ending June 30, 2018,
30 the following amount, or so much thereof as is necessary to
31 supplement appropriations made for the following designated
32 purpose:

33 For payments on behalf of eligible adults and juveniles from
34 the indigent defense fund in accordance with section 815.11:
35 \$ 1,700,000

Page 7

1 Sec. 11. UTILITY COSTS. There is appropriated from the
2 general fund of the state to the department of administrative
3 services for the fiscal year beginning July 1, 2017, and ending
4 June 30, 2018, the following amount, or so much thereof as is
5 necessary, to supplement appropriations made for the following
6 designated purpose:

7 For payment of utility costs:
8 \$ 451,871

9 Sec. 12. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
10 appropriated from the pharmaceutical settlement account created
11 in section 249A.33 to the department of human services for the
12 fiscal year beginning July 1, 2017, and ending June 30, 2018,
13 the following amount, or so much thereof as is necessary, to be
14 used for the purpose designated:

15 Notwithstanding any provision of law to the contrary, to
16 supplement the appropriations made in this Act for medical
17 contracts under the medical assistance program for the fiscal
18 year beginning July 1, 2017, and ending June 30, 2018:
19 \$ 800,000
20 864,257

21 DIVISION III
 22 EFFECTIVE DATE
 23 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
 24 immediate importance, takes effect upon enactment.>

CHARLES SCHNEIDER

S-5006

1 Amend the amendment, S-5005, to Senate File 2117 as follows:
 2 1. Page 2, by striking line 30 and inserting:
 3 <..... \$ 63,797>

HERMAN C. QUIRMBACH

S-5007

1 Amend the amendment, S-5005, to Senate File 2117 as follows:
 2 1. By striking page 4, line 30, through page 5, line 15, and
 3 inserting:
 4 <Sec. ____ SUPPLEMENTAL REIMBURSEMENT FOR GROUND EMERGENCY
 5 MEDICAL TRANSPORTATION PROVIDED TO MEDICAID BENEFICIARIES. The
 6 department of human services shall submit a Medicaid state
 7 plan amendment to the centers for Medicare and Medicaid
 8 services of the United States department of health and human
 9 services to request authorization to establish and administer a
 10 methodology to provide supplemental reimbursement to eligible
 11 ground emergency medical transportation providers that provide
 12 ground emergency medical transportation services to Medicaid
 13 beneficiaries. For purposes of this section, "eligible ground
 14 emergency medical transportation provider" means a provider who
 15 provides ground emergency medical transportation services to
 16 Medicaid beneficiaries and is enrolled as a Medicaid provider
 17 during the period being claimed.
 18 The emergency medical transportation intergovernmental
 19 transfer obligation established under this section is
 20 contingent upon the continuation of the federal Medicaid
 21 funding methodology in effect on the effective date of this
 22 Act. If the federal methodology is changed after the effective
 23 date of this Act in a manner that negatively impacts the
 24 intergovernmental transfer obligation, as determined by the
 25 department, the department shall no longer be obligated to
 26 continue the intergovernmental transfer.>
 27 2. Page 5, line 21, by striking <ninety> and inserting
 28 <eighty-five>
 29 3. By renumbering as necessary.

JOE BOLKCOM

S-5008

1 Amend the amendment, S-5005, to Senate File 2117 as follows:

- 2 1. Page 3, after line 16 by inserting:
3 <In identifying and implementing the reduction pursuant to
4 this paragraph, the department shall not reduce expenditures
5 made from appropriations for victim assistance grants.>

ROBERT E. DVORSKY

S-5009

- 1 Amend Senate File 192 as follows:
2 1. Page 1, line 2, by striking <2017> and inserting <2018>
3 2. Page 1, line 23, by striking <2017> and inserting <2018>
4 3. Page 2, line 20, by striking <2017> and inserting <2018>
5 4. Page 3, line 2, by striking <2017> and inserting <2018>
6 5. Page 3, line 8, by striking <2017> and inserting <2018>
7 6. Page 3, line 20, by striking <2017> and inserting <2018>
8 7. Page 3, line 26, by striking <2017> and inserting <2018>
9 8. Page 4, line 30, by striking <2017> and inserting <2018>
10 9. Page 6, line 35, by striking <2017> and inserting <2018>
11 10. Page 7, line 9, by striking <2017> and inserting <2018>
12 11. Page 7, line 28, by striking <2017> and inserting <2018>
13 12. Page 8, line 3, by striking <2018> and inserting <2019>
14 13. Page 8, line 7, by striking <2018> and inserting <2019>

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, Chair

S-5010

- 1 Amend Senate File 2257 as follows:
2 1. Page 2, by striking line 24 and inserting:
3 <3. When providing services that require an Iowa license,
4 the marketplace contractor shall be responsible for obtaining
5 the Iowa license and making such license available to the
6 individuals or entities for whom the marketplace contractor is
7 providing services.
8 4. This section shall not apply to any of the following:>

DAN ZUMBACH

S-5011

- 1 Amend Senate File 2098 as follows:
2 1. Page 2, by striking lines 26 through 29 and inserting
3 <The request for notice shall state the name, ~~electronic mail~~
4 ~~address, and post office address~~ of the requester, and the
5 name of the requester's attorney, if any, and the reason the
6 requester is an interested person in the proceeding. The
7 request for notice shall provide the requester's post office
8 address, and if available, the requester's electronic mail
9 address and telephone number. The request for notice shall
10 also provide the requester's attorney's post office address.

11 electronic mail address, and telephone number.>
 12 2. Page 3, by striking lines 33 and 34 and inserting <with
 13 the clerk, stating the claimant's name, ~~and~~ address, and if
 14 available, telephone number and electronic mail address,
 15 describing>

JANET PETERSEN

S-5012

1 Amend Senate File 2067 as follows:
 2 1. Page 1, after line 20 by inserting:
 3 <Sec. __. Section 321.415, Code 2018, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 3. A motor vehicle's factory-installed
 6 daytime running headlamps shall be deemed to satisfy the
 7 requirements of subsection 1 if the distribution of light is
 8 directed high enough and is of sufficient intensity to reveal
 9 persons and vehicles at a safe distance in advance of the
 10 vehicle.>
 11 2. By renumbering as necessary.

DAN ZUMBACH

S-5013

1 Amend Senate File 2336 as follows:
 2 1. Page 39, line 26, by striking <Iowa cancer center> and
 3 inserting <university of Iowa Holden comprehensive cancer
 4 center>
 5 2. By striking page 63, line 32, through page 66, line 25.
 6 3. By renumbering as necessary.

COMMITTEE ON JUDICIARY
 BRAD ZAUN, Chair

S-5014

1 Amend Senate File 2236 as follows:
 2 1. Page 2, line 7, by striking <A> and inserting <Only a
 3 claimant may amend a>
 4 2. Page 2, line 7, by striking <may be amended>

JULIAN B. GARRETT

S-5015

1 Amend Senate File 2131 as follows:
 2 1. Page 1, line 9, by striking <1> and inserting <2>

JEFF EDLER

S-5016

1 Amend Senate File 2235 as follows:
 2 1. Page 3, line 12, after <duties> by inserting <, including
 3 but not limited to an interruption or impairment of service
 4 occurring in the ordinary and normal course of agricultural
 5 work duties>

TOM SHIPLEY

S-5017

HOUSE AMENDMENT TO
 SENATE FILE 455

1 Amend Senate File 455, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <DIVISION I
 6 STATE AND DISTRICT COSTS PER PUPIL
 7 Section 1. Section 257.2, subsection 12, Code 2018, is
 8 amended to read as follows:
 9 12. *“Supplemental state aid”* means the amount by which state
 10 cost per pupil and district cost per pupil will increase from
 11 one budget year to the next as the result of the state percent
 12 of growth.
 13 Sec. 2. Section 257.8, subsection 5, Code 2018, is amended
 14 to read as follows:
 15 5. *Alternate supplemental state aid — definitions.*
 16 *a.* For budget years beginning July 1, 2000, and subsequent
 17 budget years, references to the terms *“supplemental state aid”*,
 18 *“regular program state cost per pupil”*, and *“regular program*
 19 *district cost per pupil”* shall mean those terms as calculated
 20 for those school districts that calculated regular program
 21 supplemental state aid for the school budget year beginning
 22 July 1, 1999, with the additional thirty-eight dollars
 23 specified in section 257.8, subsection 4, Code 2013.
 24 *b.* For the budget year beginning July 1, 2018, and
 25 subsequent budget years, references to “supplemental state
 26 aid” and “regular program state cost per pupil” shall mean
 27 those terms as calculated including the additional amount for
 28 the budget year beginning July 1, 2018, under section 257.9,
 29 subsection 2, paragraph “b”, and references to “regular program
 30 district cost per pupil” shall mean that term as calculated
 31 including any adjustments made under section 257.10, subsection
 32 2.
 33 Sec. 3. Section 257.9, subsection 2, Code 2018, is amended
 34 to read as follows:
 35 2. *Regular program state cost per pupil for 1992–1993 and*

Page 2

1 *succeeding years.*

2 a. For the budget year beginning July 1, 1992, and
3 succeeding budget years beginning before July 1, 2018, the
4 regular program state cost per pupil for a budget year is the
5 regular program state cost per pupil for the base year plus the
6 regular program supplemental state aid for the budget year.

7 b. For the budget year beginning July 1, 2018, the regular
8 program state cost per pupil is the regular program state
9 cost per pupil for the base year plus the regular program
10 supplemental state aid for the budget year, plus five dollars.

11 c. For the budget year beginning July 1, 2019, and
12 succeeding budget years, the regular program state cost per
13 pupil for a budget year is the regular program state cost per
14 pupil for the base year plus the regular program supplemental
15 state aid for the budget year.

16 Sec. 4. Section 257.10, subsection 2, paragraph b, Code
17 2018, is amended to read as follows:

18 b. If the regular program district cost per pupil of a
19 school district for the budget year under paragraph “a” exceeds
20 one hundred five percent of the regular program state cost
21 per pupil for the budget year and the state percent of growth
22 for the budget year is greater than two percent, the regular
23 program district cost per pupil for the budget year for that
24 district shall be reduced to one hundred five percent of the
25 regular program state cost per pupil for the budget year.
26 However, under such conditions, if the difference between the
27 regular program district cost per pupil for the budget year and
28 the regular program state cost per pupil for the budget year
29 is greater than an amount equal to two percent multiplied by
30 the regular program state cost per pupil for the base year, the
31 regular program district cost per pupil for the budget year
32 shall be reduced by the amount equal to two percent multiplied
33 by the regular program state cost per pupil for the base year.

34 Sec. 5. Section 257.10, subsection 2, Code 2018, is amended
35 by adding the following new paragraph:

Page 3

1 NEW PARAGRAPH. c. For the budget year beginning July 1,
2 2018, and succeeding budget years, if the regular program
3 district cost per pupil for the budget year calculated under
4 this subsection in any school district is less than the
5 regular program state cost per pupil for the budget year, the
6 department of management shall increase the regular program
7 district cost per pupil of that district to an amount equal to
8 the regular program state cost per pupil for the budget year.

9 Sec. 6. EFFECTIVE UPON ENACTMENT. This division of this
10 Act, being deemed of immediate importance, takes effect upon
11 enactment.

12

SCHOOL DISTRICT TRANSPORTATION COSTS

13

14 Sec. 7. **NEW SECTION. 257.16C Transportation equity program**
15 **— fund.**

16

17 1. A transportation equity program is established to
18 provide prioritized additional funding for school districts
19 with a transportation cost per pupil that exceeds the statewide
20 adjusted transportation cost per pupil for the same budget
21 year.

22

23 2. *a.* For the budget year beginning July 1, 2018, and
24 each succeeding budget year, the department of management
25 shall annually determine a statewide adjusted transportation
26 cost per pupil that is not lower than the statewide average
27 transportation cost per pupil. The statewide adjusted
28 transportation cost per pupil shall be annually determined, by
29 taking into account amounts appropriated to the transportation
30 equity fund under subsection 3, for the purpose of providing
31 transportation equity aid for those school districts with the
32 highest transportation cost per pupil differential.

33

34 *b.* Each school district that satisfies the criteria of
35 subsection 1 shall receive transportation equity aid in an
amount equal to the school district's actual enrollment for
the school year, excluding the shared-time enrollment for the
school year, multiplied by the school district's transportation

Page 4

1 cost per pupil differential for the budget year.

2

3 *c.* For purposes of this section:
4 (1) "*Statewide average transportation cost per pupil*" means
5 the total transportation cost for all school districts in the
6 state used to calculate each school district's transportation
7 cost per pupil under paragraph "*d*" divided by the total
8 enrollment for all school districts used to calculate each
9 school district's transportation cost per pupil under paragraph
10 "*d*".

11

12 (2) "*Transportation cost per pupil differential*" means an
13 amount equal to a school district's transportation cost per
14 pupil minus the statewide adjusted transportation cost per
15 pupil for the same budget year.

16

17 *d.* A school district's transportation cost per pupil
18 shall be determined by dividing the school district's actual
19 transportation cost for all children transported in all school
20 buses for a school year pursuant to section 285.1, subsection
21 12, less the amount received for transporting nonpublic school
22 pupils under section 285.1, by the district's actual enrollment
23 for the school year, excluding the shared-time enrollment for
24 the school year as defined in section 257.6.

25

26 3. *a.* A transportation equity fund is created as a separate
and distinct fund in the state treasury under the control of
the department of management. Moneys in the fund include
revenues credited to the fund, appropriations made to the
fund, and other moneys deposited in the fund. For each fiscal

27 year beginning on or after July 1, 2018, there is appropriated
 28 all moneys in the fund to the department of management for
 29 purposes of making transportation equity aid payments under
 30 this section.

31 *b.* If the balance of the fund exceeds the amount necessary
 32 to make all transportation equity aid payments under
 33 subsection 2, moneys remaining in the fund shall be used for
 34 transportation base funding payments under subsection 4.

35 *c.* If the balance of the fund exceeds the amount necessary

Page 5

1 to make all transportation equity aid payments and all
 2 transportation base funding payments, moneys remaining in the
 3 fund at the end of a fiscal year, notwithstanding section 8.33,
 4 shall remain in the fund and shall be available for expenditure
 5 for the purposes of this section in subsequent fiscal years.

6 4. For budget years beginning on or after July 1, 2018, if
 7 funding is available as provided in subsection 3, paragraph
 8 "b", each school district in the state shall receive a
 9 transportation base funding payment in an amount equal to
 10 the school district's enrollment used under subsection 2,
 11 paragraph "d", multiplied by the lesser of the statewide
 12 average transportation cost per pupil or the school district's
 13 transportation cost per pupil for the budget year. If an
 14 amount appropriated for a budget year is insufficient to pay
 15 all transportation base funding payments, the department of
 16 management shall prorate such payment amounts.

17 5. *a.* The sum of the transportation equity aid payment
 18 and the transportation base funding payment paid to a school
 19 district for a budget year shall not exceed the school
 20 district's actual transportation cost used to calculate
 21 the school district's transportation cost per pupil under
 22 subsection 2, paragraph "d", for the budget year.

23 *b.* Transportation equity aid payments and transportation
 24 base funding payments shall be paid at the same time and in the
 25 same manner as foundation aid is paid under section 257.16,
 26 and may be included in the monthly payment of state aid under
 27 section 257.16, subsection 2.

28 6. Transportation equity aid payments and transportation
 29 base funding payments received under this section are
 30 miscellaneous income and shall be deposited in the general fund
 31 of the school district. However, the transportation equity aid
 32 amount and the transportation base funding amount shall not be
 33 included in district cost. Transportation equity aid under
 34 this section shall not affect the receipt or amount of a budget
 35 adjustment received under section 257.14 or transportation

Page 6

1 assistance aid under section 257.31, subsection 17.

2 Sec. 8. TRANSPORTATION EQUITY FUND — APPROPRIATION. There

3 is appropriated from the general fund of the state to the
 4 department of management for the fiscal year beginning July
 5 1, 2018, and ending June 30, 2019, the following amount, or
 6 so much thereof as is necessary, to be used for the purposes
 7 designated:

8 For deposit in the transportation equity fund created
 9 pursuant to section 257.16C, subsection 3:
 10 \$ 11,200,000

11 Sec. 9. EFFECTIVE DATE. This division of this Act, being
 12 deemed of immediate importance, takes effect upon enactment.>

13 2. Title page, by striking lines 1 through 7 and inserting
 14 <An Act relating to school district funding by modifying and
 15 establishing provisions relating to state school foundation
 16 program and school district transportation costs, making
 17 appropriations, and including effective date provisions.>

S-5018

- 1 Amend Senate File 2137 as follows:
- 2 1. Page 1, by striking lines 8 through 21.
- 3 2. By renumbering, redesignating, and correcting internal
- 4 references as necessary.

RITA HART

S-5019

- 1 Amend Senate File 2235 as follows:
- 2 1. Page 3, by striking lines 2 through 4 and inserting:
- 3 <g. Any land, building, conveyance, or other temporary or
- 4 permanent structure whether publicly or privately owned, that
- 5 contains, houses, supports, or is appurtenant to any critical
- 6 infrastructure as described in paragraphs "a" through "f" of
- 7 this subsection.>
- 8 2. Page 3, line 5, by striking <3.> and inserting <2.>
- 9 3. Page 3, line 8, by striking <property>
- 10 4. Page 3, line 12, after <duties> by inserting <, including
- 11 but not limited to an interruption or impairment of service
- 12 occurring in the ordinary and normal course of agricultural
- 13 work duties>
- 14 5. Title page, line 2, by striking <property>

TOM SHIPLEY

S-5020

- 1 Amend Senate File 2236 as follows:
- 2 1. Page 2, by striking line 7 and inserting:
- 3 <b. A claimant may amend a lien statement without leave of
- 4 court>
- 5 2. Page 2, line 10, by striking <subparagraph> and inserting
- 6 <paragraph>

7 3. Page 2, by striking line 12 and inserting:
 8 <c. A claimant shall not amend a lien statement to increase
 9 the>

JULIAN B. GARRETT

S-5021

1 Amend Senate File 2235 as follows:
 2 1. Page 3, by striking lines 2 through 4 and inserting:
 3 <g. Any land, building, conveyance, or other temporary or
 4 permanent structure whether publicly or privately owned, that
 5 contains, houses, supports, or is appurtenant to any critical
 6 infrastructure as described in paragraphs "a" through "f" of
 7 this subsection.>
 8 2. Page 3, line 5, by striking <3.> and inserting <2.>
 9 3. Page 3, line 8, by striking <property>
 10 4. Page 3, line 12, after <duties.> by inserting <In
 11 addition, "*critical infrastructure sabotage*" does not include
 12 any condition or activity related to the production of farm
 13 products as defined in section 554.9102, including but not
 14 limited to the discharge of agricultural stormwater; the
 15 construction or use of soil or water quality conservation
 16 practices or structures; the preparation of agricultural land
 17 and the raising, harvesting, drying, or storage of agricultural
 18 crops; the application of fertilizer as defined in section
 19 200.3, pesticides as defined in section 206.2, or manure
 20 as defined in section 459.102; the installation and use of
 21 agricultural drainage tile and systems; the construction,
 22 operation, or management of an animal feeding operation as
 23 defined in section 459.102; and the care, feeding, or watering
 24 of livestock.>
 25 5. Title page, line 2, by striking <property>

TOM SHIPLEY

S-5022

1 Amend Senate File 2235 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 716.3, subsection 2, Code 2018, is
 5 amended to read as follows:
 6 2. a. ~~Criminal~~ Except as provided in paragraph "b,"
 7 criminal mischief in the first degree is a class "C" felony.
 8 b. Criminal mischief in the first degree is a class "B"
 9 felony if the criminal mischief results in more than two
 10 hundred fifty thousand dollars in damage or physical injury to
 11 a person.

ROBERT M. HOGG

S-5023

- 1 Amend Senate File 2235 as follows:
2 1. Page 3, line 7, after <public> by inserting <and personal
3 injury or physical damage>

ROBERT M. HOGG

S-5024

- 1 Amend Senate File 2235 as follows:
2 1. Page 3, line 12, after <duties.> by inserting <“Critical
3 infrastructure sabotage” does not include nonviolent protest
4 that does not result in physical injury or property damage.>

ROBERT M. HOGG

S-5025

- 1 Amend Senate File 2305 as follows:
2 1. Page 6, by striking lines 27 through 29 and inserting
3 <Notwithstanding section>
4 2. Page 12, line 7, after <of> by inserting <section>
5 3. Title page, line 3, by striking <appropriations and>

JAKE CHAPMAN

S-5026

- 1 Amend Senate File 2235 as follows:
2 1. Page 3, by striking line 15 and inserting:
3 <1. A person commits critical infrastructure sabotage in
4 the first degree if the person commits critical infrastructure
5 sabotage which results in a serious injury as defined in
6 section 702.18 or property damage to critical infrastructure
7 of more than two hundred fifty thousand dollars. Critical
8 infrastructure sabotage in the first degree is>
9 2. Page 3, line 18, by striking <eighty-five> and inserting
10 <ten>
11 3. Page 3, after line 19 by inserting:
12 <2. A person commits critical infrastructure sabotage in
13 the second degree if the person commits critical infrastructure
14 sabotage which results in physical injury to a person or
15 property damage to critical infrastructure of more than ten
16 thousand dollars but does not exceed two hundred fifty thousand
17 dollars. Critical infrastructure sabotage in the second degree
18 is a class “C” felony.
19 3. A person commits critical infrastructure sabotage in
20 the third degree if the person commits critical infrastructure
21 sabotage which results in property damage to critical
22 infrastructure of more than one thousand dollars but does not

23 exceed ten thousand dollars. Critical infrastructure sabotage
24 in the third degree is a class "D" felony.

25 4. A person commits critical infrastructure sabotage in the
26 fourth degree if the person commits critical infrastructure
27 sabotage which results in property damage to critical
28 infrastructure of more than five hundred dollars but does not
29 exceed one thousand dollars. Critical infrastructure sabotage
30 in the fourth degree is an aggravated misdemeanor.

31 5. A person commits critical infrastructure sabotage in
32 the fifth degree if the person commits critical infrastructure
33 sabotage which results in property damage to critical
34 infrastructure of five hundred dollars or less. Critical
35 infrastructure sabotage in the fifth degree is a serious

Page 2

1 misdemeanor.

2 6. A person commits critical infrastructure sabotage in
3 the sixth degree if the person commits critical infrastructure
4 sabotage which does not result in any property damage.
5 Critical infrastructure sabotage in the sixth degree is a
6 simple misdemeanor.>

7 4. By renumbering as necessary.

ROBERT M. HOGG

S-5027

1 Amend Senate File 2169 as follows:

2 1. Page 1, line 7, by striking <up to the amount specified
3 in paragraph "c" or "d">

4 2. Page 1, by striking lines 22 through 30 and inserting:
5 <Sec. __. STUDY ON DRAM SHOP LIABILITY INSURANCE
6 CLAIMS. The commissioner of insurance shall conduct a study to
7 determine whether the insurance premiums paid by Iowa alcoholic
8 beverage licensees for dram shop liability coverage are
9 appropriate. In doing so, the commissioner of insurance shall
10 develop a report that includes the total premiums collected by
11 dram shop liability carriers in the state and the history of
12 claims, including whether a claim was settled, a lawsuit was
13 filed, or a jury verdict was rendered.>

ROBERT M. HOGG
NATE BOULTON

S-5028

1 Amend Senate File 2148 as follows:

2 1. Page 1, by striking lines 13 through 24 and inserting:
3 <Sec. __. REMOVAL OF AUTOMATED OR REMOTE SYSTEMS FOR
4 TRAFFIC LAW ENFORCEMENT — VALIDITY OF PRIOR NOTICES AND
5 CITATIONS — CONTRACTS AND AGREEMENTS VOID.

6 1. Prior to July 1, 2018, a local authority using an
 7 automated or remote system for traffic law enforcement shall
 8 discontinue using the system and remove the system equipment.
 9 2. Effective July 1, 2018, all local ordinances authorizing
 10 the use of automated or remote systems for traffic law
 11 enforcement are void. However, any citation issued or mailed
 12 pursuant to such an ordinance prior to July 1, 2018, shall
 13 not be invalidated by the enactment of this Act and shall be
 14 processed according to the provisions of law under which the
 15 citation was authorized.

16 3. Effective July 1, 2018, all contracts and agreements
 17 between local authorities and private entities related to the
 18 installation, operation, maintenance, or use of automated or
 19 remote systems for traffic law enforcement are null and void.
 20 However, any obligation required to be performed or any payment
 21 due pursuant to such a contract or agreement prior to July 1,
 22 2018, shall be performed or paid pursuant to the terms of the
 23 contract or agreement, unless otherwise agreed upon by the
 24 parties to the contract or agreement. Any obligation required
 25 to be performed or any payment due pursuant to such a contract
 26 or agreement related to valid citations processed on or after
 27 July 1, 2018, pursuant to subsection 2 shall be performed
 28 or paid pursuant to the terms of the contract or agreement,
 29 unless otherwise agreed upon by the parties to the contract or
 30 agreement.>

31 2. Page 1, line 27, by striking <enforcement and> and
 32 inserting <enforcement,>

33 3. Page 1, line 27, after <citations,> by inserting <and the
 34 validity of contracts and agreements,>

35 4. Title page, line 2, by striking <requiring> and inserting <

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1 including provisions relating to>

2 5. Title page, line 3, after <systems,> by inserting <the
 3 validity of certain citations, and the validity of contracts
 4 and agreements of local authorities,>

5 6. By renumbering as necessary.

BRAD ZAUN

S-5029

1 Amend Senate File 2169 as follows:

2 1. Page 1, line 7, by striking <up to the amount specified
 3 in paragraph "c" or "d,">

4 2. Page 1, by striking lines 22 through 30 and inserting:
 5 <Sec. __.STUDY ON DRAM SHOP LIABILITY INSURANCE
 6 CLAIMS. The commissioner of insurance shall conduct a study to
 7 determine whether the insurance premiums paid by Iowa alcoholic
 8 beverage licensees for dram shop liability coverage are
 9 appropriate. In doing so, the commissioner of insurance shall

10 develop a report that includes the total premiums collected by
 11 dram shop liability carriers in the state and the history of
 12 claims, including whether a claim was settled, a lawsuit was
 13 filed, or a jury verdict was rendered. The commissioner of
 14 insurance shall provide the report to the members of the Senate
 15 and House Commerce committees no later than December 15, 2018.>

ROBERT M. HOGG
 NATE BOULTON
 RITA HART
 JIM LYKAM

S-5030

1 Amend Senate File 2148 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 321.1, Code 2018, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. 06B. *“Automated traffic law enforcement*
 7 *system”* means a device used for the enforcement of laws
 8 regulating vehicular traffic and equipped with one or more
 9 sensors working in conjunction with one of the following:
 10 a. An official traffic-control signal, to produce recorded
 11 images of motor vehicles entering an intersection against a red
 12 signal light.
 13 b. A speed measuring device, to produce recorded images of
 14 motor vehicles traveling at a prohibited rate of speed.
 15 c. A railroad grade crossing signal light, as described in
 16 section 321.342, to produce recorded images of motor vehicles
 17 violating the signal light.
 18 d. Any official traffic-control device, if failure to comply
 19 with the official traffic-control device constitutes a moving
 20 violation under this chapter.
 21 Sec. 2. NEW SECTION. **321.492C Automated traffic law**
 22 **enforcement systems.**
 23 1. The department shall not place, operate, maintain,
 24 or employ the use of any automated traffic law enforcement
 25 system. The department shall not cause to be placed any
 26 automated traffic law enforcement system except as provided in
 27 this section or in rules adopted by the department under this
 28 section.
 29 2. a. A local authority, or another entity on a local
 30 authority’s behalf, shall not operate an automated traffic law
 31 enforcement system without approving the use of the system
 32 following an established self-certification process. The
 33 self-certification process shall include a justification report
 34 meeting the requirements of paragraph “b”, which shall be
 35 made readily available for the public to review, and a public

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1 hearing at which the local authority shall provide evidence
2 of a demonstrated safety need for the automated traffic law
3 enforcement system. Notice of the date, time, and place of the
4 hearing shall be published in the manner described in section
5 362.3. A public hearing may address several locations at
6 which a local authority intends to place an automated traffic
7 law enforcement system. However, a local authority shall
8 adopt a separate ordinance approving the use of an automated
9 traffic law enforcement system for each location at which the
10 local authority operates a fixed or mobile automated traffic
11 law enforcement system. A local authority may approve the
12 operation of an automated traffic law enforcement system
13 only if the system is located in a documented high-crash or
14 high-risk location at which there is a demonstrated safety
15 need for the system. The local authority shall demonstrate
16 the safety need for the system based on the volume of traffic,
17 the history of motor vehicle accidents, the frequency and type
18 of traffic violations, the risk to peace officers employing
19 traditional traffic enforcement methods, any additional
20 information required in the justification report, and any other
21 safety criteria deemed appropriate by the local authority.
22 These requirements shall apply for each location at which a
23 local authority, or another entity on a local authority's
24 behalf, operates a fixed or mobile automated traffic law
25 enforcement system.

26 *b.* A justification report shall provide all necessary
27 information and documentation to demonstrate whether an area is
28 a high-crash or high-risk location and shall include but not be
29 limited to documentation regarding all the following:

30 (1) Existing traffic speeds, posted speed limits,
31 traffic volumes, and intersection or roadway geometry. Such
32 documentation shall provide assurance that existing speed
33 limits and official traffic-control signal timings are
34 appropriate and shall describe how the limits and timings were
35 established.

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1 (2) The applicable motor vehicle accident history,
2 including accident severity, and the history of traffic
3 violations for accidents occurring at the location attributable
4 to violating the speed limit or an official traffic-control
5 signal. Such documentation shall compare accident data with
6 data from other similar locations within the local authority's
7 jurisdiction, other similar jurisdictions, and larger
8 metropolitan areas.

9 (3) The identification of critical traffic safety issues
10 related to the data required by subparagraphs (1) and (2),
11 including a comprehensive list of solutions that may address
12 the critical traffic safety issues.

13 (4) Solutions or safety countermeasures that the local
14 authority has implemented along with those that the local
15 authority has considered but not implemented. These may
16 include solutions relating to law enforcement, engineering,
17 public education campaigns, or other safety countermeasures.

18 (5) Discussions held and actions taken by the local
19 authority with any partnering entities that have resources
20 which could aid in the reduction of accidents attributable
21 to violating the speed limit or an official traffic-control
22 signal.

23 (6) The reason or reasons the local authority believes an
24 automated traffic law enforcement system is the best solution
25 to address the critical traffic safety issues.

26 c. A local authority, or another entity on a local
27 authority's behalf, shall not operate an automated traffic law
28 enforcement system without posting signage meeting all of the
29 following requirements:

30 (1) For a fixed automated traffic law enforcement system,
31 permanent signs advising drivers that the system is in place
32 shall be posted in clear and present view of passing drivers in
33 advance of the location where the system is in use.

34 (2) For a mobile automated traffic law enforcement system,
35 temporary or permanent signs advising drivers that the system

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1 is in place shall be posted in clear and present view of
2 passing drivers in advance of the location where the system is
3 in use.

4 (3) The signage conforms to the manual on uniform
5 traffic-control devices as adopted by the department.

6 d. A local authority, or another entity on a local
7 authority's behalf, shall not issue a citation resulting from
8 the use of an automated traffic law enforcement system until
9 an active peace officer of the local authority has reviewed
10 the citation and any relevant recorded images produced by the
11 system.

12 e. The amount of the fine or civil penalty imposed by a
13 citation resulting from the use of an automated traffic law
14 enforcement system shall not exceed the amount of the fine for
15 a scheduled violation under section 805.8A for the same or a
16 similar violation of this chapter.

17 f. An automated traffic law enforcement system working
18 in conjunction with a speed measuring device or official
19 traffic-control signal shall comply with the generally accepted
20 procedures for operating the system. An automated traffic law
21 enforcement system shall verify its internal calibrations on a
22 daily basis. If the daily internal calibration is not valid,
23 the system shall not operate until a successful calibration
24 is subsequently conducted. In addition to the daily internal
25 calibration, a monthly calibration shall be conducted by a
26 person trained in the calibration of the system. A person

27 trained in the calibration of a mobile automated traffic law
28 enforcement system shall also conduct a calibration prior to
29 the use of the mobile system after any change in location.
30 A local authority, or another entity on a local authority's
31 behalf, operating an automated traffic law enforcement
32 system shall maintain a monthly log detailing whether the
33 local authority or entity successfully performed the monthly
34 calibrations and whether the system successfully performed the
35 daily internal calibrations. The log and documentation of

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1 the calibrations shall be admissible in any court proceeding
2 relating to an official traffic-control signal violation
3 pursuant to section 321.257 or a speed limit violation pursuant
4 to section 321.285.
5 *g.* A local authority shall maintain or compile records
6 relating to the number of traffic violations and number
7 of traffic accidents for all locations at which the local
8 authority, or another entity on a local authority's behalf,
9 operates or intends to operate an automated traffic law
10 enforcement system. Such records shall be maintained or
11 compiled by the local authority for one year prior to the
12 installation of the automated traffic law enforcement system
13 and for each year the automated traffic law enforcement
14 system is in operation. Such records shall be available for
15 examination to the same extent allowed in section 22.2. A
16 local authority with an automated traffic law enforcement
17 system operating within its jurisdiction shall file an annual
18 report with the general assembly on or before December 31 of
19 each year detailing the effectiveness of each automated traffic
20 law enforcement system operating within its jurisdiction. An
21 annual report shall include the justification report described
22 in paragraph "b" and shall also include but not be limited to
23 information relating to increases or decreases in the number of
24 speed limit violations, violations of official traffic-control
25 signals, and traffic accidents.
26 *h.* Prior to a local authority placing an automated traffic
27 law enforcement system on a primary road, the local authority
28 shall obtain approval from the department in accordance
29 with rules adopted by the department. A local authority
30 shall submit to the department any information requested by
31 the department during the approval process. If the local
32 authority's use of the system is approved by the department,
33 the local authority shall follow the requirements set forth
34 in rules adopted by the department. The department may
35 modify its rules relating to automated traffic law enforcement

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1 systems to the extent necessary to ensure automated traffic
2 law enforcement systems are operated in a safe and equitable

3 manner. This paragraph “h” shall not apply to an automated
4 traffic law enforcement system approved or allowed to operate
5 in accordance with rules adopted by the department and in
6 operation prior to January 1, 2017. A local authority may
7 continue to operate such a system in the same manner as the
8 system was operated prior to January 1, 2017. However, after a
9 local authority discontinues operation of such a system, any
10 new manner of operation or new system operated by the local
11 authority shall comply with this paragraph “h”. The department
12 shall have the authority to annually review all automated
13 traffic law enforcement systems placed on primary roads and
14 shall have the authority to require removal or modification of
15 such systems.

16 *i.* A local authority shall designate a process by which
17 a person may appeal a citation issued through the use of an
18 automated traffic law enforcement system, which at a minimum
19 shall provide for all of the following:

20 (1) An appeal to an impartial body created by the local
21 authority to review citations issued through the use of
22 automated traffic law enforcement systems.

23 (2) Following a decision from the impartial body that is
24 adverse to the person, an appeal to the district court, sitting
25 in small claims, of the county in which the local authority is
26 located.

27 *j.*(1) A local authority shall authorize a petition process
28 by which citizens within the local authority may petition for
29 the removal of a fixed automated traffic law enforcement system
30 or the disapproval of a location approved for the use of mobile
31 automated traffic law enforcement systems in accordance with
32 this section. Petitions under this paragraph “j” shall be
33 specific to one fixed system or one location approved for the
34 use of mobile systems.

35 (2) If the local authority is a city, a petition brought

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1 under this paragraph “j” is valid if it is signed by a number
2 of eligible electors of the city equal to or greater than ten
3 percent of the number of persons who voted in the last regular
4 city election. The petition shall include the signatures of
5 the petitioners, the places of residence of the petitioners,
6 and the date on which the petitioners signed the petition.

7 (3) If the local authority is a county, a petition brought
8 under this paragraph “j” is valid if it is signed by a number
9 of eligible electors of the county equal to or greater than
10 ten percent of the number of votes cast in the county in the
11 last presidential election. The petition shall include the
12 signatures of the petitioners, the places of residence of the
13 petitioners, and the date on which the petitioners signed the
14 petition.

15 (4) If a petition is valid as provided in this paragraph
16 “j”, the city council or county board of supervisors, as

17 applicable, shall vote on whether to repeal the ordinance
 18 allowing the operation of the fixed system or approving the
 19 location for the use of mobile systems.
 20 (5) If a city council or county board of supervisors has
 21 voted pursuant to subparagraph (4), a new petition for the same
 22 fixed system or the same location approved for use of mobile
 23 systems shall not be valid for three years after the date of
 24 the vote.
 25 *k.* A local authority that operates an automated traffic
 26 law enforcement system in violation of this section shall be
 27 precluded from operating any automated traffic law enforcement
 28 system for a period of two years. A citizen residing within
 29 the jurisdiction of a local authority which violates this
 30 section shall be allowed to file suit to enjoin the local
 31 authority from operating an automated traffic law enforcement
 32 system in accordance with this paragraph "*k*".
 33 3. All moneys collected by a local authority from citations
 34 issued as a result of the use of an automated traffic law
 35 enforcement system, less the amount necessary for the

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1 installation, operation, and maintenance of the automated
 2 traffic law enforcement system, shall be deposited in the
 3 account or accounts maintained by the local authority for
 4 moneys appropriated to the local authority from the secondary
 5 road fund or street construction fund of the cities, or shall
 6 be deposited in any account and used for the purposes of public
 7 safety.>
 8 2. Title page, by striking lines 1 through 3 and inserting
 9 <An Act regulating the use of automated traffic law enforcement
 10 systems, and providing penalties.>

TONY BISIGNANO

S-5031

1 Amend Senate File 2306 as follows:
 2 1. Page 1, line 3, by striking <year> and inserting
 3 <election year, as defined in section 68A.402, subsection 10>
 4 2. Page 1, line 6, by striking <campaigning> and inserting
 5 <whose name will appear on a ballot>

ROBY SMITH

S-5032

1 Amend Senate File 2326 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 80.9, subsection 2, Code 2018, is
 4 amended to read as follows:
 5 2. The state patrol is established in the department. The

6 patrol shall be under the direction of the commissioner. The
 7 number of supervisory officers shall be in proportion to the
 8 membership of the state patrol. The department shall maintain
 9 a vehicle theft unit in the state patrol to investigate
 10 and assist in the examination and identification of stolen,
 11 altered, or forfeited vehicles. Notwithstanding any other
 12 provision of law to the contrary, the state patrol shall
 13 receive and administer grants provided to this state pursuant
 14 to the motor carrier safety assistance program of the federal
 15 motor carrier safety administration.>

16 2. Title page, line 3, after <to> by inserting <the
 17 administration of the federal motor carrier safety assistance
 18 program and>

19 3. By renumbering as necessary.

JEFF DANIELSON

S-5033

1 Amend Senate File 2326 as follows:

2 1. Page 1, line 5, after <state> by inserting <_>

3 2. Page 1, line 6, by striking <department.> and inserting
 4 <department, against commercial motor vehicles, subject to the
 5 limitations set forth in subsection 1A, and to enforce the laws
 6 of the state against noncommercial motor vehicles as described
 7 in subsection 1B.>

8 3. Page 1, line 10, by striking <all laws of this state> and
 9 inserting <~~all such laws of this state~~>

10 4. Page 1, line 13, by striking <subsection> and inserting
 11 <subsections>

12 5. Page 1, before line 14 by inserting:
 13 <NEW SUBSECTION. 1A. An employee designated as a peace
 14 officer pursuant to this section, when performing a traffic
 15 stop of a commercial motor vehicle for a speeding violation,
 16 shall do one of the following:

17 a. For a speeding violation of ten miles per hour or less
 18 over the legal speed limit, the employee shall not issue a
 19 citation for the violation unless the person was operating the
 20 commercial motor vehicle in an erratic manner.

21 b. For a speeding violation of more than ten miles per
 22 hour but less than sixteen miles per hour over the legal speed
 23 limit, the employee shall issue a citation for the violation,
 24 but may use the employee's discretion to issue a citation for a
 25 violation of ten miles per hour over the legal speed limit.

26 c. For a speeding violation of sixteen miles per hour or
 27 more over the legal speed limit, the employee shall issue a
 28 citation for the violation.

29 NEW SUBSECTION. 1B. An employee designated as a peace
 30 officer pursuant to this section shall not perform a traffic
 31 stop of a noncommercial motor vehicle unless the vehicle poses
 32 an imminent danger to the public or unless the stop is a
 33 result of a request for assistance by a law enforcement agency

34 or peace officer with authority to stop noncommercial motor
35 vehicles. For purposes of this subsection, "*imminent danger*

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1 *to the public*" includes but is not limited to a motor vehicle
2 operating twenty-five miles per hour or more over the legal
3 speed limit or operating in an erratic manner such as weaving
4 in and out of traffic at high speeds or swerving across the
5 traveled portion of the roadway.>
6 6. By renumbering as necessary.

JEFF DANIELSON

S-5034

1 Amend Senate File 2326 as follows:
2 1. Page 1, line 5, after <state> by inserting <,>
3 2. Page 1, line 6, by striking <department.> and inserting
4 <department, against commercial motor vehicles, subject to the
5 limitations set forth in subsection 1A, and to enforce the laws
6 of the state against noncommercial motor vehicles as described
7 in subsection 1B, subject to the limitations set forth in
8 subsection 1A.>
9 3. Page 1, line 10, by striking <all laws of this state> and
10 inserting <all such laws of this state>
11 4. Page 1, line 13, by striking <subsection> and inserting
12 <subsections>
13 5. Page 1, before line 14 by inserting:
14 <NEW SUBSECTION. 1A. An employee designated as a peace
15 officer pursuant to this section, when performing a traffic
16 stop of a motor vehicle for a speeding violation, shall do one
17 of the following:
18 a. For a speeding violation of ten miles per hour or less
19 over the legal speed limit, the employee shall not issue a
20 citation for the violation unless the person was operating the
21 commercial motor vehicle in an erratic manner.
22 b. For a speeding violation of more than ten miles per
23 hour but less than sixteen miles per hour over the legal speed
24 limit, the employee shall issue a citation for the violation,
25 but may use the employee's discretion to issue a citation for a
26 violation of ten miles per hour over the legal speed limit.
27 c. For a speeding violation of sixteen miles per hour or
28 more over the legal speed limit, the employee shall issue a
29 citation for the violation.
30 NEW SUBSECTION. 1B. An employee designated as a peace
31 officer pursuant to this section shall not perform a traffic
32 stop of a noncommercial motor vehicle unless the vehicle
33 poses an imminent danger to the public or unless the stop is
34 a result of a request for assistance by a law enforcement
35 agency or peace officer with authority to stop noncommercial

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1 motor vehicles. For purposes of this subsection, “*imminent*
 2 *danger to the public*” includes but is not limited to a motor
 3 vehicle operating at excessive speed or operating in an erratic
 4 manner such as weaving in and out of traffic at high speeds or
 5 swerving across the traveled portion of the roadway.>

JEFF DANIELSON

S-5035

1 Amend Senate File 2326 as follows:
 2 1. Page 1, line 5, after <state> by inserting <_>
 3 2. Page 1, line 6, by striking <department.> and inserting
 4 <department, against commercial motor vehicles and to enforce
 5 the laws of the state against noncommercial motor vehicles as
 6 described in subsection 1A.>
 7 3. Page 1, line 10, by striking <all laws of this state> and
 8 inserting <all such laws of this state>
 9 4. Page 1, line 13, by striking <subsection> and inserting
 10 <subsections>
 11 5. Page 1, before line 14 by inserting:
 12 <NEW SUBSECTION. 1A. An employee designated as a peace
 13 officer pursuant to this section shall not perform a traffic
 14 stop of a noncommercial motor vehicle unless the vehicle
 15 poses an imminent danger to the public or unless the stop is
 16 a result of a request for assistance by a law enforcement
 17 agency or peace officer with authority to stop noncommercial
 18 motor vehicles. For purposes of this subsection, “*imminent*
 19 *danger to the public*” includes but is not limited to a motor
 20 vehicle operating at excessive speed or operating in an erratic
 21 manner such as weaving in and out of traffic at high speeds or
 22 swerving across the traveled portion of the roadway.>

JEFF DANIELSON

S-5036

1 Amend Senate File 2235 as follows:
 2 1. Page 3, line 12, after <duties.> by inserting <“*Critical*
 3 *infrastructure sabotage*” does not include protesting the use of
 4 eminent domain by a person while on the person’s property.>

ROBERT M. HOGG

S-5037

1 Amend Senate File 2306 as follows:
 2 1. Page 1, before line 16 by inserting:
 3 <Sec. . NEW SECTION. 68A.507 Contribution limits for
 4 candidates.>

5 1. For the purposes of this section, “*election campaign*
6 *cycle*” means the time period between elections for a particular
7 office. Each primary, general, and special election is a
8 separate election campaign cycle. Separate contribution limits
9 for each type of election for a particular office, including
10 primary, general, and special elections, apply in an election
11 campaign cycle.

12 2. A person shall not make and a candidate, candidate’s
13 committee, or anyone acting on behalf of any candidate or
14 candidate’s committee shall not accept any contribution which
15 will cause the total amount of the person’s contributions to
16 a candidate or candidate’s committee to exceed the following
17 amounts for an election campaign cycle:

18 a. From a candidate’s committee, two thousand dollars.

19 b. From a political committee that contributes to five or
20 more candidates, five thousand dollars.

21 c. From a political committee that contributes to fewer than
22 five candidates, two thousand seven hundred dollars.

23 d. From a national political party, state statutory
24 political committee, or county statutory political committee,
25 five thousand dollars.

26 e. From any other person, two thousand seven hundred
27 dollars.

28 3. A person shall not make and a political committee shall
29 not accept any contribution which will cause the total amount
30 of the person’s contributions to a political committee to
31 exceed five thousand dollars for an election campaign cycle.

32 4. A person shall not make and a state statutory political
33 committee or county statutory political committee shall not
34 accept any contribution which will cause the total amount of
35 the person’s contributions to a state statutory political

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1 committee or county statutory political committee to exceed the
2 following amounts for an election campaign cycle:

3 a. From a political committee that contributes to five or
4 more candidates, five thousand dollars.

5 b. From a political committee that contributes to fewer than
6 five candidates, ten thousand dollars.

7 c. From any other person other than a candidate committee,
8 state statutory political committee, county statutory political
9 committee, or national political party, ten thousand dollars.>

10 2. Title page, by striking lines 1 through 3 and inserting
11 <An Act relating to the regulation of elections, including
12 disclosure reports and campaign contributions.>

NATE BOULTON

S-5038

1 Amend Senate File 2311 as follows:

2 1. Page 12, by striking lines 16 through 18 and inserting
 3 <The utility shall ~~not~~ represent energy efficiency or demand
 4 response in customer billings as a separate cost or expense
 5 ~~unless the board otherwise approves.~~>

MICHAEL BREITBACH

S-5039

1 Amend Senate File 2311 as follows:
 2 1. Page 16, by striking lines 4 through 20 and inserting:
 3 <~~1. A municipality, corporation or cooperative association~~
 4 public utility providing electrical or gas service shall not
 5 consider the use of renewable energy sources by a customer as
 6 a basis for establishing discriminatory rates or charges for
 7 any service or commodity sold to the customer or discontinue
 8 services or subject the customer to any other prejudice or
 9 disadvantage based on the customer's use or intended use of
 10 renewable energy sources. As used in this section, "*renewable*
 11 *energy sources*" includes but is not limited to solar heating,
 12 wind power and the conversion of urban and agricultural organic
 13 wastes into methane gas and liquid fuels.
 14 2. A gas or electric utility not subject to rate regulation
 15 by the board pursuant to section 476.1A or section 476.1B shall
 16 be presumed not to have established discriminatory rates or
 17 charges in violation of this section if the rates or charges
 18 are exclusively based on cost factors, including the time
 19 necessary for recovering the costs of service, load factors,
 20 time of use, quantity of use, and quantity of service.>

MICHAEL BREITBACH

S-5040

1 Amend Senate File 2272 as follows:
 2 1. Page 1, by striking lines 1 and 2 and inserting:
 3 <Section 1. Section 260C.36, subsection 4, paragraph a,
 4 Code 2018, is amended to read as follows:
 5 a. An ad hoc accreditation quality faculty plan protocol
 6 committee to advise the department in the development of
 7 protocols related to the quality faculty planning process to
 8 be used by ~~the an~~ accreditation ~~teams~~ team during site visits
 9 when invited by the community college to conduct an evaluation
 10 of the quality faculty plan and assist the community college
 11 in meeting the accreditation standards of the higher learning
 12 commission, the department under the voluntary accreditation
 13 process established pursuant to section 260C.47, subsection 3,
 14 or any other accrediting agency. The committee shall, at a
 15 minimum, determine what types of evidence need to be provided,
 16 develop interview procedures and visit goals, and propose
 17 accreditation protocol revisions.>
 18 2. Page 1, line 6, before <Each> by inserting <1.>

19 3. Page 1, after line 9 by inserting:
 20 <2. The state board shall adopt rules under chapter 17A that
 21 establish an accreditation process, accreditation standards,
 22 and appropriate remedies and sanctions for community colleges
 23 which fail to meet the accreditation standards of the higher
 24 learning commission. A community college that fails to meet
 25 the accreditation standards of the higher learning commission
 26 shall comply with the accreditation standards and accreditation
 27 process established by rule by the state board in accordance
 28 with this subsection until the community college is in
 29 compliance with the higher learning commission's accreditation
 30 standards. Action by the state board under this subsection is
 31 final agency action for purposes of chapter 17A.
 32 3. The state board shall adopt rules under chapter 17A that
 33 establish a voluntary accreditation process and accreditation
 34 standards to be administered by the department upon request
 35 for specific community college programs that the higher

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1 learning commission does not accredit, which may include but
 2 is not limited to career and technical education programs and
 3 quality faculty programs. A community college that voluntarily
 4 seeks accreditation of a specific program by the department
 5 under this subsection shall pay the cost of the voluntary
 6 accreditation process and shall comply with the voluntary
 7 accreditation process and accreditation standards established
 8 by rule by the state board in accordance with this subsection.>

AMY SINCLAIR

S-5041

1 Amend Senate File 2311 as follows:
 2 1. Page 6, lines 9 and 10, by striking <as provided>
 3 2. By striking page 6, line 24, through page 8, line 18, and
 4 inserting:
 5 <(b) A gas or electric utility customer, including
 6 a non-rate-regulated gas or electric utility customer,
 7 may request an exemption from participation in any energy
 8 efficiency plan or demand response plan offered by a gas or
 9 electric utility at any time during the course of a plan. Gas
 10 and electric utilities shall provide notice to customers of
 11 the ability to request an exemption from any energy efficiency
 12 plan or demand response plan offered by the utility no less
 13 than four times per year, in the customer's billing statement
 14 and any other method selected by the utility to provide
 15 notice. Such notice provided to customers shall include the
 16 estimated costs to participate in an energy efficiency plan or
 17 demand response plan. Upon receipt of a request for exemption
 18 submitted by a customer, the gas or electric utility shall
 19 grant the exemption and, beginning January 1 of the following

20 year, the customer shall no longer be assessed the costs of the
 21 plan and shall be prohibited from participating in any program
 22 included in such plan. An exemption shall be permanent and
 23 shall exempt the customer from any subsequent five-year plan
 24 offered by the gas or electric utility, provided, however, that
 25 a customer granted an exemption may request to enroll in a
 26 subsequent five-year energy efficiency plan or demand response
 27 plan at any time prior to the commencement of such plan. Gas
 28 and electric utilities shall provide notice to customers of the
 29 ability to request to enroll in a subsequent plan offered by
 30 the utility no less than four times per year, in the customer's
 31 billing statement and any other method selected by the utility
 32 to provide notice. Upon receipt of a request to enroll in
 33 a subsequent energy efficiency plan or demand response plan,
 34 the gas or electric utility shall grant the enrollment and,
 35 beginning at the commencement of the subsequent plan, the

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1 customer shall be assessed the costs of the plan and shall be
 2 allowed to participate in any program included in such plan.
 3 (2) Gas and electric utilities required to be
 4 rate-regulated under this chapter may request an energy
 5 efficiency plan or demand response plan modification during the
 6 course of a five-year plan. A modification may be requested
 7 due to changes in funding as a result of public utility
 8 customers requesting exemptions from the plan or for any other
 9 reason identified by the gas or electric utility. The board
 10 shall take action on a modification request made by a gas or
 11 electric utility within ninety days after the modification
 12 request is filed. If the board fails to take action within
 13 ninety days after a modification request is filed, the
 14 modification request shall be deemed approved.
 15 (3) The board shall adopt rules pursuant to chapter 17A
 16 establishing reasonable processes and procedures for utility
 17 customers to request exemptions from energy efficiency plans or
 18 demand response plans pursuant to this paragraph.>
 19 3. Page 8, lines 29 and 30, by striking <energy efficiency
 20 and demand response programs> and inserting <plans>
 21 4. Page 9, line 2, by striking <a program> and inserting <a
 22 plan>
 23 5. Page 9, line 7, by striking <program>
 24 6. Page 10, by striking lines 14 through 25 and inserting
 25 <response plan that results in projected average annual costs
 26 that exceed one and one-half percent of the gas utility's
 27 expected annual rate revenue from customers participating
 28 in such plans, and shall not require an electric utility
 29 to adopt an energy efficiency plan or demand response plan
 30 that results in projected average annual costs that exceed
 31 two percent of the electric utility's expected annual rate
 32 revenue from customers participating in such plans. For
 33 purposes of determining the one and one-half or two percent

34 threshold amount, the board shall exclude from a gas or
 35 electric utility's expected annual rate revenue the revenues

Page 3

1 expected from customers that have received exemptions from
 2 energy efficiency plans or demand response plans pursuant
 3 to paragraph "a", subparagraph (1), subparagraph division
 4 (b). A gas or electric utility may voluntarily propose an
 5 energy efficiency plan or demand response plan that results in
 6 projected average annual costs that exceed one and one-half
 7 percent of a gas utility's expected annual rate revenue from
 8 customers participating in such plans, or two percent of an
 9 electric utility's expected annual rate revenue from customers
 10 participating in such plans. The board may approve, reject,
 11 or modify the>

12 7. By striking page 10, line 33, through page 11, line
 13 7, and inserting <currently approved energy efficiency
 14 plan or demand response plan includes projected average
 15 annual costs that exceed one and one-half percent of the gas
 16 utility's expected annual rate revenue received from customers
 17 participating in such plan for service within the previous
 18 calendar year, exclusive of recovery of energy efficiency
 19 costs, or two percent of the electric utility's expected
 20 annual rate revenue received from customers participating
 21 in such plan for service within the previous calendar year,
 22 exclusive of recovery of energy efficiency costs, the gas or
 23 electric utility may file a request to modify its approved
 24 energy efficiency plan or demand response plan to achieve
 25 projected average annual costs at one and one-half or less of
 26 the gas utility's expected annual rate revenue from customers
 27 participating in such plan, or two percent or less of the
 28 electric utility's expected annual rate revenue from customers
 29 participating in such plan. In such case, or whenever a
 30 request>

31 8. By striking page 11, line 31, through page 12, line 1,
 32 and inserting <defined in section 476.42. Customers that have
 33 been granted exemptions from energy efficiency plans or demand
 34 response plans pursuant to paragraph "a", subparagraph (1),
 35 subparagraph division (b), shall not be charged for recovery of

Page 4

1 energy efficiency or demand response costs beginning January
 2 1 of the year following the year in which the customer was
 3 granted the exemption.>

MICHAEL BREITBACH

S-5042

1 Amend Senate File 2341 as follows:

2 1. Page 2, line 17, by striking <1, 2019> and inserting
 3 <1 of the school year following the first year in which every
 4 member of the general assembly is administered and passes
 5 the same civics examination under the same conditions and in
 6 the same manner as provided in section 280.9A, subsection 1,
 7 paragraph "b" of this Act>

HERMAN C. QUIRMBACH

S-5043

1 Amend Senate File 2375 as follows:

2 1. Page 1, after line 12 by inserting:

3 <Sec. __. Section 802.2A, Code 2018, is amended to read as
 4 follows:

5 **802.2A Incest — sexual exploitation by a counselor,
 6 therapist, or school employee.**

7 1. An information or indictment for incest under section
 8 726.2 committed on or with a person who is under the age of
 9 eighteen shall be found ~~within ten years after the person upon~~
 10 ~~whom the offense is committed attains eighteen years of age at~~
 11 any time after its commission. An information or indictment
 12 for any other incest shall be found within ten years after its
 13 commission.

14 2. An indictment or information for sexual exploitation
 15 by a counselor, therapist, or school employee under section
 16 709.15 committed on or with a person who is under the age of
 17 eighteen shall be found ~~within ten years after the person upon~~
 18 ~~whom the offense is committed attains eighteen years of age at~~
 19 any time after its commission. An information or indictment
 20 for any other sexual exploitation shall be found within ten
 21 years of the date the victim was last treated by the counselor
 22 or therapist, or within ten years of the date the victim was
 23 enrolled in or attended the school.

24 Sec. __. Section 802.2B, unnumbered paragraph 1, Code
 25 2018, is amended to read as follows:

26 An information or indictment for the following offenses
 27 committed on or with a person who is under the age of eighteen
 28 years shall be found ~~within ten years after the person upon~~
 29 ~~whom the offense is committed attains eighteen years of age,~~
 30 ~~or if the person against whom the information or indictment~~
 31 ~~is sought is identified through the use of a DNA profile, an~~
 32 ~~information or indictment shall be found within three years~~
 33 ~~from the date the person is identified by the person's DNA~~
 34 profile, whichever is later at any time after its commission;
 35

35 2. Page 1, by striking lines 18 and 19 and inserting <DNA

Page 2

1 profile. If the action involves sexual abuse, ~~another sexual~~
 2 offense of a person eighteen years of age or older.>

3 3. Page 1, lines 21 and 22, by striking <subsection 2,

- 4 802.2B,> and inserting <802.2B, subsection 2,>
 5 4. Title page, line 2, by striking <abuse>

KEVIN KINNEY

S-5044

- 1 Amend Senate File 2148 as follows:
 2 1. Page 1, line 2, after <**prohibited**> by inserting <—
 3 **exception**>
 4 2. Page 1, by striking lines 3 through 12 and inserting:
 5 <1. Unless otherwise provided in this section, the state or
 6 a political subdivision of the state shall not place or cause
 7 to be placed on or adjacent to a highway, or maintain or employ
 8 the use of, any automated or remote system for traffic law
 9 enforcement.
 10 2. *a.* The state or a political subdivision of the state
 11 may place, cause to be placed, maintain, and employ the use
 12 of an automated or remote system for traffic law enforcement
 13 on or adjacent to a highway under the state's or political
 14 subdivision's jurisdiction, as applicable, which has a speed
 15 limit of twenty-five miles per hour and which is located in a
 16 school district, as defined in section 321.1, subsection 70.
 17 *b.* An automated or remote system for traffic law enforcement
 18 designed to work in conjunction with a speed measuring device
 19 shall be used only to issue citations to motor vehicles
 20 traveling at eleven miles per hour or more over the legal speed
 21 limit.
 22 *c.* Temporary or permanent signs advising drivers that an
 23 automated or remote system for traffic law enforcement is in
 24 place shall be posted in clear and present view of passing
 25 drivers in advance of the location where the system is in
 26 use. The signage shall conform to the manual on uniform
 27 traffic-control devices as adopted by the department.
 28 *d.* The state or a political subdivision of the state shall
 29 not issue a citation resulting from the use of an automated or
 30 remote system for traffic law enforcement until an active peace
 31 officer of the state or political subdivision, as applicable,
 32 has reviewed the citation and any relevant recorded images
 33 produced by the system.
 34 *e.* The amount of the fine or civil penalty imposed by a
 35 citation resulting from the use of an automated or remote

Page 2

- 1 system for traffic law enforcement shall equal the amount of
 2 the fine for a scheduled violation under section 805.8A for the
 3 same or a similar violation of this chapter.
 4 *f.* The state or political subdivision using an automated
 5 or remote system for traffic law enforcement shall designate a
 6 process by which a person may appeal a citation issued through
 7 the use of the system, which at a minimum shall provide for all

8 of the following:

- 9 (1) An appeal to an impartial body created by the state
10 or political subdivision, as applicable, to review citations
11 issued through the use of the system.
- 12 (2) Following a decision from the impartial body that is
13 adverse to the person, an appeal to the district court, sitting
14 in small claims, of the county in which the violation occurred.
- 15 3. For the purposes of this section, “*automated or remote*
16 *system for traffic law enforcement*” means a camera or other
17 optical device designed to work in conjunction with an official
18 traffic control signal or speed measuring device to identify
19 motor vehicles operating in violation of traffic laws, the use
20 of which results in the issuance of citations sent through the
21 mail or by electronic means.>
- 22 3. Page 1, line 13, after <OF> by inserting <CERTAIN>
- 23 4. Page 1, line 16, after <enforcement> by inserting <that
24 does not comply with section 321.492C as enacted in this Act>
- 25 5. Page 1, line 19, after <enforcement> by inserting <that
26 do not comply with section 321.492C as enacted in this Act>
- 27 6. Page 1, line 26, after <of> by inserting <certain>
- 28 7. Title page, line 1, after <of> by inserting <certain>
- 29 8. Title page, line 2, after <of> by inserting <certain>

TONY BISIGNANO

S-5045

1 Amend Senate File 2148 as follows:

- 2 1. Page 1, line 2, after <**prohibited**> by inserting <—
3 **exception**>
- 4 2. Page 1, by striking lines 3 through 12 and inserting:
5 <1. Unless otherwise provided in this section, the state or
6 a political subdivision of the state shall not place or cause
7 to be placed on or adjacent to a highway, or maintain or employ
8 the use of, any automated or remote system for traffic law
9 enforcement.
- 10 2. *a.* The state or a political subdivision of the state
11 may place, cause to be placed, maintain, and employ the use
12 of an automated or remote system for traffic law enforcement
13 on or adjacent to a highway under the state’s or political
14 subdivision’s jurisdiction, as applicable, at a location which
15 is in a road work zone.
- 16 *b.* An automated or remote system for traffic law enforcement
17 designed to work in conjunction with a speed measuring device
18 shall be used only to issue citations to motor vehicles
19 traveling at eleven miles per hour or more over the legal speed
20 limit.
- 21 *c.* Temporary or permanent signs advising drivers that an
22 automated or remote system for traffic law enforcement is in
23 place shall be posted in clear and present view of passing
24 drivers in advance of the location where the system is in
25 use. The signage shall conform to the manual on uniform

26 traffic-control devices as adopted by the department.
27 *d.* The state or a political subdivision of the state shall
28 not issue a citation resulting from the use of an automated or
29 remote system for traffic law enforcement until an active peace
30 officer of the state or political subdivision, as applicable,
31 has reviewed the citation and any relevant recorded images
32 produced by the system.
33 *e.* The amount of the fine or civil penalty imposed by a
34 citation resulting from the use of an automated or remote
35 system for traffic law enforcement shall equal the amount of

Page 2

1 the fine for a scheduled violation under section 805.8A for the
2 same or a similar violation of this chapter. The amount of
3 the fine or civil penalty collected in excess of the amount of
4 a scheduled violation under section 805.8A, subsection 5, 7,
5 or 8, up to the amount of a scheduled violation under section
6 805.8A, subsection 14, paragraph “i”, shall be retained by the
7 state or political subdivision, as applicable, and shall not
8 be retained by any private entity operating the automated or
9 remote system for traffic law enforcement on behalf of the
10 state or political subdivision.
11 *f.* The state or political subdivision using an automated
12 or remote system for traffic law enforcement shall designate a
13 process by which a person may appeal a citation issued through
14 the use of the system, which at a minimum shall provide for all
15 of the following:
16 (1) An appeal to an impartial body created by the state
17 or political subdivision, as applicable, to review citations
18 issued through the use of the system.
19 (2) Following a decision from the impartial body that is
20 adverse to the person, an appeal to the district court, sitting
21 in small claims, of the county in which the violation occurred.
22 3. For the purposes of this section, “*automated or remote*
23 *system for traffic law enforcement*” means a camera or other
24 optical device designed to work in conjunction with an official
25 traffic control signal or speed measuring device to identify
26 motor vehicles operating in violation of traffic laws, the use
27 of which results in the issuance of citations sent through the
28 mail or by electronic means.>
29 3. Page 1, line 13, after <OF> by inserting <CERTAIN>
30 4. Page 1, line 16, after <enforcement> by inserting <that
31 does not comply with section 321.492C as enacted in this Act>
32 5. Page 1, line 19, after <enforcement> by inserting <that
33 do not comply with section 321.492C as enacted in this Act>
34 6. Page 1, line 26, after <of> by inserting <certain>
35 7. Title page, line 1, after <of> by inserting <certain>

Page 3

- 1 8. Title page, line 2, after <of> by inserting <certain>

TONY BISIGNANO

S-5046

1 Amend Senate File 2341 as follows:

2 1. Page 2, after line 15 by inserting:

3 <c. Beginning with the 2019-2020 school year, in conjunction
 4 with the social studies curriculum, a project-based assessment
 5 in civics. Each school district and accredited nonpublic
 6 school shall develop and design the assessments administered
 7 under this paragraph to measure the civics learning objectives
 8 contained in the social studies curriculum and to demonstrate
 9 understanding and relevance of public policy, the structure of
 10 federal, state, and local governments, and the Constitution of
 11 the State of Iowa and the Constitution of the United States.>

12 2. Title page, line 1, after <of> by inserting <a
 13 project-based assessment in civics and>

TOD R. BOWMAN
 NATE BOULTON

S-5047

1 Amend Senate File 2305 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <Section 1. **NEW SECTION. 507F.1 Definitions.**

5 As used in this chapter, unless the context otherwise
 6 requires, “*workers’ compensation insurer*” includes any insurer
 7 as defined in section 507A.3 that issues a policy of workers’
 8 compensation liability insurance and any group or self-insured
 9 plan as described in section 87.4.

10 Sec. 2. **NEW SECTION. 507F.2 Purpose of workers’**
 11 **compensation fraud unit.**

12 A workers’ compensation fraud unit is created within the
 13 insurance fraud bureau within the insurance division. Upon a
 14 reasonable determination by the workers’ compensation fraud
 15 unit, by its own inquiries or as a result of complaints filed
 16 with the insurance fraud bureau or the workers’ compensation
 17 fraud unit, that a person has engaged in, is engaging in,
 18 or may be engaging in an act or practice that violates this
 19 chapter, the workers’ compensation fraud unit may administer
 20 oaths and affirmations, issue and serve subpoenas ordering the
 21 attendance of witnesses, collect evidence related to such act
 22 or practice, commence a suit, and prosecute a violation of this
 23 chapter.

24 Sec. 3. **NEW SECTION. 507F.3 Workers’ compensation**
 25 **fraudulent practice — penalties.**

- 26 1. A person commits the offense of workers' compensation
27 fraudulent practice if the person, with the intent to defraud
28 a workers' compensation insurer does any act that constitutes
29 a violation of section 507E.3.
- 30 2. A person who commits an offense under this section that
31 results in a loss to a workers' compensation insurer of ten
32 thousand dollars or less is, upon conviction, guilty of a class
33 "D" felony.
- 34 3. A person who commits an offense under this section that
35 results in a loss to a workers' compensation insurer of more

Page 2

- 1 than ten thousand dollars is, upon conviction, guilty of a
2 class "C" felony.
- 3 4. Fifty percent of the criminal penalty collected under
4 this section shall be deposited in the workers' compensation
5 fraud penalty fund created in section 507F.5. The remaining
6 fifty percent of the criminal penalty collected under this
7 section shall be deposited pursuant to section 602.8108.
- 8 **Sec. 4. NEW SECTION. 507F.4 Restitution.**
- 9 In addition to the criminal penalties established in this
10 chapter, the court shall order a person who commits an offense
11 under this chapter to pay restitution to persons aggrieved by
12 the violation. Restitution shall be ordered in addition to a
13 fine and the possibility of imprisonment, but not in lieu of a
14 fine and the possibility of imprisonment.
- 15 **Sec. 5. NEW SECTION. 507F.5 Fund created.**
- 16 A workers' compensation fraud penalty fund is created in
17 the state treasury as a separate fund under the control of
18 the commissioner of insurance for purposes of this chapter.
19 Notwithstanding section 8.33, any balance in the fund on June
20 30 of each fiscal year shall not revert to the general fund of
21 the state, but shall be available for purposes of this chapter
22 in subsequent fiscal years. The commissioner of insurance may
23 request additional full time equivalent positions as needed and
24 the request shall be granted so long as sufficient funds are
25 within the workers' compensation fraud penalty fund.
- 26 **Sec. 6. NEW SECTION. 507F.6 Examination of information**
27 **outside the state.**
- 28 As a unit within the insurance fraud bureau, the workers'
29 compensation fraud unit, pursuant to section 507E.4, may obtain
30 and examine any information that is related to enforcement of
31 this chapter in possession of a person located outside the
32 state.
- 33 **Sec. 7. NEW SECTION. 507F.7 Confidentiality.**
- 34 As a unit within the insurance fraud bureau, all of the
35 provisions of section 507E.5 shall apply to the workers'

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- 1 compensation fraud unit.

2 Sec. 8. NEW SECTION. 507F.8 Immunity from liability.

3 A person is immune from civil liability for acts under this
4 chapter if the person meets the requirements set forth in
5 section 507E.7.

6 Sec. 9. NEW SECTION. 507F.9 Election of prosecution.

7 If a person commits an offense under this chapter, the
8 prosecuting attorney may elect to proceed under this chapter
9 or any other law of this state.

10 Sec. 10. NEW SECTION. 507F.10 Prosecuting attorney status.

11 1. The workers' compensation fraud unit shall employ at
12 least one full-time prosecuting attorney. The prosecuting
13 attorney, having specialized knowledge and training, shall
14 in all counties in this state prosecute all criminal actions
15 which may be brought under this chapter in which the workers'
16 compensation fraud unit may be interested, when, in the
17 prosecuting attorney's judgment, the interest of the unit
18 requires such action.

19 2. The prosecuting attorney may request a county attorney
20 to assist with or handle the prosecution of a criminal action
21 which may be brought under this chapter.

22 3. The prosecuting attorney shall report to the
23 commissioner of insurance.

24 Sec. 11. NEW SECTION. 507F.11 Law enforcement officer
25 status.

26 As a unit within the insurance fraud bureau, all of the
27 provisions of section 507E.8 shall apply to the workers'
28 compensation fraud unit.

29 Sec. 12. NEW SECTION. 507F.12 Suspension of benefits.

30 If a person is currently receiving or has a pending
31 application for workers' compensation benefits under chapter
32 85, 85A, or 85B and the workers' compensation fraud unit makes
33 a determination to file charges in district court alleging a
34 violation of this chapter by a person receiving benefits under
35 chapter 85, 85A, or 85B, the workers' compensation fraud unit

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1 shall notify the workers' compensation commissioner, who shall
2 suspend benefits or suspend any pending application.

3 A person convicted of a workers' compensation fraudulent
4 practice shall be prohibited from receiving benefits under
5 chapters 85, 85A, and 85B for the particular claim or injury
6 giving rise to the criminal action. If the person is acquitted
7 or the charges are dismissed, the workers' compensation fraud
8 unit shall notify the workers' compensation commissioner of
9 such action and the commissioner shall resume the payment of
10 any benefits previously suspended or resume any suspended
11 application. A person whose benefits have been suspended and
12 the payment of benefits resumed has the option to receive
13 a back payment in a lump sum upon resumption of payment of
14 benefits.

15 Sec. 13. NEW SECTION. 507F.13 Rulemaking authority.

16 The commissioner of insurance may adopt rules pursuant to
17 chapter 17A to administer this chapter.

18 Sec. 14. Section 85.27, subsections 3 and 4, Code 2018, are
19 amended to read as follows:

20 3. A medical service provided under this chapter or chapter
21 85A or 85B shall not be billed at a rate higher than a health
22 service provider's standard retail rate for the medical
23 service. A health service provider who bills and receives
24 payment in excess of the health service provider's standard
25 rate for a medical service provided to treat a workers'
26 compensation injury shall reimburse the employer or insurance
27 carrier which paid for the medical service for the excess
28 payments received by the health service provider.

29 Notwithstanding section 85.26, subsection 4, charges believed
30 to be excessive or unnecessary may be referred by the
31 employer, insurance carrier, or health service provider to the
32 workers' compensation commissioner for determination, and the
33 commissioner may utilize the procedures provided in sections
34 86.38 and 86.39, or set by rule, and conduct such inquiry as
35 the commissioner deems necessary. Any health service provider

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1 charges not in dispute shall be paid directly to the health
2 service provider prior to utilization of procedures provided
3 in sections 86.38 and 86.39 or set by rule. A health service
4 provider rendering treatment to an employee whose injury is
5 compensable under this section agrees to be bound by such
6 charges as allowed by the workers' compensation commissioner
7 and shall not recover in law or equity any amount in excess of
8 charges set by the commissioner. When a dispute under this
9 chapter, chapter 85A, or chapter 85B regarding reasonableness
10 of a fee for medical services arises between a health service
11 provider and an employer or insurance carrier, the health
12 service provider, employer, or insurance carrier shall not seek
13 payment from the injured employee. A health service provider
14 shall not seek payment for fees in dispute from the insurance
15 carrier or employer until the commissioner finds, pursuant to
16 informal dispute resolution procedures established by rule by
17 the commissioner, that the disputed amount is reasonable. This
18 section does not affect the responsibility of an insurance
19 carrier or an employer to pay amounts not in dispute or a
20 health service provider's right to receive payment from an
21 employee's nonoccupational plan as provided in section 85.38,
22 subsection 2.

23 4. For purposes of this section, the employer is obliged to
24 furnish reasonable services and supplies to treat an injured
25 employee, and has the right to choose the care. The employer
26 retains the right to choose the employee's care for all
27 services throughout the course of treatment. If the employer
28 chooses the care, the employer shall hold the employee harmless
29 for the cost of care until the employer notifies the employee

30 that the employer is no longer authorizing all or any part of
 31 the care and the reason for the change in authorization. An
 32 employer is not liable for the cost of care that the employer
 33 arranges in response to a sudden emergency if the employee's
 34 condition, for which care was arranged, is not related to
 35 the employment. The treatment must be offered promptly

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1 and be reasonably suited to treat the injury without undue
 2 inconvenience to the employee. If the employee has reason to
 3 be dissatisfied with the care offered, the employee should
 4 communicate the basis of such dissatisfaction to the employer,
 5 in writing if requested, following which the employer and the
 6 employee may agree to alternate care reasonably suited to
 7 treat the injury. If the employer and employee cannot agree
 8 on such alternate care, the commissioner may, upon application
 9 and reasonable proofs of the necessity therefor, allow and
 10 order other care. In an emergency, the employee may choose
 11 the employee's care at the employer's expense, provided the
 12 employer or the employer's agent cannot be reached immediately.
 13 An application made under this subsection shall be considered
 14 an original proceeding for purposes of commencement and
 15 contested case proceedings under section 85.26. The hearing
 16 shall be conducted pursuant to chapter 17A. Before a hearing
 17 is scheduled, the parties may choose a telephone hearing or
 18 an in-person hearing. A request for an in-person hearing
 19 shall be approved unless the in-person hearing would be
 20 impractical because of the distance between the parties to the
 21 hearing. The workers' compensation commissioner shall issue a
 22 decision within ten working days of receipt of an application
 23 for alternate care made pursuant to a telephone hearing or
 24 within fourteen working days of receipt of an application for
 25 alternate care made pursuant to an in-person hearing. The
 26 employer shall notify an injured employee of the employee's
 27 ability to contest the employer's choice of care pursuant to
 28 this subsection.

29 **Sec. 15. NEW SECTION. 85.37A Suspension of benefits for**
 30 **workers' compensation fraud.**

31 Section 507F.12 requires the workers' compensation
 32 commissioner to suspend a person's benefits if the workers'
 33 compensation fraud unit makes a determination to file charges
 34 in district court alleging the person has violated chapter
 35 507F.

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1 **Sec. 16. NEW SECTION. 86.39A Criminal penalty for workers'**
 2 **compensation fraud.**

3 Chapter 507F sets forth criminal penalties for committing a
 4 workers' compensation fraudulent practice.

5 **Sec. 17.** Section 507E.6, Code 2018, is amended to read as

6 follows:

7 **507E.6 Duties of insurer and fraud bureau.**

8 1. An insurer which believes that a claim or application
9 for insurance coverage is being made which is a violation of
10 section 507E.3 or believes that a violation of section 507E.3A
11 has occurred, shall provide, within sixty days of ~~the receipt~~
12 ~~of such claim or application~~ becoming aware of a possible
13 violation, written notification to the bureau of the ~~claim or~~
14 ~~application suspected violation~~ on a form prescribed by the
15 bureau, ~~including any additional information requested by the~~
16 ~~bureau related to the claim or application or the party making~~
17 ~~the claim or application.~~

18 2. The fraud bureau shall review each notification and
19 determine whether further investigation is warranted.

20 3. If the bureau determines that further investigation
21 is warranted, the bureau shall conduct an independent
22 investigation of the facts surrounding the ~~claim or application~~
23 ~~for insurance coverage~~ notification to determine the extent,
24 if any, to which fraud occurred ~~in the submission of the claim~~
25 ~~or application.~~ If the notification pertains to workers'
26 compensation insurance fraud, the bureau shall deliver the
27 notice to the workers' compensation fraud unit, which shall
28 determine if an investigation and prosecution are warranted.
29 Upon formal request made by the bureau, the insurer shall
30 provide all additional information related to the notification
31 within ten business days or a time period specifically
32 identified by the bureau.

33 4. The bureau shall report any alleged violation of law
34 disclosed by the investigation to the appropriate licensing
35 agency or prosecuting authority having jurisdiction with

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1 respect to such violation.

2 Sec. 18. Section 507E.8, Code 2018, is amended to read as
3 follows:

4 **507E.8 Law enforcement officer status.**

5 1. Bureau investigators shall have the power and status
6 of law enforcement officers who by the nature of their duties
7 may be required to perform the duties of a peace officer when
8 making arrests for criminal violations established as a result
9 of their investigations pursuant to this chapter or chapter
10 507F.

11 2. The general laws applicable to arrests by law enforcement
12 officers of the state also apply to bureau investigators.
13 Bureau investigators shall have the power to execute arrest
14 warrants and search warrants for the same criminal violations,
15 serve subpoenas issued for the examination, investigation, and
16 trial of all offenses identified through their investigations,
17 and arrest upon probable cause without warrant a person found
18 in the act of committing a violation of the provisions of this
19 chapter or chapter 507F.

20 Sec. 19. EFFECTIVE DATE. This Act, being deemed of
 21 immediate importance, takes effect upon enactment.
 22 Sec. 20. APPLICABILITY. This Act applies on and after the
 23 effective date of this Act to acts of workers' compensation
 24 fraudulent practices or prohibited health service providers'
 25 practices committed on or after the effective date of this
 26 Act.>
 27 2. Title page, line 3, by striking <appropriations and>

JAKE CHAPMAN

S-5048

1 Amend Senate File 2341 as follows:
 2 1. Page 1, line 24, after <in> by inserting <Iowa history
 3 and>
 4 2. Page 1, line 25, after <in> by inserting <the histories
 5 of the Constitution of the State of Iowa and the Constitution
 6 of the United States, the history of immigration to Iowa and
 7 the United States, the history of people native to Iowa and the
 8 United States.>

DAVID JOHNSON

S-5049

1 Amend Senate File 2341 as follows:
 2 1. Page 1, after line 16 by inserting:
 3 <Sec. ____ Section 259A.5, subsection 2, Code 2018, is
 4 amended to read as follows:
 5 2. The state board of education shall adopt rules under
 6 chapter 17A to carry out this chapter. Any rules adopted
 7 relating to demonstrations of competence for purposes of this
 8 chapter shall require such demonstrations to be equivalent
 9 to or of greater rigor than those required for high school
 10 graduation, and such demonstrations shall include but
 11 are not limited to a test battery, credit-based measures,
 12 and attainment of other academic credentials. The rules
 13 shall require a high school equivalency program or testing
 14 center approved by the department of education to waive
 15 application, test, and course fees for a student who fails
 16 to pass the civics examination administered under section
 17 280.9A, subsection 1, paragraph "b", but who otherwise met the
 18 graduation requirements of the school district or accredited
 19 nonpublic school of enrollment.>
 20 2. By renumbering as necessary.

ROBERT M. HOGG

S-5050

1 Amend Senate File 2341 as follows:

2 1. Page 2, line 15, after <"b"> by inserting <A student
 3 who fails to pass the civics examination administered under
 4 this paragraph "b" shall not be denied enlistment in the Iowa
 5 national guard solely because of the student's failure to pass
 6 the civics examination.>

ROBERT M. HOGG

S-5051

1 Amend Senate File 2382 as follows:
 2 1. Page 1, by striking lines 17 through 19 and inserting
 3 <record of the conviction ~~and the conviction for a violation~~
 4 ~~of a local ordinance that arose from the same transaction or~~
 5 ~~occurrence~~ be expunged by the clerk of the district court.>
 6 2. Page 1, line 31, after <offense> by inserting <in the
 7 county where the conviction occurred>
 8 3. By striking page 1, line 34, through page 2, line 5, and
 9 inserting <have passed since the date of the conviction, the
 10 defendant has no pending criminal charges, and all court costs,
 11 fees, fines, and restitution>
 12 4. Page 2, by striking lines 8 and 9 and inserting:
 13 <2. Upon objection by the county attorney to the
 14 application, the court shall dismiss the application if any of
 15 the following apply:>
 16 5. Page 3, after line 9 by inserting:
 17 <z. The defendant is the subject of a protective order or a
 18 no-contact order.
 19 aa. The defendant has been subsequently convicted of or
 20 granted a deferred judgment for any criminal offense, other
 21 than a simple misdemeanor conviction under chapter 321 or of a
 22 similar local ordinance.
 23 ab. The defendant has previously been granted two deferred
 24 judgments.>
 25 6. Page 3, line 10, by striking <allowed to apply for> and
 26 inserting <granted>
 27 7. By striking page 3, line 34, through page 4, line 19.
 28 8. Page 5, line 7, by striking <a.>
 29 9. Page 5, by striking lines 14 through 23.
 30 10. Page 17, line 8, by striking <information, or
 31 indictment> and inserting <information, indictment, or jury
 32 instruction>
 33 11. Page 18, line 6, after <applicant,> by inserting
 34 <applicant's attorney,>
 35 12. Page 18, by striking lines 21 through 23 and inserting

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1 <paragraph "a", any information provided by an attorney,
 2 law enforcement agency, witness, or any person with relevant
 3 information to the medical examiner conducting the autopsy.>
 4 13. Page 18, line 28, after <cause and> by inserting <cause

5 or>

6 14. Page 19, by striking line 8 and inserting <provided by
7 an attorney, investigative agency, or witness, and any report
8 deemed necessary by the medical examiner to accurately certify
9 the cause and manner of death which are included in the report
10 of the medical examiner>

11 15. Page 19, by striking lines 22 through 26 and inserting:

12 <b. In conducting an investigation or autopsy under this
13 part, including but not limited to developing a clinical
14 history of the decedent and formulating findings and
15 conclusions or forming opinions as to the cause and manner of
16 death, the state medical examiner or county medical examiner
17 may use any information provided or available for review,
18 including but not limited to information or statements by a
19 witness, a suspect, or any other person with information which
20 is provided by or obtained in the course of a law enforcement
21 investigation. Such information or statements which the
22 medical examiner has used in making the findings, conclusions,
23 and opinions may also be included in the report of the medical
24 examiner. A court shall not exclude the medical examiner's
25 report or opinion as to the cause or manner of death on the
26 basis that the medical examiner relied on information from
27 other persons or from a law enforcement agency in forming that
28 report or opinion. Admission of such a report or opinion shall
29 not constitute reversible error.>

30 16. Page 19, by striking lines 27 through 31.

31 17. Page 22, after line 1 by inserting:

32 <Sec. ___. Section 321J.20, subsection 10, Code 2018, is
33 amended to read as follows:

34 10. Notwithstanding any other provision of law to the
35 contrary, in any circumstance in which this chapter requires

Page 3

1 the installation of an ignition interlock device in all
2 vehicles owned or operated by a person as a condition of the
3 person's license or privilege to operate noncommercial motor
4 vehicles, the department shall require the person to be a
5 participant in and in compliance with a sobriety and drug
6 monitoring program established pursuant to chapter 901D if the
7 person's offense under this chapter qualifies as an eligible
8 offense as defined in section 901D.2, and the person's offense
9 occurred in a participating jurisdiction, as defined in section
10 901D.2. The requirement to participate in and comply with a
11 sobriety and drug monitoring program shall continue for such
12 period as is required under section 901D.7. The department of
13 public safety shall notify the department when the participant
14 has completed participation in the sobriety and drug monitoring
15 program. This subsection shall not apply if the court enters
16 an order finding the person is not required to participate
17 in a sobriety and drug monitoring program. The department,
18 in consultation with the department of public safety, may

19 adopt rules for issuing and accepting a certification of
 20 participation in and compliance with a program established
 21 pursuant to chapter 901D. This subsection shall be construed
 22 and implemented to comply with 23 U.S.C. §164(a), as amended by
 23 the federal Fixing America's Surface Transportation Act, Pub.
 24 L. No. 114-94, §1414, and shall not apply if such application
 25 results in a finding of noncompliance with 23 U.S.C. §164 that
 26 results or will result in a reservation or transfer of funds
 27 pursuant to 23 U.S.C. §164(b). This subsection shall not
 28 authorize the operation of a motor vehicle for any purpose not
 29 otherwise authorized by this chapter.>

30 18. Page 22, line 4, by striking <twenty-five> and inserting
 31 <thirty>

32 19. Page 22, after line 20 by inserting:
 33 <Sec. ___. Section 901D.7, subsection 2, Code 2018, is
 34 amended to read as follows:

35 2. An order or directive placing a participant in the

Page 4

1 program shall include the type of testing required to be
 2 administered in the program and the length of time that the
 3 participant is required to remain in the program. The length
 4 of the program shall not be less than ninety days and the order
 5 or directive shall include a requirement that the participant
 6 not have a failed test result or have missed a required test
 7 thirty days prior to the end of participation in the program.

8 The person issuing the order or directive shall send a copy of
 9 the order or directive to the law enforcement agency of the
 10 participating jurisdiction.>

11 20. By renumbering as necessary.

DAN DAWSON

S-5052

1 Amend the amendment, S-5047, to Senate File 2305 as follows:

2 1. Page 1, line 29, after <507E.3> by inserting <or
 3 requires any current or former employee to submit the cost
 4 of surgical, medical, osteopathic, chiropractic, podiatric,
 5 physical rehabilitation, nursing, ambulance, or hospital
 6 services or supplies to an individual or group health insurance
 7 policy, even though the employer admits liability for the
 8 injury>

NATE BOULTON

S-5053

1 Amend the amendment, S-5047, to Senate File 2305 as follows:

2 1. Page 1, after line 29 by inserting:
 3 <1A. It shall not be considered a workers' compensation

4 fraudulent practice for a person to request a replacement
 5 prosthetic if the prosthetic is needed as a result of
 6 a compensable injury. A person shall be entitled to a
 7 replacement prosthetic if the prosthetic is needed as a result
 8 of a compensable injury.>
 9 2. By renumbering, redesignating, and correcting internal
 10 references as necessary.

NATE BOULTON

S-5054

1 Amend the amendment, S-5047, to Senate File 2305 as follows:
 2 1. Page 2, after line 7 by inserting:
 3 <Sec. ____ NEW SECTION. 507F.3A Failure to obtain workers'
 4 compensation insurance.
 5 An employer subject to chapters 85, 85A, 85B, 86, and 87
 6 shall not engage in business without first obtaining insurance
 7 covering compensation benefits or obtaining relief from
 8 insurance as provided in chapter 87. A person who willfully
 9 and knowingly violates this section is guilty of a class "D"
 10 felony.>
 11 2. Page 7, after line 4 by inserting:
 12 <Sec. ____ Section 87.15, Code 2018, is amended to read as
 13 follows:
 14 **87.15 Injunctions.**
 15 If a violation of section ~~87.14A~~ 507F.3A has been committed
 16 or there is reason to believe a violation of section ~~87.14A~~
 17 507F.3A is about to be committed, the ~~attorney general or~~
 18 ~~the county attorney from the county in which a violation~~
 19 ~~has occurred or is about to occur shall, or any person may,~~
 20 workers' compensation fraud unit prosecuting attorney may bring
 21 an action to enjoin such person from committing the violation
 22 and the court or judge before whom the action is brought shall,
 23 if the facts warrant, issue a temporary or permanent writ of
 24 injunction without bond.
 25 Sec. ____ Section 87.19, Code 2018, is amended to read as
 26 follows:
 27 **87.19 Failure to comply — proceedings.**
 28 Upon the receipt of information by the workers' compensation
 29 commissioner of any employer failing to comply with section
 30 ~~87.14A~~ 507F.3A, the commissioner shall at once notify such
 31 employer by certified mail that unless such employer comply
 32 with the requirements of law, legal proceedings will be
 33 instituted to enforce such compliance.
 34 Unless such employer comply with the provisions of the
 35 law within fifteen days after the giving of such notice, the

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1 workers' compensation commissioner shall report such failure to
 2 the ~~attorney general~~ workers' compensation fraud unit, whose

- 3 duty it shall be to bring an action in a court of equity to
4 enjoin the further violation. Upon decree being entered for
5 a temporary or permanent injunction, a violation shall be a
6 contempt of court and punished as provided for contempt of
7 court in other cases.>
8 3. Page 8, after line 19 by inserting:
9 <Sec. ___. REPEAL. Section 87.14A, Code 2018, is repealed.>
10 4. By renumbering, redesignating, and correcting internal
11 references as necessary.

NATE BOULTON
WILLIAM A. DOTZLER, JR.

S-5055

- 1 Amend the amendment, S-5047, to Senate File 2305 as follows:
2 1. Page 3, line 26, before <As> by inserting <1.>
3 2. Page 3, after line 28 by inserting:
4 <2. All law enforcement officers are covered under the merit
5 system provisions of chapter 8A, subchapter IV.>

NATE BOULTON
WILLIAM A. DOTZLER, JR.

S-5056

- 1 Amend the amendment, S-5047, to Senate File 2305 as follows:
2 1. Page 3, after line 28 by inserting:
3 <Sec. ___. **NEW SECTION. 507F.11A Length of investigation.**
4 The workers' compensation fraud unit shall complete all
5 workers' compensation fraud investigations within ninety
6 days of receiving notification from a workers' compensation
7 insurer of possible fraudulent activity pursuant to section
8 507E.6. Completion of the investigation is indicated by a
9 determination not to file charges or by the filing of charges
10 in district court alleging a violation of this chapter. Any
11 investigation that is not completed within ninety days shall
12 be deemed closed. Charges shall not be filed in district
13 court in a closed investigation. An investigation may only be
14 reopened if there is an unanticipated and substantial change
15 in circumstances that could not be foreseen at the time of the
16 original closure.>
17 2. By renumbering as necessary.

NATE BOULTON

S-5057

- 1 Amend the amendment, S-5047, to Senate File 2305 as follows:
2 1. Page 6, line 9, by striking <reasonable proofs of the

3 necessity therefor> and inserting <reasonable proofs of the
4 ~~necessity therefor~~ unless the care requested is unreasonable>

NATE BOULTON

S-5058

1 Amend the amendment, S-5047, to Senate File 2305 as follows:

2 1. Page 7, after line 4 by inserting:

3 <Sec. __. Section 88.14, subsection 12, Code 2018, is
4 amended to read as follows:

5 12. *Collection of penalties.*

6 a. Civil penalties owed under this chapter shall be paid
7 to the commissioner for deposit with the treasurer of state
8 and shall accrue to the state and may be recovered in a civil
9 action in the name of the state brought in the district court
10 of the county where the violation is alleged to have occurred
11 or where the employer has its principal office unless the
12 circumstances described in paragraph “b” are present.

13 b. If an occupational safety and health violation involves
14 a workplace injury, civil penalties will be assessed and
15 distributed as follows:

16 (1) Fifty percent of the civil penalties collected under
17 this section shall be deposited in the fund created in section
18 507F.5.

19 (2) The remaining fifty percent of the civil penalties
20 collected shall be deposited in the fund created in section
21 88.14A.

22 **Sec. __. NEW SECTION. 88.14A **Occupational safety and****
23 ****health administration workplace injury fund.****

24 An occupational safety and health administration workplace
25 injury fund is created in the state treasury as a separate fund
26 under the control of the division of labor services of the
27 department of workforce development. Moneys shall be deposited
28 into the fund as provided in section 88.14, subsection 12,
29 paragraph “b”, and are appropriated to the division of labor
30 services of the department of workforce development for
31 occupational safety and health administration. Notwithstanding
32 section 8.33, any balance in the fund on June 30 of each fiscal
33 year shall not revert to the general fund of the state, but
34 shall be available for purposes of this chapter in subsequent
35 fiscal years.>

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1 2. By renumbering as necessary.

NATE BOULTON
WILLIAM A. DOTZLER, JR.

S-5059

- 1 Amend the amendment, S-5047, to Senate File 2305 as follows:
2 1. Page 7, after line 32 by inserting:
3 ~~<3A. If the bureau determines that an insurer or an employer~~
4 ~~provided a written notification of a suspected violation~~
5 ~~pursuant to subsection 1 recklessly, maliciously, or with~~
6 ~~intent to harass the employee, the workers' compensation~~
7 ~~commissioner shall award benefits in addition to those payable~~
8 ~~under chapter 85, 85A, 85B, or 86, up to one hundred percent of~~
9 ~~the amount of benefits that were alleged to be fraudulent.>~~
10 2. By renumbering, redesignating, and correcting internal
11 references as necessary.

NATE BOULTON
WILLIAM A. DOTZLER, JR.

S-5060

- 1 Amend the amendment, S-5051, to Senate File 2382 as follows:
2 1. Page 1, by striking line 27.

KEVIN KINNEY

S-5061

- 1 Amend Senate File 2341 as follows:
2 1. Page 1, by striking lines 30 through 33 and inserting:
3 ~~<b. A multiple-choice civics examination that consists~~
4 ~~of all of the questions used in the latest available civics~~
5 ~~examination administered by the United States citizenship and~~
6 ~~immigration services. The proctored examination shall>~~

JERRY BEHN

S-5062

- 1 Amend the amendment, S-5047, to Senate File 2305 as follows:
2 1. Page 3, line 26, before <As> by inserting <1.>
3 2. Page 3, after line 28 by inserting:
4 <2. All law enforcement officers in the workers'
5 compensation fraud unit are covered under the merit system
6 provisions of chapter 8A, subchapter IV.>

NATE BOULTON
WILLIAM A. DOTZLER, JR.

S-5063

- 1 Amend the amendment, S-5047, to Senate File 2305 as follows:
2 1. Page 5, by striking lines 25 through 28 and inserting

3 <employee, ~~and but the employee~~ has the right to choose the
 4 care. ~~If the employer chooses the care, the~~ The employer shall
 5 hold the employee harmless>
 6 2. Page 6, by striking line 2 and inserting <inconvenience
 7 to the ~~employee~~ employer. If the ~~employee~~ employer has reason
 8 to>
 9 3. Page 6, line 3, by striking <employee> and inserting
 10 <~~employee~~ employer>
 11 4. Page 6, line 4, by striking <employer> and inserting
 12 <~~employer~~ employee>
 13 5. Page 6, line 5, by striking <employer> and inserting
 14 <~~employer~~ employee>
 15 6. Page 6, line 6, by striking <employee> and inserting
 16 <~~employee~~ employer>
 17 7. Page 6, by striking lines 25 through 28 and inserting
 18 <alternate care made pursuant to an in-person hearing. ~~The~~
 19 ~~employer shall notify an injured employee of the employee's~~
 20 ~~ability to contest the employer's choice of care pursuant to~~
 21 ~~this subsection~~>

NATE BOULTON

S-5064

1 Amend Senate File 2373 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 726.6, Code 2018, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. 1A. A person who knowingly takes custody
 7 or control over a child or minor, or who knowingly has
 8 unsupervised access to a child or a minor while the person is
 9 required to register as a sex offender under chapter 692A,
 10 commits child endangerment. However, this subsection does not
 11 apply to a person who is a parent or guardian of a child or a
 12 minor who is required to register as a sex offender, or to a
 13 person who is married to and living with a person required to
 14 register as a sex offender.
 15 Sec. 2. Section 726.6, subsection 3, unnumbered paragraph
 16 1, Code 2018, is amended to read as follows:
 17 For the purposes of subsection 1 ~~or 1A,~~ ~~“person having~~
 18 ~~control~~ “control over a child or a minor” means any of the
 19 following:>
 20 2. Title page, by striking lines 2 through 4 and inserting
 21 <by prohibiting a sex offender access to a child or certain
 22 minors,>

JULIAN B. GARRETT

S-5065

1 Amend the amendment, S-5051, to Senate File 2382 as follows:

- 2 1. Page 1, by striking lines 30 through 32 and inserting:
 3 <__. By striking page 15, line 24, through page 17, line
 4 18.>
 5 2. By renumbering as necessary.

ROBERT M. HOGG

S-5066

- 1 Amend Senate File 2344 as follows:
 2 1. Page 4, by striking lines 8 through 11.
 3 2. By renumbering, redesignating, and correcting internal
 4 references as necessary.

AMY SINCLAIR

S-5067

- 1 Amend Senate File 2281 as follows:
 2 1. Page 3, by striking lines 26 through 31.

AMY SINCLAIR

S-5068

HOUSE AMENDMENT TO
 SENATE FILE 2131

- 1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 2, by striking lines 4 through 7 and inserting
 4 <used only for the purpose of administering this section and
 5 shall be established so as not to exceed the budgeted cost of
 6 administering this section to the extent not covered by the
 7 moneys appropriated in subsection 9. Providing professional>
 8 2. Page 2, after line 16 by inserting:
 9 <Sec. __. AREA EDUCATION AGENCIES — ONLINE LEARNING
 10 WORKING GROUP.
 11 1. The area education agencies, in collaboration with the
 12 community colleges and the department of education, shall
 13 convene a working group to identify effective means by which
 14 students may access educational instruction and content online
 15 and shall identify partnerships between existing providers of
 16 rigorous and high-quality online coursework.
 17 2. The working group shall submit its findings to the
 18 general assembly by October 15, 2018.
 19 Sec. __. EFFECTIVE DATE. The section of this Act providing
 20 for an online learning working group, being deemed of immediate
 21 importance, takes effect upon enactment.>
 22 3. Title page, line 4, after <fees> by inserting <,
 23 directing the area education agencies to convene an online
 24 learning working group, and including effective date

25 provisions.>

26 4. By renumbering as necessary.

S-5069

1 Amend Senate File 2383 as follows:

2 1. Page 31, after line 28 by inserting:

3 <Sec. ___. 2014 Iowa Acts, chapter 1130, section 27, is
4 amended to read as follows:

5 SEC. 27. INVESTMENT TAX CREDITS ISSUED TO ELIGIBLE
6 HOUSING BUSINESSES UNDER THE ENTERPRISE ZONE PROGRAM ———
7 TRANSFERABILITY. Notwithstanding the requirement in section
8 15E.193B, subsection 8, Code 2014, that not more than three
9 million dollars worth of tax credits for housing developments
10 located in a brownfield site or a blighted area shall be
11 eligible for transfer in a calendar year unless the eligible
12 housing business is also eligible for low-income housing tax
13 credits authorized under section 42 of the Internal Revenue
14 Code, and notwithstanding the requirement in section 15E.193B,
15 subsection 8, Code 2014, that the economic development
16 authority shall not approve more than one million five hundred
17 thousand dollars in tax credit certificates for transfer to
18 any one eligible housing business located on a brownfield
19 site or in a blighted area in a calendar year, all investment
20 tax credits determined under section 15E.193B, subsection 6,
21 paragraph “a”, Code 2014, for housing developments located on
22 a brownfield site or in a blighted area may be approved by the
23 economic development authority for transfer in calendar year
24 2014, or any subsequent calendar year, provided the eligible
25 housing business was awarded the investment tax credit before
26 the effective date of this section of this division of this Act
27 and notifies the economic development authority, in writing,
28 before July 1, 2014, of its intent to transfer such tax
29 credits, or provided the eligible housing business was awarded
30 the investment tax credit before July 1, 2015, for a housing
31 development located in a blighted area and in a county with
32 a total population of less than fifty thousand as determined
33 by the most recent federal decennial census, and submits a
34 written request for approval to transfer such tax credits to
35 the economic development authority before October 31, 2017.

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1 and provided the eligible housing business and the related
2 housing development meet all other applicable requirements
3 under section 15E.193B, Code 2014. Notwithstanding any other
4 provision of law to the contrary, a tax credit transferred
5 pursuant to this section shall not be claimed by a transferee
6 prior to January 1, 2016.>

7 2. Page 32, line 18, by striking <11> and inserting <12>

8 3. Page 33, after line 22 by inserting:

9 <12. The section of this division of this Act amending

10 2014 Iowa Acts, chapter 1130, section 27, being deemed of
 11 immediate importance, takes effect upon enactment, and applies
 12 retroactively to May 30, 2014.>
 13 4. By renumbering as necessary.

THOMAS A. GREENE

S-5070

1 Amend Senate File 2341 as follows:
 2 1. Page 1, by striking lines 11 through 13 and inserting
 3 <The diploma shall be issued on the basis of demonstrated>
 4 2. Page 1, line 16, after <studies> by inserting <Each
 5 individual shall be issued a civics assessment in the manner
 6 specified in section 280.9A, subsection 02, and each student
 7 who successfully passes the civics examination shall be issued
 8 a civics certificate with the high school equivalency diploma
 9 issued under this chapter.>
 10 3. By striking page 1, line 17, through page 2, line 17, and
 11 inserting:
 12 <Sec. ___. Section 280.9A, Code 2018, is amended by adding
 13 the following new subsection:
 14 NEW SUBSECTION. 02. The board of directors of each local
 15 public school district and the authorities in charge of each
 16 nonpublic school shall administer a multiple-choice civics
 17 examination that consists of all of the questions used in the
 18 latest available civics examination administered by the United
 19 States citizenship and immigration services. The proctored
 20 examination shall be completed without ancillary materials and
 21 only students who demonstrate proficiency with a score of sixty
 22 percent or higher shall be considered to have successfully
 23 passed the examination. Alternative assessment measures
 24 approved by the department of education pursuant to section
 25 256.9, subsection 60, may be administered to children requiring
 26 special education as defined in section 256B.2, subsection
 27 1, and to students identified as limited English proficient
 28 pursuant to section 280.4. Each student shall be provided with
 29 an opportunity to take the civics examination at least one
 30 time per school calendar year. A student may take the test
 31 at any time after enrolling in grade seven and may repeat the
 32 test as often as necessary to demonstrate proficiency. If a
 33 student in grade seven or eight passes the civics examination,
 34 the student has met the graduation requirement applicable to
 35 this subsection 02. A fee shall not be imposed or collected in

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1 connection with this subsection 02. Each school district or
 2 nonpublic school shall issue to each student who successfully
 3 passes the civics examination a civics certificate with the
 4 student's high school diploma.>
 5 4. Title page, by striking lines 2 through 3 and inserting

6 <to high school students and individuals seeking to obtain a
 7 high school equivalency diploma, and>
 8 5. By renumbering as necessary.

ROBERT M. HOGG

S-5071

1 Amend the amendment, S-5051, to Senate File 2382 as follows:
 2 1. Page 1, by striking lines 25 through 27 and inserting:
 3 <__. Page 3, by striking line 10 and inserting:
 4 <3. A person shall be granted an>>
 5 2. By renumbering, redesignating, and correcting internal
 6 references as necessary.

DAN DAWSON

S-5072

1 Amend the amendment, S-5061, to Senate File 2341 as follows:
 2 1. Page 1, by striking lines 2 through 6 and inserting:
 3 <__. Page 1, by striking lines 11 through 13 and inserting
 4 <The diploma shall be issued on the basis of demonstrated>
 5 __. Page 1, line 16, after <studies> by inserting <Each
 6 individual shall be issued a civics assessment in the manner
 7 specified in section 280.9A, subsection 02, and each qualified
 8 individual who successfully passes the civics examination shall
 9 be issued a civics certificate with the high school equivalency
 10 diploma issued under this chapter.>
 11 3. By striking page 1, line 17, through page 2, line 17, and
 12 inserting:
 13 <Sec. __. Section 280.9A, Code 2018, is amended by adding
 14 the following new subsection:
 15 NEW SUBSECTION. 02. The board of directors of each local
 16 public school district and the authorities in charge of each
 17 nonpublic school shall administer a multiple-choice civics
 18 examination that consists of all of the questions used in the
 19 latest available civics examination administered by the United
 20 States citizenship and immigration services. The proctored
 21 examination shall be completed without ancillary materials and
 22 only students who demonstrate proficiency with a score of sixty
 23 percent or higher shall be considered to have successfully
 24 passed the examination. Alternative assessment measures
 25 approved by the department of education pursuant to section
 26 256.9, subsection 60, may be administered to children requiring
 27 special education as defined in section 256B.2, subsection
 28 1, and to students identified as limited English proficient
 29 pursuant to section 280.4. Each student shall be provided with
 30 an opportunity to take the civics examination at least one
 31 time per school calendar year. A student may take the test
 32 at any time after enrolling in grade seven and may repeat the
 33 test as often as necessary to demonstrate proficiency. If a

34 student in grade seven or eight passes the civics examination,
 35 the student has met the graduation requirement applicable to

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1 this subsection 02. A fee shall not be imposed or collected in
 2 connection with this subsection 02. Each school district or
 3 nonpublic school shall issue to each student who successfully
 4 passes the civics examination a civics certificate with the
 5 student's high school diploma.>
 6 _____. Title page, by striking lines 2 through 3 and inserting
 7 <to high school students and individuals seeking to obtain a
 8 high school equivalency diploma, and>
 9 _____. By renumbering as necessary.>

ROBERT M. HOGG

S-5073

1 Amend Senate File 2383 as follows:
 2 1. Page 29, by striking lines 11 through 30.
 3 2. By renumbering as necessary.

CHAZ ALLEN

S-5074

1 Amend Senate File 2383 as follows:
 2 1. Page 10, after line 8 by inserting:
 3 <NEW SUBSECTION. 6A. Subtract, to the extent included,
 4 income from interest and earnings received from a burial trust
 5 fund as defined in section 523A.102.>
 6 2. By striking page 11, line 29, through page 12, line 20,
 7 and inserting:
 8 <31. a. For a person who is disabled, or is fifty-five
 9 years of age or older, or is the surviving spouse of an
 10 individual or a survivor having an insurable interest in an
 11 individual who would have qualified for the exemption under
 12 this subsection for the tax year, subtract, to the extent
 13 included, the total amount of a governmental or other pension
 14 or retirement pay, including, but not limited to, defined
 15 benefit or defined contribution plans, annuities, individual
 16 retirement accounts, plans maintained or contributed to by an
 17 employer, or maintained or contributed to by a self-employed
 18 person as an employer, and deferred compensation plans or any
 19 earnings attributable to the deferred compensation plans, up
 20 to a maximum of ~~six thousand dollars~~ amount as specified in
 21 paragraph "b" for a person, other than a husband or wife, who
 22 files a separate state income tax return and up to a maximum
 23 of ~~twelve thousand dollars~~ amount as specified in paragraph
 24 "c" for a husband and wife who file a joint state income tax
 25 return. However, a surviving spouse who is not disabled or

26 fifty-five years of age or older can only exclude the amount
 27 of pension or retirement pay received as a result of the death
 28 of the other spouse. A husband and wife filing separate state
 29 income tax returns ~~or separately on a combined state return~~
 30 are allowed a combined maximum exclusion under this subsection
 31 of up to ~~twelve thousand dollars. The twelve thousand dollar~~
 32 the maximum amount specified in paragraph "c", which exclusion
 33 shall be allocated to the husband or wife in the proportion
 34 that each spouse's respective pension and retirement pay
 35 received bears to total combined pension and retirement pay

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1 received.
 2 b. (1) For tax years beginning on or after January 1, 2019,
 3 but before January 1, 2022, the maximum exclusion amount equals
 4 ten thousand dollars.
 5 (2) For tax years beginning on or after January 1, 2022, the
 6 maximum exclusion amount equals twelve thousand dollars.
 7 c. (1) For tax years beginning on or after January 1, 2019,
 8 but before January 1, 2022, the maximum exclusion amount equals
 9 twenty thousand dollars.
 10 (2) For tax years beginning on or after January 1, 2022, the
 11 maximum exclusion amount equals twenty-four thousand dollars.>
 12 3. Page 22, line 26, by striking ~~<July 1, 2018>~~ and
 13 inserting ~~<January 1, 2019>~~
 14 4. Page 25, line 32, by striking ~~<thirty-five>~~ and inserting
 15 ~~<forty>~~
 16 5. Page 32, line 18, by striking ~~<11>~~ and inserting ~~<15>~~
 17 6. Page 33, after line 22 by inserting:
 18 <12. The sections of this division of this Act amending
 19 section 15.331A, subsection 1, section 15.331C, and section
 20 15.335, subsection 8, apply to high quality jobs program
 21 agreements entered into on or after July 1, 2018, and high
 22 quality jobs program agreements entered into prior to July
 23 1, 2018, shall be governed by section 15.331A, subsection 1,
 24 section 15.331C, and section 15.335, subsection 8, Code 2018.
 25 13. The repeal of the accelerated career education program
 26 by the section of this division of this Act enacting section
 27 260G.8, shall not constitute grounds for rescission or
 28 modification of agreements entered into under chapter 260G
 29 prior to July 1, 2025. Any agreement entered into under
 30 chapter 260G prior to July 1, 2025, shall remain in effect
 31 until it expires under its own terms, and shall be governed by
 32 chapter 260G as that chapter existed immediately prior to July
 33 1, 2025.
 34 14. The repeal of the historic preservation tax credit
 35 program by the section of this division of this Act enacting

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1 section 404A.7, shall not constitute grounds for rescission

2 or modification of agreements entered into under chapter 404A
 3 prior to July 1, 2025. Any agreement entered into under
 4 chapter 404A prior to July 1, 2025, shall remain in effect
 5 until it expires under its own terms, and shall be governed by
 6 chapter 404A as that chapter existed immediately prior to July
 7 1, 2025.

8 15. The repeal of the high quality jobs program by the
 9 section of this division of this Act repealing sections 15.326,
 10 15.327, 15.329, 15.330, 15.330A, 15.331A, 15.331C, 15.332,
 11 15.333, 15.333A, 15.335, 15.335A, 15.335B, 15.335C, and 15.336,
 12 shall not constitute grounds for rescission or modification of
 13 agreements entered into under those sections prior to July 1,
 14 2025. Any agreement entered into under those sections prior
 15 to July 1, 2025, shall remain in effect until it expires under
 16 its own terms, and shall be governed by those sections as they
 17 existed immediately prior to July 1, 2025.>

18 7. Page 39, by striking lines 25 through 29 and inserting
 19 <loan association, or a production credit association.>

20 8. By striking page 54, line 24, through page 55, line 1.

21 9. Page 55, lines 5 and 6, by striking <or specified digital
 22 products>

23 10. Page 55, lines 13 and 14, by striking <property
 24 specified digital products,> and inserting <property>

25 11. Page 55, by striking lines 23 through 31.

26 12. By striking page 55, line 35, through page 56, line 1,
 27 and inserting <in the business of selling tangible personal
 28 property or taxable services at retail, or>

29 13. Page 56, by striking lines 11 and 12 and inserting <they
 30 obtain tangible personal property or services sold by them
 31 irrespective of whether or not>

32 14. By striking page 57, line 28, through page 58, line 18.

33 15. Page 58, line 24, by striking <property, specified
 34 digital products,> and inserting <property>

35 16. Page 58, by striking line 28 and inserting <property or

Page 4

1 service.>

2 17. Page 58, line 33, by striking <or a specified digital
 3 product>

4 18. Page 61, by striking lines 2 and 3 and inserting:
 5 al. Pay television; ~~pet.~~>

6 19. Page 62, by striking lines 27 through 34.

7 20. Page 64, by striking lines 5 through 20.

8 21. Page 67, line 4, by striking <1, 2,> and inserting <2>

9 22. Page 67, by striking lines 6 through 9.

10 23. Page 67, line 24, by striking <property. specified
 11 digital products,> and inserting <property>

12 24. Page 68, by striking lines 24 through 28.

13 25. Page 68, lines 29 and 30, by striking <20, 21, 22, 23,
 14 26, 27, 28, and 31,> and inserting <21, 22, and 31,>

15 26. Page 68, by striking lines 31 through 33.

- 16 27. Page 68, by striking line 35 and inserting <tangible
 17 personal property>
 18 28. Page 69, by striking lines 5 and 6 and inserting
 19 <merchandise, tangible personal property or from services
 20 furnished, to a nonprofit private>
 21 29. Page 69, by striking lines 8 through 23.
 22 30. Page 69, line 25, by striking <or specified digital
 23 products>
 24 31. Page 70, line 4, by striking <or specified digital
 25 products>
 26 32. By striking page 70, line 19, through page 71, line 13.
 27 33. Page 72, by striking line 19 and inserting <property or
 28 services which will be>
 29 34. Page 72, by striking lines 22 and 23.
 30 35. Page 72, line 28, by striking <specified digital
 31 products.>
 32 36. Page 72, lines 30 and 31, by striking <specified digital
 33 products.>
 34 37. Page 73, line 6, by striking <or specified digital
 35 products.>

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- 1 38. Page 73, line 11, by striking <subsections> and
 2 inserting <subsection>
 3 39. Page 73, by striking lines 12 through 32.
 4 40. Page 73, line 33, by striking <105.> and inserting
 5 <103.>
 6 41. Page 74, line 9, by striking <or specified digital
 7 products.>
 8 42. Page 74, lines 17 and 18, by striking <or specified
 9 digital products.>
 10 43. By striking page 76, line 25, through page 78, line 14.
 11 44. Page 78, line 15, by striking <paragraphs b and c,> and
 12 inserting <paragraph b.>
 13 45. Page 78, line 16, by striking <are> and inserting <is>
 14 46. Page 78, by striking line 18 and inserting <other than
 15 that enumerated in>
 16 47. Page 78, by striking lines 27 through 31.
 17 48. Page 79, lines 1 and 2, by striking <specified digital
 18 products> and inserting <digital goods>
 19 49. Page 81, by striking line 2 and inserting <or through
 20 another digital good.>
 21 50. Page 81, by striking lines 3 through 8 and inserting:
 22 <(5) A marketplace provider shall be relieved of liability
 23 under this paragraph "d" for failure to collect and remit sales
 24 and use tax on an Iowa sale made or facilitated for a retailer
 25 under the following circumstances:
 26 (a) If the marketplace provider demonstrates to the
 27 satisfaction of the department that the failure to collect and
 28 remit the correct tax was due to incorrect or insufficient
 29 information provided to the marketplace provider by the

30 retailer. This subparagraph division does not apply if a
31 marketplace provider and a retailer are affiliates. For Iowa
32 sales for which a marketplace provider is relieved of liability
33 under this subparagraph division, the retailer or purchaser are
34 solely liable for any amount of uncollected or unpaid tax.
35 (b) (i) Subject to the limitation in subparagraph

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1 subdivision (ii), if the marketplace provider demonstrates
2 to the satisfaction of the department that the Iowa sale was
3 made or facilitated for a retailer prior to January 1, 2026,
4 through a platform or other marketplace of the marketplace
5 provider, that the marketplace provider and the retailer are
6 not affiliates, and that the failure to collect sales and
7 use tax was not due to an error in sourcing the sale. To the
8 extent that a marketplace provider is relieved of liability
9 for collection of sales and use tax under this subparagraph
10 division, the retailer for whom the marketplace provider
11 has made or facilitated the Iowa sale is also relieved of
12 liability. The department may determine the manner in which
13 a marketplace provider or retailer shall claim the liability
14 relief provided in this subparagraph division.
15 (ii) The liability relief provided in subparagraph
16 subdivision (i) shall not exceed the following percentage
17 of the total sales and use tax due on Iowa sales made or
18 facilitated by a marketplace provider for retailers and sourced
19 to this state during a calendar year:
20 (A) For Iowa sales made or facilitated during the 2019
21 calendar year, ten percent.
22 (B) For Iowa sales made or facilitated during calendar years
23 2020 through 2024, five percent.
24 (C) For Iowa sales made or facilitated during the 2025
25 calendar year, three percent.>
26 51. Page 81, line 15, by striking <specified digital
27 products> and inserting <digital goods>
28 52. Page 81, line 19, by striking <specified digital
29 products> and inserting <digital goods>
30 53. Page 81, lines 25 and 26, by striking <specified digital
31 products> and inserting <digital goods>
32 54. Page 81, by striking lines 29 through 33 and inserting
33 <digital goods, or otherwise facilitates retail sales of
34 tangible personal property, services, or digital goods,
35 regardless of ownership or control of the tangible personal

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1 property, services, or digital goods that are the subject of
2 the retail sale.>
3 55. Page 82, line 8, by striking <specified digital
4 products> and inserting <digital goods>
5 56. Page 82, lines 11 and 12, by striking <specified digital

6 products> and inserting <digital goods>
 7 57. Page 82, lines 16 and 17, by striking <specified digital
 8 products> and inserting <digital goods>
 9 58. Page 82, lines 19 and 20, by striking <specified digital
 10 products> and inserting <digital goods>
 11 59. Page 82, line 24, by striking <specified digital
 12 products> and inserting <digital goods>
 13 60. Page 82, by striking lines 26 through 29 and inserting
 14 <tangible personal property, services, or digital goods,
 15 regardless of ownership or control of the tangible personal
 16 property, services, or digital goods that are the subject of
 17 the retail sale.>
 18 61. Page 82, line 33, by striking <specified digital
 19 products> and inserting <digital goods>
 20 62. Page 83, line 4, by striking <specified digital
 21 products> and inserting <digital goods>
 22 63. Page 83, after line 8 by inserting:
 23 <e. (1) A referrer if Iowa sales result from referrals
 24 from a platform of the referrer. A referrer is not required to
 25 collect and remit sales and use tax pursuant to this paragraph
 26 if the referrer does all of the following:
 27 (a) The referrer posts a conspicuous notice on each platform
 28 of the referrer that includes all of the following:
 29 (i) A statement that sales or use tax is due on certain
 30 purchases.
 31 (ii) A statement that the retailer from whom the person is
 32 purchasing on the platform may not collect and remit sales and
 33 use tax on a purchase.
 34 (iii) A statement that Iowa requires the purchaser to pay
 35 sales or use tax and file sales or use tax returns if sales

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1 or use tax is not collected at the time of the sale by the
 2 retailer.
 3 (iv) Information informing the purchaser that the notice is
 4 provided under the requirements of this subparagraph.
 5 (v) Instructions for obtaining additional information from
 6 the department regarding whether and how to remit sales and use
 7 tax to the state of Iowa.
 8 (b) The referrer provides a monthly notice to each retailer
 9 to whom the referrer made a referral of a potential customer
 10 located in Iowa during the previous calendar year, which
 11 monthly notice shall contain all of the following:
 12 (i) A statement that Iowa imposes a sales or use tax on Iowa
 13 sales.
 14 (ii) A statement that a retailer making Iowa sales must
 15 collect and remit sales and use tax.
 16 (iii) Instructions for obtaining additional information
 17 from the department regarding the collection and remittance of
 18 Iowa sales and use tax.
 19 (c) The referrer provides the department with monthly

20 reports in an electronic format and in the manner prescribed
 21 by the department, which monthly reports contain all of the
 22 following:

23 (i) A list of retailers who received the referrer's notice
 24 under subparagraph division (b).

25 (ii) A list of retailers that collect and remit Iowa sales
 26 and use tax and that list or advertise the retailer's products
 27 for sale on a platform of the referrer.

28 (iii) An affidavit signed under penalty of perjury from
 29 an officer of the referrer affirming that the referrer made
 30 reasonable efforts to comply with the applicable sales and use
 31 tax notice and reporting requirements of this subparagraph.

32 (2) For purposes of this paragraph:

33 (a) "Platform" means an electronic or physical medium,
 34 including but not limited to an internet site or catalog,
 35 operated by a referrer.

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1 (b) "Referral" means the transfer through telephone,
 2 internet link, or other means by a referrer of a potential
 3 customer to a retailer who advertises or lists products for
 4 sale on a platform of the referrer.

5 (c) (i) "Referrer" means a person who does all of the
 6 following:

7 (A) Contracts or otherwise agrees with a retailer to list
 8 or advertise for sale a product of the retailer on a platform,
 9 provided such listing or advertisement identifies whether or
 10 not the retailer collects sales and use tax.

11 (B) Receives a commission, fee, or other consideration from
 12 the retailer for the listing or advertisement.

13 (C) Provides referrals to a retailer or an affiliate of the
 14 retailer.

15 (D) Does not collect money or other consideration from the
 16 customer for the transaction.

17 (ii) "Referrer" does not include a person primarily engaged
 18 in the business of printing or publishing a newspaper.>

19 64. Page 83, line 9, by striking <e.> and inserting <f.>

20 65. Page 84, line 2, by striking <"e"> and inserting <"f">

21 66. Page 84, line 5, by striking <f.> and inserting <g.>

22 67. Page 84, line 9, by striking <g.> and inserting <h.>

23 68. Page 84, line 29, by striking <h.> and inserting <i.>

24 69. Page 84, by striking lines 34 and 35 and inserting:

25 <All sales of ~~products~~ tangible personal property or
 26 services, except those sales enumerated>

27 70. Page 85, by striking line 4 and inserting <tangible
 28 personal property, digital goods,>

29 71. Page 85, lines 24 and 25, by striking <specified digital
 30 ~~good product~~> and inserting <digital good>

31 72. By striking page 85, line 30, through page 86, line 11.

32 73. Page 86, lines 15 and 16, by striking <or specified
 33 digital products>

34 74. Page 86, line 21, by striking <or specified digital
35 products>

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1 75. By striking page 86, line 26, through page 87, line 9.
2 76. Page 87, by striking lines 20 and 21 and inserting
3 <prices including goods, wares, tangible personal property and
4 services converted to>
5 77. Page 87, by striking line 34 and inserting <personal
6 property or taxable>
7 78. Page 88, by striking lines 7 through 22.
8 79. Page 88, by striking line 28 and inserting <tangible
9 personal property>
10 80. Page 88, by striking line 32 and inserting <property or
11 services offered for>
12 81. Page 90, by striking lines 2 and 3 and inserting:
13 <Any person who uses any tangible personal property or
14 services enumerated in section>
15 82. By striking page 90, line 15, through page 94, line 16.
16 83. Page 97, by striking lines 1 and 2 and inserting <423.1,
17 subsection 57A, are>
18 84. Page 97, by striking lines 7 through 15.
19 85. Page 97, by striking lines 26 through 29.
20 86. Page 98, by striking lines 10 and 11 and inserting
21 <subsection 55A.>

22 87. Page 106, after line 14 by inserting:
23 <DIVISION ____
24 MISCELLANEOUS TAX PROVISIONS
25 Sec. ____ **NEW SECTION. 421.71 Class actions — implied**
26 **right of action — private cause of action immunity.**
27 1. *Class actions prohibited.* No class action may be brought
28 against the department, a taxpayer, or a person required to
29 collect any tax imposed under this title, in any court, agency,
30 or other adjudicative body, or in any other forum, based on
31 any act or omission arising from or related to any provision
32 of this title.
33 2. *No implied right of action.* Nothing in this Title shall
34 be construed as creating or providing an implied private right
35 of action or any private common law claim against any taxpayer,

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1 or against any person required to collect any tax imposed under
2 this Title, in any court, agency, or other adjudicative body,
3 or in any other forum. This subsection shall not apply to or
4 otherwise limit any claim, action, mandate, power, remedy, or
5 discretion of the department, or an agent or designee of the
6 department.
7 3. *Private cause of action immunity for overpayment of*
8 *certain taxes.*
9 a. A taxpayer, or any person required to collect taxes

10 imposed under chapters 423, 423A, 423B, 423C, and 423D, and
 11 chapter 423G, as enacted in 2018 Iowa Acts, Senate File 512,
 12 shall be immune from any private cause of action arising from
 13 or related to the overpayment of taxes imposed under chapters
 14 423, 423A, 423B, 423C, and 423D, and chapter 423G, as enacted
 15 in 2018 Iowa Acts, Senate File 512, that are collected and
 16 remitted to the department.

17 *b.* Nothing in this subsection shall apply to or otherwise
 18 limit any of the following:

19 (1) Any claim, action, mandate, power, remedy, or
 20 discretion of the department, or an agent or designee of the
 21 department.

22 (2) A taxpayer's right to seek a refund from the department
 23 related to taxes imposed under chapters 423, 423A, 423B,
 24 423C, and 423D, and chapter 423G, as enacted in 2018 Iowa
 25 Acts, Senate File 512, that are collected from or paid by the
 26 taxpayer.

27 Sec. ____ EFFECTIVE DATE. This division of this Act, being
 28 deemed of immediate importance, takes effect upon enactment.>

29 88. Title page, line 7, by striking <trust,> and inserting

30 <trust, providing for other properly related matters,>

31 89. By renumbering as necessary.

RANDY FEENSTRA

S-5075

1 Amend Senate File 2341 as follows:

2 1. Page 2, after line 15 by inserting:

3 <*c.* Beginning with the 2019–2020 school year, in conjunction
 4 with the social studies curriculum, a project-based assessment
 5 in civics. Alternative assessment measures approved by the
 6 department of education pursuant to section 256.9, subsection
 7 60, may be administered to children requiring special education
 8 as defined in section 256B.2, subsection 1. Each school
 9 district and accredited nonpublic school shall develop and
 10 design the assessments administered under this paragraph
 11 to measure the civics learning objectives contained in the
 12 social studies curriculum and to demonstrate understanding and
 13 relevance of public policy, the structure of federal, state,
 14 and local governments, and the Constitution of the State of
 15 Iowa and the Constitution of the United States.

16 Sec. ____ Section 280.9A, Code 2018, is amended by adding
 17 the following new subsection:

18 **NEW SUBSECTION.** 4. The examination requirements of
 19 subsection 1, paragraphs “b” and “c”, shall not apply to
 20 children requiring special education who have severe and
 21 profound disabilities.>

- 22 2. Title page, line 1, after <of> by inserting <a
 23 project-based assessment in civics and>
 24 3. By renumbering as necessary.

TOD R. BOWMAN
 NATE BOULTON

S-5076

- 1 Amend the amendment, S-5074, to Senate File 2383 as follows:
 2 1. Page 3, line 18, by striking <29> and inserting <28>

RANDY FEENSTRA

S-5077

- 1 Amend Senate File 2383 as follows:
 2 1. Page 33, line 24, by striking <AND MONEYS AND CREDITS
 3 TAX>
 4 2. By striking page 33, line 25, through page 41, line 35.
 5 3. Page 42, by striking lines 21 through 34.
 6 4. Title page, line 3, by striking <the moneys and credits
 7 tax,>
 8 5. By renumbering as necessary.

BRAD ZAUN

S-5078

- 1 Amend Senate File 2171 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 256.7, subsection 3, Code 2018, is
 4 amended to read as follows:
 5 3. Prescribe standards and procedures for the approval of
 6 practitioner preparation programs and professional development
 7 programs offered in this state by practitioner preparation
 8 institutions located within or outside this state and by
 9 area education agencies. Procedures provided for approval
 10 of programs shall include procedures for enforcement of
 11 the prescribed standards and except as provided in section
 12 256.16, subsection 1, paragraph "a", subparagraph (2),
 13 subparagraph division (b), shall not include a procedure for
 14 the waiving of any of the standards prescribed. The board may
 15 establish by rule and collect from practitioner preparation
 16 institutions located outside this state an amount equivalent
 17 to the department's necessary travel and actual expenses
 18 incurred while engaged in the program approval process for the
 19 institution located outside this state. Amounts collected
 20 under this subsection shall be deposited in the general fund
 21 of the state.>
 22 2. By striking page 1, line 16, through page 2, line 9, and
 23 inserting <subparagraph division (a) for one year for a person

24 who has completed the course requirements for an approved
 25 practitioner preparation program but attained an assessment
 26 score below that required for successful completion of the
 27 program under subparagraph division (a).

28 (c) The board of educational examiners shall adopt rules
 29 under chapter 17A to create an initial one-year license for
 30 an applicant who obtains a waiver issued by the director and
 31 presents the waiver within thirty days of issuance to the
 32 board in accordance with subparagraph division (b) or who
 33 attended and successfully completed a practitioner preparation
 34 program outside of this state and has met all other application
 35 requirements with the exception of the assessment score

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1 achievement requirements of subparagraph division (a). Such an
 2 applicant must provide an affidavit from the administrator of
 3 a school district or an accredited nonpublic school verifying
 4 that an offer of a teaching contract has been made and the
 5 school district or accredited nonpublic school has made every
 6 reasonable and good-faith effort to employ a teacher licensed
 7 under chapter 272 for the specified subject and is unable to
 8 employ such a teacher.

9 Sec. ____ Section 256.16, subsection 2, Code 2018, is
 10 amended to read as follows:

11 2. A person initially applying for a license shall
 12 successfully complete a professional education program
 13 containing the subject matter specified in this section, before
 14 the initial action by the board of educational examiners takes
 15 place. However, this subsection shall not apply to a person
 16 who meets the requirements for an initial one-year license in
 17 accordance with subsection 1, paragraph "a", subparagraph (2),
 18 subparagraph division (c).>

19 3. By renumbering, redesignating, and correcting internal
 20 references as necessary.

MARK CHELGREN

S-5079

- 1 Amend Senate File 2299 as follows:
 2 1. Page 1, line 4, by striking <an accredited> and inserting
 3 <a certified>
 4 2. Page 1, line 10, by striking <accredited> and inserting
 5 <certified>
 6 3. Page 1, line 14, by striking <an accredited> and
 7 inserting <a certified>
 8 4. Page 1, line 20, by striking <accredited> and inserting
 9 <certified>
 10 5. Page 1, line 24, by striking <an accredited> and
 11 inserting <a certified>
 12 6. Page 1, line 30, by striking <accredited> and inserting

13 <certified>

14 7. By striking page 1, line 33, through page 2, line 5, and
15 inserting:

16 <__. The department shall recognize as a
17 thrombectomy-capable stroke center, a certified acute
18 care hospital that applies for and receives certification
19 as a thrombectomy-capable stroke center from the joint
20 commission on the accreditation of health care organizations,
21 or another certifying entity that is a nationally
22 recognized guidelines-based organization that provides
23 thrombectomy-capable stroke center hospital certification
24 for stroke care, if the certified acute care hospital is in
25 good standing with and maintains certification through such a
26 national certifying organization.>

27 8. Title page, line 2, by striking <and primary> and
28 inserting <, primary, and thrombectomy-capable>

29 9. By renumbering, redesignating, and correcting internal
30 references as necessary.

MARK SEGEBART

S-5080

1 Amend Senate File 2238 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 715A.10, Code 2018, is amended to read
5 as follows:

6 **715A.10 Illegal use of scanning device or ~~reencoder~~ encoding**
7 **machine.**

8 1. A person commits a class "D" felony if the person does
9 any of the following:

10 a. ~~Uses~~ Directly or indirectly uses a scanning device
11 to access, read, obtain, memorize, or store, temporarily
12 or permanently, information encoded on ~~the magnetic strip~~
13 ~~or stripe~~ of a payment card without the permission of the
14 authorized user of the payment card, ~~and with the intent to~~
15 ~~defraud the authorized user~~, the issuer of the authorized
16 user's payment card, or a merchant.

17 b. ~~Uses a reencoder~~ Directly or indirectly uses an encoding
18 machine to place information encoded on ~~the magnetic strip or~~
19 ~~stripe~~ of a payment card onto ~~the magnetic strip or stripe~~ of a
20 different payment card without the permission of the authorized
21 user of the payment card from which the information ~~is being~~
22 ~~reencoded was obtained~~, ~~and with the intent to defraud the~~
23 ~~authorized user~~, the issuer of the authorized user's payment
24 card, or a merchant.

25 1A. A person commits an aggravated misdemeanor if the person
26 possesses a scanning device with the intent to use such device
27 to obtain information encoded on a payment card without the
28 permission of the authorized user of the payment card, the
29 issuer of the authorized user's payment card, or a merchant, or

30 possesses a scanning device with knowledge that a person other
 31 than the authorized user, the issuer of the authorized user's
 32 payment card, or a merchant intends to use the scanning device
 33 to obtain information encoded on a payment card without the
 34 permission of the authorized user, the issuer of the authorized
 35 user's payment card, or a merchant.

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1 2. A second or subsequent violation of this section is a
 2 class "C" felony.
 3 3. As used in this section:
 4 a. "Encoding machine" means an electronic device that is
 5 used to encode information onto a payment card.
 6 ~~a. b.~~ "Merchant" means an owner or operator of a retail
 7 mercantile establishment or an agent, employee, lessee,
 8 consignee, officer, director, franchisee, or independent
 9 contractor of such owner or operator. A "merchant" also means
 10 includes an establishing financial institution referred to
 11 in section 527.5, a person who receives from an authorized
 12 user of a payment card, or someone the person believes to
 13 be an authorized user, a payment card or information from a
 14 payment card, or what the person believes to be a payment card
 15 or information from a payment card, as the instrument for
 16 obtaining, purchasing, or receiving goods, services, money, or
 17 anything else of value from the person.
 18 ~~b. c.~~ "Payment card" means a credit card, charge card,
 19 debit card, access device as defined in section 527.2, or
 20 any other card that is issued to an authorized card user and
 21 that allows the user to obtain, purchase, or receive goods,
 22 services, money, or anything else of value from a merchant.
 23 ~~c.~~ "Reencoder" means an electronic device that places
 24 encoded information from the magnetic strip or stripe of a
 25 payment card onto the magnetic strip or stripe of a different
 26 payment card.
 27 d. "Scanning device" means a scanner, reader, wireless
 28 access device, radio frequency identification scanner, an
 29 electronic device that utilizes near field communications
 30 technology, or any other electronic device that is used to
 31 access, read, scan, obtain, memorize, or store, temporarily
 32 or permanently, information encoded on the magnetic strip or
 33 stripe of a payment card.
 34 Sec. 2. Section 716.5, subsection 1, Code 2018, is amended
 35 by adding the following new paragraph:

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1 NEW PARAGRAPH. f. The act is committed upon property that
 2 consists of a device that has the ability to process a payment
 3 card as defined in section 715A.10.>
 4 2. Title page, by striking lines 1 through 3 and inserting
 5 <An Act relating to the criminal offenses of the illegal use of

6 a scanning device or encoding machine and criminal mischief in
7 the third degree, and providing penalties.>

BRAD ZAUN

S-5081

1 Amend Senate File 2242 as follows:
2 1. Title page, by striking lines 2 and 3 and inserting
3 <participating in a federal program.>

DAN ZUMBACH

S-5082

1 Amend Senate File 2367 as follows:
2 1. Page 1, by striking lines 22 and 23 and inserting <is
3 stationed at and resides or is domiciled within a federal
4 military installation located contiguous to a
5 state that is located contiguous to the out-of-state
6 federal military installation. Notwithstanding
7 the fact that the installation is located within the
8 boundaries of the state, the installation shall be
9 considered to be located outside the state for purposes of
10 this section.>

MARK LOFGREN

S-5083

HOUSE AMENDMENT TO
SENATE FILE 2177

1 Amend Senate File 2177, as passed by the Senate, as follows:
2 1. Page 1, by striking lines 7 and 8 and inserting <secure
3 internet connection, or other secure electronic contact method
4 designated by the consumer reporting agency. The consumer
5 reporting agency shall
6 identify, to the best of its knowledge, any other consumer
7 reporting agency that compiles and maintains files on consumers
8 on a nationwide basis and inform consumers of appropriate
9 contact information that would permit the consumer to place,
10 lift, or remove a security freeze from such other consumer
11 reporting agency.>
12 2. Page 1, by striking lines 22 through 25 and inserting
13 <on a nationwide basis, the consumer reporting agency shall
14 identify, to the best of its knowledge, any other consumer
15 reporting agency that compiles and maintains files on consumers
16 on a nationwide basis and inform consumers of appropriate
17 contact information that would permit the consumer to place,
18 lift, or remove a security freeze from such other consumer
19 reporting agency.>
20 3. Page 2, by striking lines 2 through 4 and inserting
21 <~~facsimile transmissions, the secure internet connection, or~~
22 other secure electronic media contact method designated by the
23 consumer reporting agency. The consumer reporting agency shall
24 comply with
25 4. Page 2, by striking lines 8 through 10 and inserting
26 <agency through ~~facsimile, the secure internet, connection or~~
27 other secure electronic contact method ~~chosen~~ designated by the
28 consumer reporting agency, or the use of>

23 5. Page 4, by striking lines 1 and 2 and inserting:
24 <Sec. ___. Section 715C.1, subsections 1 and 5, Code 2018,
25 are amended to read as follows:
26 1. *“Breach of security”* means unauthorized acquisition,
27 or reasonable belief of unauthorized acquisition, of personal
28 information maintained in computerized form by a person that
29 compromises the security, confidentiality, or integrity of
30 the personal information. *“Breach of security”* also means
31 ~~unauthorized acquisition of personal information maintained~~
32 ~~by a person in any medium, including on paper, that was~~
33 ~~transferred by the person to that medium from computerized~~
34 ~~form and that compromises the security, confidentiality, or~~
35 ~~integrity of the personal information.~~ Good faith acquisition

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1 of personal information by a person or that person’s employee
2 or agent for a legitimate purpose of that person is not a
3 breach of security, provided that the personal information
4 is not used in violation of applicable law or in a manner
5 that harms or poses an actual threat to the security,
6 confidentiality, or integrity of the personal information.
7 5. *“Encryption”* means the use of an algorithmic process
8 pursuant to accepted industry standards to transform data into
9 a form in which the data is rendered unreadable or unusable
10 without the use of a confidential process or key.
11 Sec. ___. Section 715C.2, subsections 7 and 8, Code 2018,
12 are amended to read as follows:
13 7. This section does not apply to any of the following:
14 a. A person who complies with notification requirements or
15 breach of security procedures that provide greater protection
16 to personal information and at least as thorough disclosure
17 requirements than that provided by this section pursuant to
18 the rules, regulations, procedures, guidance, or guidelines
19 established by the person’s primary or functional federal
20 regulator.
21 b. A person who complies with a state or federal law
22 that provides greater protection to personal information and
23 at least as thorough disclosure requirements for breach of
24 security or personal information than that provided by this
25 section.
26 c. A person who is subject to and complies with regulations
27 promulgated pursuant to Tit. V of the federal
28 Gramm-Leach-Bliley Act of 1999, 15 U.S.C. §6801 – 6809.
29 d. A person who is subject to and complies with regulations
30 promulgated pursuant to Tit. II, subtit. F of the federal
31 Health Insurance Portability and Accountability Act of 1996,
32 42 U.S.C. §1320d – 1320d-9, and Tit. XIII, subtit. D of the
33 federal Health Information Technology for Economic and Clinical
34 Health Act of 2009, 42 U.S.C. §17921 – 17954.
35 8. Any person who owns or licenses computerized data that

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- 1 includes a consumer's personal information that is used in
 2 the course of the person's business, vocation, occupation,
 3 or volunteer activities and that was subject to a breach of
 4 security requiring notification to more than five hundred
 5 residents of this state pursuant to this section shall give
 6 written notice of the breach of security ~~following discovery~~
 7 ~~of such breach of security, or receipt of notification under~~
 8 ~~subsection 2,~~ to the director of the consumer protection
 9 division of the office of the attorney general within five
 10 business days after giving notice of the breach of security to
 11 any consumer pursuant to this section.
- 12 Sec. ____ EFFECTIVE DATE. The following take effect January
 13 1, 2019:
- 14 1. The section of this Act amending section 714G.2.
 15 2. The section of this Act amending section 714G.3,
 16 subsection 1.
 17 3. The section of this Act amending section 714G.4,
 18 unnumbered paragraph 1.>
 19 6. Title page, line 2, after <and> by inserting <personal
 20 information security breach protection, and>
 21 7. By renumbering as necessary.

S-5084

- 1 Amend Senate File 2302 as follows:
 2 1. Page 2, after line 14 by inserting:
 3 <Sec. ____ Section 455D.1, Code 2018, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 5A. "*Scrap metal*" means any ferrous or
 6 nonferrous metal suitable for reprocessing into a viable market
 7 commodity grade specification.>
 8 2. Page 4, after line 10 by inserting:
 9 <9. Scrap metal as defined in section 455D.1 is not subject
 10 to the provisions of this section.>
 11 3. By renumbering as necessary.

TIM L. KAPUCIAN

S-5085

- 1 Amend Senate File 2314 as follows:
 2 1. Page 2, after line 34 by inserting:
 3 <DIVISION ____
 4 UNIFORM LIMITED PARTNERSHIP ACT
 5 Sec. ____ Section 488.102, subsection 19, Code 2018, is
 6 amended to read as follows:
 7 19. "*Registered office*" ~~means:~~
 8 ~~a. With respect to a limited partnership, means the office~~
 9 that ~~the a limited partnership or foreign limited partnership~~
 10 is required to designate and maintain under section 488.114.

11 ~~b. With respect to a foreign limited partnership, its~~
 12 ~~principal office.~~
 13 Sec. ____ Section 488.114, Code 2018, is amended to read as
 14 follows:
 15 **488.114 Registered office and registered agent for service**
 16 **of process.**
 17 1. A limited partnership or foreign limited partnership
 18 shall designate and continuously maintain in this state ~~both~~
 19 all of the following:
 20 a. A registered office, which need not be a place of its
 21 activity in this state.
 22 b. A registered agent for service of process.
 23 ~~2. A foreign limited partnership shall designate and~~
 24 ~~continuously maintain in this state a registered agent for~~
 25 ~~service of process.~~
 26 ~~3. 2.~~ A registered agent for service of process of a
 27 limited partnership or foreign limited partnership must be ~~an~~
 28 one of the following:
 29 a. An individual who is a resident of Iowa or other and
 30 whose business office is identical with the registered office.
 31 b. A person other than an individual authorized to do
 32 business in this state whose business office is identical with
 33 the registered office.
 34 Sec. ____ Section 488.116, subsections 2 and 3, Code 2018,
 35 are amended to read as follows:

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1 2. After receiving a statement of resignation, the
 2 secretary of state shall file it and mail a copy to the
 3 registered office of the limited partnership or foreign limited
 4 partnership ~~and another copy to the principal office if the~~
 5 ~~address of the office appears in the records of the secretary~~
 6 ~~of state and is different from the address of the registered~~
 7 ~~office.~~
 8 3. A registered ~~agency agent~~ for service of process is
 9 terminated on the date on which the statement of resignation
 10 was filed with the secretary of state.
 11 Sec. ____ Section 488.809, subsection 1, Code 2018, is
 12 amended to read as follows:
 13 1. The secretary of state may dissolve a limited partnership
 14 administratively if the limited partnership does not, ~~within~~
 15 ~~sixty days after the due date,~~ do any of the following:
 16 a. ~~Pay, within sixty days after the due date,~~ any fee, tax,
 17 or penalty under this chapter or other law due the secretary of
 18 state.
 19 b. ~~Deliver, within sixty days after the due date, its~~
 20 ~~biennial report to the secretary of state~~ required under
 21 section 488.210.
 22 c. Designate and continuously maintain a registered office
 23 and appoint and maintain a registered agent for service of
 24 process as required by section 488.114.

25 d. Deliver for filing a statement of a change under section
 26 488.115 within sixty days after the change has occurred.
 27 Sec. ____ Section 488.902, subsection 2, Code 2018, is
 28 amended to read as follows:
 29 2. A foreign limited partnership shall deliver with the
 30 completed application a certificate of existence or a record
 31 of similar import signed by the secretary of state or other
 32 official having custody of the foreign limited partnership's
 33 publicly filed records in the state or other jurisdiction under
 34 whose law the foreign limited partnership is organized. The
 35 certificate of existence or other record described in this

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1 subsection must be dated not earlier than ninety days prior to
 2 the date the application is filed with the secretary of state.
 3 Sec. ____ Section 488.906, subsections 1 and 2, Code 2018,
 4 are amended to read as follows:
 5 1. A certificate of authority of a foreign limited
 6 partnership to transact business in this state may be revoked
 7 by the secretary of state in the manner provided in subsections
 8 2 and 3 if the foreign limited partnership does not do any of
 9 the following:
 10 a. Pay, within sixty days after the due date, any fee, tax
 11 or penalty under this chapter or other law due the secretary of
 12 state.
 13 b. Deliver, within sixty days after the due date, its
 14 biennial report required under section 488.210.
 15 c. ~~Appoint~~ Designate and continuously maintain a registered
 16 office and appoint and maintain a registered agent for service
 17 of process as required by section 488.114, ~~subsection 2.~~
 18 d. Deliver for filing a statement of a change under section
 19 488.115 within ~~thirty~~ sixty days after ~~a~~ the change has
 20 occurred ~~in the name or address of the registered agent for~~
 21 ~~service of process.~~
 22 2. In order to revoke a certificate of authority, the
 23 secretary of state must prepare, sign, and file a notice of
 24 revocation and send a copy to the foreign limited partnership's
 25 registered agent for service of process in this state, or
 26 if the foreign limited partnership does not appoint and
 27 maintain a proper agent in this state, to the foreign limited
 28 partnership's ~~registered~~ principal office. The notice must
 29 state all of the following:
 30 a. The revocation's effective date, which must be at least
 31 sixty days after the date the secretary of state sends the
 32 copy.
 33 b. The foreign limited partnership's ~~failures~~ failure
 34 to comply with subsection 1 which ~~are~~ is the reason for the
 35 revocation.

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1 Sec. ____ Section 488.1206, subsection 1, Code 2018, is
 2 amended by adding the following new paragraph:
 3 NEW PARAGRAPH. *Op.* Articles of merger..... \$50
 4 DIVISION ____

5 IOWA BUSINESS CORPORATION ACT
 6 Sec. ____ Section 490.122, subsection 1, paragraph b, Code
 7 2018, is amended by striking the paragraph.

8 DIVISION ____
 9 IOWA BANKING ACT

10 Sec. ____ Section 524.1404, Code 2018, is amended to read
 11 as follows:

12 **524.1404 Procedure after approval by the superintendent —**
 13 **issuance of certificate of merger.**

14 If applicable state or federal laws require the approval of
 15 the merger by a federal or state agency, the superintendent may
 16 withhold delivery of the approved articles of merger until the
 17 superintendent receives notice of the decision of such agency.
 18 If the final approval of the agency is not given within six
 19 months of the superintendent’s approval, the superintendent
 20 shall notify the parties to the plan that the approval of the
 21 superintendent has been rescinded for that reason. If such
 22 agency gives its approval, the superintendent shall deliver
 23 the articles of merger, with the superintendent’s approval
 24 indicated on the articles, to the secretary of state, and shall
 25 notify the parties to the plan. The receipt of the approved
 26 articles of merger by the secretary of state constitutes filing
 27 of the articles of merger with that office. The secretary of
 28 state shall record the articles of merger, and forward a copy
 29 of the articles ~~shall be filed and recorded in~~ to the office of
 30 the county recorder in each county in which the parties to the
 31 plan had previously maintained a principal place of business
 32 for filing. On the date upon which the merger is effective
 33 the secretary of state shall issue a certificate of merger and
 34 send the same to the resulting state bank and a copy of the
 35 certificate of merger to the superintendent.

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1 Sec. ____ Section 524.1506, subsection 1, Code 2018, is
 2 amended to read as follows:

3 1. The secretary of state shall record the articles of
 4 amendment, and forward a copy of the articles of amendment
 5 ~~shall be filed in~~ to the office of the county recorder in the
 6 county in which the state bank has its principal place of
 7 business for filing. The secretary of state upon the filing
 8 of the articles of amendment shall issue a certificate of
 9 amendment and send the same to the state bank.

10 DIVISION ____
 11 PROHIBITED UCC RECORD FILINGS

12 Sec. ____ Section 554.9516, subsection 2, Code 2018, is

13 amended by adding the following new paragraph:

14 **NEW PARAGRAPH.** *Of* in the case of an initial financing
 15 statement or an amendment, a secured party and a debtor appear
 16 to be the same party. The secretary of state may require the
 17 person filing the financing statement to furnish reasonable
 18 proof that the parties are not the same.

19 Sec. __. **NEW SECTION. 708.7A Persons unauthorized to file**
 20 **records.**

21 1. A person shall not cause to be communicated to the filing
 22 office, as defined in section 554.9102, for filing a record,
 23 also defined in that section, if all of the following apply:

24 *a.* The person is not authorized or otherwise entitled to
 25 file the record under section 554.9509.

26 *b.* The record is not related to an existing or anticipated
 27 transaction that is or will be governed by chapter 554, article
 28 9.

29 *c.* The record is presented for filing or filed with the
 30 intent to harass or defraud the person identified as a debtor
 31 in the record.

32 2. A person who commits a violation of this section is
 33 guilty of the following:

34 *a.* A simple misdemeanor for a first offense.

35 *b.* A serious misdemeanor for a second or subsequent

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1 offense.>

2 2. Title page, by striking lines 4 and 5 and inserting
 3 <farming, the powers and duties of the office of secretary of
 4 state, the liability of corporate directors, and commercial
 5 transactions involving creditors, providing for fees, and
 6 providing for penalties.>

7 3. By renumbering as necessary.

JEFF EDLER

S-5086

1 Amend Senate File 2322 as follows:

2 1. Page 1, lines 3 and 4, by striking <physician, dentist,
 3 podiatric physician, or prescribing psychologist> and inserting
 4 <~~physician, dentist, podiatric physician, or prescribing~~
 5 ~~psychologist~~ **prescriber**>

6 2. Page 1, lines 32 and 33, by striking <dentist, physician,
 7 podiatric physician, or prescribing psychologist> and inserting
 8 <~~dentist, physician, podiatric physician, or prescribing~~
 9 ~~psychologist~~ **prescriber**>

10 3. Page 2, lines 2 and 3, by striking <physician, dentist,
 11 podiatric physician, or prescribing psychologist> and inserting
 12 <~~physician, dentist, podiatric physician, or prescribing~~
 13 ~~psychologist~~ **prescriber**>

14 4. Page 2, line 4, by striking <offer to> and inserting

- 15 <offer to>
 16 5. Page 2, line 5, by striking <written prescription> and
 17 inserting <written prescription, if requested.>
 18 6. Page 2, lines 12 and 13, by striking <to a certified
 19 pharmacy technician>
 20 7. Page 3, line 4, by striking <dispense> and inserting
 21 <order and administer>
 22 8. Page 4, line 13, by striking <shall> and inserting <may>
 23 9. Page 4, before line 27 by inserting:
 24 <Sec. _____. Section 155A.34, Code 2018, is amended by
 25 striking the section and inserting in lieu thereof the
 26 following:
 27 **155A.34 Transfer of prescriptions.**
 28 Any prescription transfer shall be from a licensed pharmacy
 29 to another licensed pharmacy and be performed in accordance
 30 with rules adopted by the board.>
 31 10. Page 5, line 32, after <pharmacist> by inserting
 32 <ordering or>
 33 11. Page 6, line 12, by striking <annual>
 34 12. Page 6, line 13, by striking <administration> and
 35 inserting <statewide>

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- 1 13. Page 6, by striking lines 14 and 15 and inserting:
 2 <Sec. _____. FUTURE REPEAL. Section 155A.44, Code 2018, is
 3 repealed effective July 1, 2019.>
 4 14. By renumbering as necessary.

JASON SCHULTZ

S-5087

- 1 Amend Senate File 192 as follows:
 2 1. Page 1, line 2, by striking <2017> and inserting <2018>
 3 2. Page 1, line 23, by striking <2017> and inserting <2018>
 4 3. Page 2, line 20, by striking <2017> and inserting <2018>
 5 4. Page 3, line 2, by striking <2017> and inserting <2018>
 6 5. Page 3, line 8, by striking <2017> and inserting <2018>
 7 6. Page 3, line 20, by striking <2017> and inserting <2018>
 8 7. Page 3, line 26, by striking <2017> and inserting <2018>
 9 8. Page 4, line 30, by striking <2017> and inserting <2018>
 10 9. Page 5, by striking line 2 and inserting <that the person
 11 is a licensed behavior analyst or licensed assistant behavior>
 12 10. Page 6, line 26, by striking <school board> and
 13 inserting <school, school district, or area education agency>
 14 11. Page 6, line 35, by striking <2017> and inserting <2018>
 15 12. Page 7, line 9, by striking <2017> and inserting <2018>

- 16 13. Page 7, line 28, by striking <2017> and inserting <2018>
 17 14. Page 8, line 3, by striking <2018> and inserting <2019>
 18 15. Page 8, line 7, by striking <2018> and inserting <2019>

DAN DAWSON

S-5088

- 1 Amend Senate File 2361 as follows:
 2 1. Page 1, line 6, by striking <one-credit-hour>

AMY SINCLAIR

S-5089

- 1 Amend the House amendment, S-5068, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 2 by inserting:
 4 <__. Page 1, line 1, after <1,> by inserting <3,>
 5 __. Page 1, after line 14 by inserting:
 6 <3. Coursework offered under the initiative shall be taught
 7 by a teacher licensed under chapter 272 who has completed an
 8 online-learning-for-Iowa-educators-professional-
 9 development project offered by area education agencies, a
 10 teacher preservice program, or comparable coursework. The
 11 teacher providing the initiative coursework shall conduct
 12 two parent-teacher conferences with the parent or guardian
 13 of each student who is receiving initiative coursework from
 14 the teacher unless the parent or guardian is participating
 15 in parent-teacher conferences held by the school district
 16 or accredited nonpublic school in which the student is
 17 enrolled. The first parent-teacher conference shall take place
 18 mid-semester and the last parent-teacher conference shall
 19 take place as soon as reasonably possible after the course is
 20 completed. Parent-teacher conferences may take place in person
 21 or by video conference.>>
 22 2. Page 1, after line 21 by inserting:
 23 <__. Title page, line 3, after <or private instruction>
 24 by inserting <, requiring initiative teachers to conduct
 25 parent-teacher conferences,>>
 26 3. By renumbering as necessary.

MATT McCOY

S-5090

- 1 Amend the House amendment, S-5068, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 2 by inserting:
 4 <__. Page 1, line 1, after <5,> by inserting <6,>
 5 __. Page 1, after line 32 by inserting:
 6 <6. a. Coursework offered under the initiative shall be

7 rigorous and high quality, and the department shall annually
 8 evaluate the quality of the courses and ensure that coursework
 9 is aligned with the state's core curriculum and core content
 10 requirements and standards, as well as national standards
 11 of quality for online courses issued by an internationally
 12 recognized association for kindergarten through grade twelve
 13 online learning.

14 b. The initiative shall provide annually to the department
 15 the scores for each student taking coursework through the
 16 initiative who is receiving private instruction under chapter
 17 299A as described in subsection 1 and the department shall
 18 compile the data in an aggregate form that does not identify
 19 individual students and shall provide a detailed analysis of
 20 course completion rates. The department shall submit the
 21 analysis and the department's findings and recommendations in
 22 a report to the general assembly by January 15 annually. For
 23 each report beyond the initial report, the department shall
 24 include in its analysis a comparison of the most current year's
 25 data with the data collected and analyzed in prior years.>>

26 2. Page 1, after line 21 by inserting:

27 <__. Title page, line 3, after <or private instruction> by
 28 inserting <, providing for an annual report,>>

29 3. By renumbering as necessary.

MATT McCOY

S-5091

1 Amend the House amendment, S-5068, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 26 and inserting:

4 <1. By striking everything after the enacting clause and
 5 inserting:

6 <Section 1. Section 261E.8, subsection 2, Code 2018, is
 7 amended to read as follows:

8 2. Students from accredited nonpublic schools and students
 9 receiving competent private instruction ~~or independent private~~
 10 ~~instruction~~ under chapter 299A may access the program through
 11 the school district in which the accredited nonpublic school or
 12 private institution is located.

13 Sec. 2. Section 299.1, subsection 1, Code 2018, is amended
 14 to read as follows:

15 1. Except as provided in section 299.2, the parent,
 16 guardian, or legal or actual custodian of a child who is of
 17 compulsory attendance age shall cause the child to attend some
 18 public school or an accredited nonpublic school, or place
 19 the child under competent private instruction ~~or independent~~
 20 ~~private instruction~~ in accordance with the provisions of
 21 chapter 299A, during a school year, as defined under section
 22 279.10.

23 Sec. 3. Section 299.1B, Code 2018, is amended to read as
 24 follows:

25 **299.1B Failure to attend — driver’s license.**

26 A person who ~~is of compulsory attendance age who does~~
 27 ~~not meet the requirements for an exception under section~~
 28 ~~299.2, who~~ does not attend a public school or an accredited
 29 nonpublic school, who is not receiving competent private
 30 instruction ~~or independent private instruction~~ in accordance
 31 with the provisions of chapter 299A, and who does not attend
 32 an alternative school or adult education classes, shall not
 33 receive an intermediate or full driver’s license until age
 34 eighteen.

35 Sec. 4. Section 299.4, subsection 1, Code 2018, is amended

Page 2

1 to read as follows:

2 1. The parent, guardian, or legal custodian of a child who
 3 is of compulsory attendance age, who places the child under
 4 competent private instruction under either section 299A.2 or
 5 299A.3, not in an accredited school or a home school assistance
 6 program operated by a school district or accredited nonpublic
 7 school, shall furnish a report in duplicate on forms provided
 8 by the public school district, to the district by September 1
 9 of the school year in which the child will be under competent
 10 private instruction. The secretary shall retain and file
 11 one copy and forward the other copy to the district’s area
 12 education agency. The report shall state the name and age of
 13 the child, the period of time during which the child has been
 14 or will be under competent private instruction for the year,
 15 an outline of the course of study, texts used, and the name
 16 and address of the instructor. The parent, guardian, or legal
 17 custodian of a child, who is placing the child under competent
 18 private instruction for the first time, shall also provide the
 19 district with evidence that the child has had the immunizations
 20 required under section 139A.8, and, if the child is elementary
 21 school age, a blood lead test in accordance with section
 22 135.105D. The term “*outline of course of study*” shall include
 23 subjects covered, lesson plans, and time spent on the areas of
 24 study.

25 Sec. 5. Section 299.6A, subsection 1, Code 2018, is amended
 26 to read as follows:

27 1. In lieu of a criminal proceeding under section 299.6,
 28 a county attorney may bring a civil action against a parent,
 29 guardian, or legal or actual custodian of a child who is of
 30 compulsory attendance age, has not completed educational
 31 requirements, and is truant, if the parent, guardian, or legal
 32 or actual custodian has failed to cause the child to attend a
 33 public school or an accredited nonpublic school, or to place
 34 the child under competent private instruction ~~or independent~~
 35 ~~private instruction~~ in the manner provided in this chapter. If

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1 the court finds that the parent, guardian, or legal or actual
2 custodian has failed to cause the child to attend as required
3 in this section, the court shall assess a civil penalty of not
4 less than one hundred but not more than one thousand dollars
5 for each violation established.

6 Sec. 6. Section 299.8, Code 2018, is amended to read as
7 follows:

8 **299.8 “Truant” defined.**

9 Any child of compulsory attendance age who fails to attend
10 school as provided in this chapter, or as required by the
11 school board’s or school governing body’s attendance policy,
12 or who fails to attend competent private instruction ~~or~~
13 ~~independent private instruction~~ under chapter 299A, without
14 reasonable excuse for the absence, shall be deemed to be a
15 truant. A finding that a child is truant, however, shall not
16 by itself mean that the child is a child in need of assistance
17 within the meaning of chapter 232 and shall not be the sole
18 basis for a child in need of assistance petition.

19 Sec. 7. Section 299.11, subsection 1, Code 2018, is amended
20 to read as follows:

21 1. The truancy officer may take into custody without
22 warrant any apparently truant child and place the child
23 in the charge of the school principal, or the principal’s
24 designee, designated by the board of directors of the school
25 district in which the child resides, or in the charge of any
26 nonpublic school or any authority providing competent private
27 instruction ~~or independent private instruction~~ as defined in
28 section 299A.1, designated by the parent, guardian, or legal
29 or actual custodian; but if it is other than a public school,
30 the instruction and maintenance of the child shall be without
31 expense to the school district. If a child is taken into
32 custody under this section, the truancy officer shall make
33 every reasonable attempt to immediately notify the parent,
34 guardian, or legal or actual custodian of the child’s location.

35 Sec. 8. Section 299.12, subsection 2, Code 2018, is amended

Page 4

1 to read as follows:

2 2. This section is not applicable to a child who is
3 receiving competent private instruction ~~or independent private~~
4 ~~instruction~~ in accordance with the requirements of chapter
5 299A. If a child is not in compliance with the attendance
6 requirements established under section 299.1, and has not
7 completed educational requirements through the sixth grade,
8 and the school has used every means available to assure the
9 child does attend, the school truancy officer shall contact
10 the child’s parent, guardian, or legal or actual custodian to
11 participate in an attendance cooperation meeting. The parties
12 to the attendance cooperation meeting may include the child

13 and shall include the child's parent, guardian, or legal or
 14 actual custodian and the school truancy officer. The school
 15 truancy officer contacting the participants in the attendance
 16 cooperation meeting may invite other school officials, a
 17 designee of the juvenile court, the county attorney or the
 18 county attorney's designee, or other persons deemed appropriate
 19 to participate in the attendance cooperation meeting.

20 Sec. 9. Section 299A.1, Code 2018, is amended to read as
 21 follows:

22 **299A.1 ~~Competent private~~ Private instruction and independent**
 23 **private instruction.**

24 1. The parent, guardian, or legal custodian of a child of
 25 compulsory attendance age who places the child under private
 26 instruction shall provide, unless otherwise exempted, competent
 27 private instruction ~~or independent private instruction~~ in
 28 accordance with this chapter. A parent, guardian, or legal
 29 custodian of a child of compulsory attendance age who places
 30 the child under private instruction which is not competent
 31 private instruction ~~or independent private instruction~~,
 32 or otherwise fails to comply with the requirements of this
 33 chapter, is subject to the provisions of sections 299.1 through
 34 299.4 and the penalties provided in section 299.6.

35 2. For purposes of this chapter and chapter 299:

Page 5

1 *a. "Competent private instruction"* means private instruction
 2 provided on a daily basis for at least one hundred forty-eight
 3 days during a school year, to be met by attendance for at
 4 least thirty-seven days each school quarter, by or under the
 5 supervision of a licensed practitioner in the manner provided
 6 under section 299A.2, or a parent, guardian, or legal custodian
 7 under section 299A.3, which results in the student making
 8 adequate progress.

9 *b. "Independent private instruction"* means instruction that
 10 ~~meets the following criteria:~~

11 ~~(1) Is not accredited.~~

12 ~~(2) Enrolls not more than four unrelated students.~~

13 ~~(3) Does not charge tuition, fees, or other remuneration for~~
 14 ~~instruction.~~

15 ~~(4) Provides private or religious based instruction as its~~
 16 ~~primary purpose.~~

17 ~~(5) Provides enrolled students with instruction in~~
 18 ~~mathematics, reading and language arts, science, and social~~
 19 ~~studies.~~

20 ~~(6) Provides, upon written request from the superintendent~~
 21 ~~of the school district in which the independent private~~
 22 ~~instruction is provided, or from the director of the department~~
 23 ~~of education, a report identifying the primary instructor,~~
 24 ~~location, name of the authority responsible for the independent~~
 25 ~~private instruction, and the names of the students enrolled.~~

26 ~~(7) Is not a nonpublic school and does not provide competent~~

27 ~~private instruction as defined in this subsection.~~
 28 ~~(S) Is exempt from all state statutes and administrative~~
 29 ~~rules applicable to a school, a school board, or a school~~
 30 ~~district, except as otherwise provided in chapter 299 and this~~
 31 ~~chapter.~~
 32 ~~e- b. "Private instruction" means instruction using a~~
 33 ~~plan and a course of study in a setting other than a public or~~
 34 ~~organized accredited nonpublic school.~~
 35 Sec. 10. Section 299A.3, unnumbered paragraph 1, Code 2018,

Page 6

1 is amended to read as follows:
 2 A parent, guardian, or legal custodian of a child of
 3 compulsory attendance age providing competent private
 4 instruction to the child ~~may~~ shall meet all of the following
 5 requirements:
 6 Sec. 11. Section 299A.11, Code 2018, is amended to read as
 7 follows:
 8 **299A.11 Student records confidential.**
 9 Notwithstanding any provision of law or rule to the
 10 contrary, personal information in records regarding a child
 11 receiving competent private instruction ~~or independent private~~
 12 ~~instruction~~ pursuant to this chapter, which are maintained,
 13 created, collected, or assembled by or for a state agency,
 14 shall be kept confidential in the same manner as personal
 15 information in student records maintained, created, collected,
 16 or assembled by or for a school corporation or educational
 17 institution in accordance with section 22.7, subsection 1.
 18 Sec. 12. Section 321.178, subsection 1, paragraph c, Code
 19 2018, is amended to read as follows:
 20 c. Every public school district in Iowa shall offer
 21 or make available to all students residing in the school
 22 district, or Iowa students attending a nonpublic school or
 23 receiving competent private instruction ~~or independent private~~
 24 ~~instruction as defined in section 299A.1,~~ in the district, an
 25 approved course in driver education. The receiving district
 26 shall be the school district responsible for making driver
 27 education available to a student participating in open
 28 enrollment under section 282.18. The courses may be offered
 29 at sites other than at the public school, including nonpublic
 30 school facilities within the public school districts. An
 31 approved course offered during the summer months, on Saturdays,
 32 after regular school hours during the regular terms or partly
 33 in one term or summer vacation period and partly in the
 34 succeeding term or summer vacation period, as the case may
 35 be, shall satisfy the requirements of this section to the

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1 same extent as an approved course offered during the regular
 2 school hours of the school term. A student who successfully

3 completes and obtains certification in an approved course in
4 driver education or an approved course in motorcycle education
5 may, upon proof of such fact, be excused from any field test
6 which the student would otherwise be required to take in
7 demonstrating the student's ability to operate a motor vehicle.
8 A student shall not be excused from any field test if a parent,
9 guardian, or instructor requests that a test be administered.
10 A final field test prior to a student's completion of an
11 approved course shall be administered by a person qualified
12 as a classroom driver education instructor and certified to
13 provide street and highway driving instruction. A person
14 qualified as a classroom driver education instructor but not
15 certified to provide street and highway driving instruction
16 may administer the final field test if accompanied by another
17 person qualified to provide street and highway driving
18 instruction.

19 Sec. 13. Section 321.180B, subsection 2, paragraph a, Code
20 2018, is amended to read as follows:

21 a. The department may issue an intermediate driver's
22 license to a person sixteen or seventeen years of age who
23 possesses an instruction permit issued under subsection 1 or
24 a comparable instruction permit issued by another state for a
25 minimum of twelve months immediately preceding application,
26 and who presents an affidavit signed by a parent, guardian, or
27 custodian on a form to be provided by the department that the
28 permittee has accumulated a total of twenty hours of street
29 or highway driving of which two hours were conducted after
30 sunset and before sunrise and the street or highway driving was
31 with the permittee's parent, guardian, custodian, instructor,
32 a person certified by the department, or a person at least
33 twenty-five years of age who had written permission from a
34 parent, guardian, or custodian to accompany the permittee, and
35 whose driving privileges have not been suspended, revoked,

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1 or barred under this chapter or chapter 321J during, and who
2 has been accident and violation free continuously for, the
3 six-month period immediately preceding the application for an
4 intermediate license. An applicant for an intermediate license
5 must meet the requirements of section 321.186, including
6 satisfactory completion of driver education as required in
7 section 321.178 ~~or 321.178A~~, and payment of the required
8 license fee before an intermediate license will be issued. A
9 person issued an intermediate license must limit the number of
10 passengers in the motor vehicle when the intermediate licensee
11 is operating the motor vehicle to the number of passenger
12 safety belts. In addition, unless waived by the person's
13 parent or guardian at the time the intermediate license is
14 issued, for the first six months following issuance of the
15 license, a person issued an intermediate license must limit the
16 number of unrelated minor passengers in the motor vehicle when

17 the intermediate licensee is operating the motor vehicle to
 18 one, except when the intermediate licensee is accompanied in
 19 accordance with subsection 1. For purposes of this subsection,
 20 “*unrelated minor passenger*” means a passenger who is under
 21 eighteen years of age and who is not a sibling of the driver, a
 22 stepsibling of the driver, or a child who resides in the same
 23 household as the driver. The department shall prescribe the
 24 form for waiver of the six-month restriction on unrelated minor
 25 passengers, which may be in an electronic format, and shall
 26 designate characteristics for the intermediate license that
 27 shall distinguish between an intermediate license that includes
 28 the six-month restriction on unrelated minor passengers and
 29 an intermediate license that does not include the six-month
 30 restriction on unrelated minor passengers.

31 Sec. 14. REPEAL. Section 321.178A, Code 2018, is repealed.>
 32 2. Title page, by striking lines 1 through 4 and inserting
 33 <An Act relating to private instruction.>>

MATT McCOY

S-5092

1 Amend the House amendment, S-5068, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 8 by inserting:
 4 <Sec. ____. Section 299.4, subsection 1, Code 2018, is
 5 amended to read as follows:
 6 1. The parent, guardian, or legal custodian of a child who
 7 is of compulsory attendance age, who places the child under
 8 competent private instruction ~~under section 299A.2, independent~~
 9 ~~private instruction, or private instruction under chapter~~
 10 ~~299A,~~ not in an accredited school or a home school assistance
 11 program operated by a school district or accredited nonpublic
 12 school, shall furnish ~~to the school district of residence a~~
 13 ~~report in duplicate on forms provided in the form and manner~~
 14 ~~prescribed by the public school district, to the district by~~
 15 ~~September 1 of the school year in which the child will be under~~
 16 ~~competent private instruction, independent private instruction,~~
 17 ~~or private instruction.~~ The secretary shall retain and file
 18 one copy and forward the other copy to the district’s area
 19 education agency. The report shall state the name and age of
 20 the child, the period of time during which the child has been
 21 or will be under competent private instruction, ~~independent~~
 22 ~~private instruction, or private instruction~~ for the year, an
 23 outline of the course of study, texts used, and the name and
 24 address of the instructor. The parent, guardian, or legal
 25 custodian of a child, who is placing the child under competent
 26 private instruction, ~~independent private instruction, or~~
 27 ~~private instruction~~ for the first time, shall also provide the
 28 district with evidence that the child has had the immunizations
 29 required under section 139A.8, and, if the child is elementary
 30 school age, a blood lead test in accordance with section

31 135.105D. The term “*outline of course of study*” shall include
 32 subjects covered, lesson plans, and time spent on the areas of
 33 study.

34 Sec. ____ Section 299A.1, subsection 2, paragraph b,
 35 subparagraph (6), Code 2018, is amended to read as follows:

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1 (6) Provides, ~~upon written request from the superintendent~~
 2 ~~of to the superintendent of the school district in which the~~
 3 ~~independent private instruction is provided, or from the~~
 4 ~~director of the department of education of residence of each~~
 5 ~~student enrolled,~~ a report identifying the primary instructor,
 6 location, name of the authority responsible for the independent
 7 private instruction, and the names of the students enrolled.

8 Sec. ____ Section 299A.3, Code 2018, is amended to read as
 9 follows:

10 **299A.3 Private instruction by nonlicensed person.**

11 1. A parent, guardian, or legal custodian of a child of
 12 compulsory attendance age providing private instruction to
 13 the child shall complete and send, in a timely manner, the
 14 report required under section 299.4 to the school district of
 15 residence of the child.

16 2. A parent, guardian, or legal custodian of a child of
 17 compulsory attendance age providing private instruction to the
 18 child may meet all either of the following requirements:

19 ~~1. Complete and send, in a timely manner, the report~~
 20 ~~required under section 299.4 to the school district of~~
 21 ~~residence of the child.~~

22 ~~2. a.~~ Ensure that the child under the parent’s, guardian’s,
 23 or legal custodian’s instruction is evaluated annually to
 24 determine whether the child is making adequate progress, as
 25 defined in section 299A.6.

26 ~~3. b.~~ Ensure that the results of the child’s annual
 27 evaluation are reported to the school district of residence
 28 of the child and to the department of education by a date not
 29 later than June 30 of each year in which the child is under
 30 private instruction.

31 Sec. ____ **NEW SECTION. 299A.13 Health and safety visits.**

32 1. The board of directors of a school district shall
 33 conduct quarterly home visits to check on the health and safety
 34 of children located within the district who are receiving
 35 competent private instruction, independent private instruction,

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1 or private instruction.

2 2. Home visits shall take place in the child’s residence
 3 with the consent of the parent, guardian, or legal custodian
 4 and an interview or observation of the child may be conducted.
 5 If permission to enter the home to interview or observe the
 6 child is refused, the juvenile court or district court upon

7 a showing of probable cause may authorize the person making
8 the home visit to enter the home and interview or observe the
9 child.

10 3. The superintendent of the school district shall
11 designate a person to carry out the duties assigned to the
12 school district under this section. The person designated
13 shall be a mandatory reporter, as defined in section 232.69,
14 subsection 1. The school district may collaborate with the
15 department of human services, including the local, county, and
16 service area officers of the department, in conducting the home
17 visits required under this section.

18 4. The department of education, in collaboration with the
19 department of human services, shall provide guidelines to
20 school districts for implementation of this section.>

21 2. Page 1, after line 18 by inserting:

22 <Sec. __. STATE MANDATE FUNDING SPECIFIED. In accordance
23 with section 25B.2, subsection 3, the state cost of requiring
24 compliance with any state mandate included in this Act shall
25 be paid by a school district from state school foundation aid
26 received by the school district under section 257.16. This
27 specification of the payment of the state cost shall be deemed
28 to meet all of the state funding-related requirements of
29 section 25B.2, subsection 3, and no additional state funding
30 shall be necessary for the full implementation of this Act
31 by and enforcement of this Act against all affected school
32 districts.>

33 3. By striking lines 22 through 25 and inserting:

34 <__. Title page, by striking lines 1 through 4 and
35 inserting <An Act relating to private instruction by expanding

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1 the Iowa learning online initiative to include students
2 receiving private instruction and by adding reporting
3 requirements and health and safety visits for children placed
4 under private instruction, by providing for an online working
5 group, providing for fees, and including effective date
6 provisions.>>

7 4. By renumbering as necessary.

MATT McCOY

S-5093

1 Amend Senate File 2345 as follows:

2 1. Page 1, line 7, by striking <individual> and inserting
3 <eligible service member, as defined in section 16.54.>

ROBERT M. HOGG

S-5094

1 Amend Senate File 2345 as follows:
 2 1. Page 1, line 12, after <land.> by inserting <The program
 3 shall provide that an individual financing a manufactured
 4 home pursuant to this section shall not be evicted from a
 5 manufactured home sited on leased land without just cause and a
 6 violation of this provision shall authorize the individual to
 7 seek damages pursuant to chapter 562B.>

ROBERT M. HOGG

S-5095

1 Amend Senate File 2345 as follows:
 2 1. Page 3, line 2, after <Iowa.> by inserting <An eligible
 3 member of the armed forces of the United States financing a
 4 manufactured home on leased land pursuant to this section
 5 shall not be evicted from the manufactured home without just
 6 cause and a violation of this provision shall authorize the
 7 individual to seek damages pursuant to chapter 562B.>

ROBERT M. HOGG

S-5096

1 Amend Senate File 2311 as follows:
 2 1. Page 6, lines 9 and 10, by striking <as provided>
 3 2. By striking page 6, line 24, through page 8, line 18, and
 4 inserting:
 5 <(b) A rate-regulated gas or electric utility customer
 6 may request an exemption from participation in any energy
 7 efficiency plan or demand response plan offered by a gas or
 8 electric utility. Upon receipt of a request for exemption
 9 submitted by a customer, the gas or electric utility shall
 10 grant the exemption and, beginning January 1 of the following
 11 year, the customer shall no longer be assessed the costs of the
 12 plan and shall be prohibited from participating in any program
 13 included in such plan. An exemption shall be permanent and
 14 shall exempt the customer from any subsequent five-year plan
 15 offered by the gas or electric utility, provided, however,
 16 that a customer granted an exemption may request to enroll
 17 in a subsequent five-year energy efficiency plan or demand
 18 response plan at any time prior to the commencement of such
 19 plan. The gas or electric utility shall grant the enrollment
 20 and, beginning at the commencement of the subsequent plan, the
 21 customer shall be assessed the costs of the plan and shall be
 22 allowed to participate in any program included in such plan.
 23 (2) Gas and electric utilities required to be
 24 rate-regulated under this chapter may request an energy
 25 efficiency plan or demand response plan modification during the
 26 course of a five-year plan. A modification may be requested

27 due to changes in funding as a result of public utility
28 customers requesting exemptions from the plan or for any other
29 reason identified by the gas or electric utility. The board
30 shall take action on a modification request made by a gas or
31 electric utility within ninety days after the modification
32 request is filed. If the board fails to take action within
33 ninety days after a modification request is filed, the
34 modification request shall be deemed approved.
35 (3) Before any energy efficiency plan or demand response

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1 plan is filed with the board pursuant to this subsection, the
2 board shall adopt rules pursuant to chapter 17A establishing
3 reasonable processes and procedures for utility customers to
4 request exemptions from energy efficiency plans or demand
5 response plans pursuant to this subsection. The rules adopted
6 by the board shall only apply to rate-regulated gas or electric
7 utilities and shall, at a minimum, do all of the following:
8 (a) Prohibit a customer from obtaining an exemption from
9 an energy efficiency plan or demand response plan if the
10 customer has participated in any energy efficiency program or
11 demand response program included in a plan during the course
12 of the plan, or has redeemed any rebate pursuant to an energy
13 efficiency program or demand response program included in a
14 plan during the course of the plan.
15 (b) Require utilities to provide notification to customers
16 regarding the ability to request an exemption from an energy
17 efficiency plan or demand response plan, or the ability to
18 enroll in a subsequent five-year plan if the customer received
19 an exemption, and establish requirements regarding the content
20 and form of such notification provided to customers. The
21 notification provided to customers shall inform the customer
22 that participation in any energy efficiency program or demand
23 response program included in a plan during the course of
24 the plan, or redemption of any rebate pursuant to an energy
25 efficiency program or demand response program included
26 in a plan during the course of a plan, shall preclude the
27 customer from receiving an exemption from the plan until the
28 commencement of the next five-year plan. Such information
29 included in the notification shall also be included in any
30 rebate provided to customers relating to an energy efficiency
31 program or demand response program included in a plan.
32 (c) Provide reasonable time for utilities to develop any
33 billing or administrative systems required to implement the
34 rules adopted by the board pursuant to this subparagraph.
35 (d) Provide that if more than ninety percent of the total

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1 number of customers in a particular customer class request an
2 exemption from an energy efficiency plan or demand response

3 plan pursuant to this subsection, the utility may discontinue
 4 such plan for that particular customer class.
 5 (e) Specify how costs that have not been fully recovered
 6 from customers during a plan period, including costs of
 7 discontinued plans, are to be recovered from customers.
 8 (f) Allow a customer to request an exemption during the
 9 first plan year of a five-year energy efficiency plan or demand
 10 response plan that takes effect on or after January 1, 2019,
 11 within a time period of sixty days or more after the date such
 12 plan takes effect, which exemption shall become effective at
 13 the end of the time period allowed for customers to request an
 14 exemption.
 15 (g) Allow a customer that moves into the service area of a
 16 gas or electric utility during the course of a five-year energy
 17 efficiency plan or demand response plan to request an exemption
 18 from such plan within sixty days after the commencement of gas
 19 or electric service, which exemption shall become effective at
 20 the end of the sixty-day time period from which gas or electric
 21 service commenced.>
 22 3. Page 8, lines 29 and 30, by striking ~~<energy efficiency~~
 23 ~~and demand response programs>~~ and inserting ~~<plans>~~
 24 4. Page 9, line 2, by striking ~~<a program>~~ and inserting ~~<a~~
 25 ~~plan>~~
 26 5. Page 9, line 7, by striking ~~<program>~~
 27 6. Page 9, line 22, after ~~<groupings.>~~ by inserting
 28 ~~<Gas and electric utilities that are not required to be~~
 29 ~~rate-regulated shall allow customers to request exemptions~~
 30 ~~from participation in any energy efficiency programs or demand~~
 31 ~~response programs offered by the utility, and shall establish~~
 32 ~~reasonable processes and procedures for customers to request~~
 33 ~~such exemptions. Such processes and procedures established~~
 34 ~~by non-rate-regulated gas and electric utilities shall not be~~
 35 ~~subject to the regulatory authority of the board.>~~

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1 7. Page 10, by striking lines 14 through 25 and inserting
 2 ~~<response plan that results in projected cumulative average~~
 3 ~~annual costs that exceed one and one-half percent of the~~
 4 ~~gas utility's expected annual rate revenue from customers~~
 5 ~~participating in such plans, and shall not require an electric~~
 6 ~~utility to adopt an energy efficiency plan or demand response~~
 7 ~~plan that results in projected cumulative average annual costs~~
 8 ~~that exceed two percent of the electric utility's expected~~
 9 ~~annual rate revenue from customers participating in such~~
 10 ~~plans. For purposes of determining the one and one-half or~~
 11 ~~two percent threshold amount, the board shall exclude from a~~
 12 ~~gas or electric utility's expected annual rate revenue the~~
 13 ~~revenues expected from customers that have received exemptions~~
 14 ~~from energy efficiency plans or demand response plans pursuant~~
 15 ~~to paragraph "a", subparagraph (1), subparagraph division~~
 16 ~~(b). A gas or electric utility may voluntarily propose an~~

17 energy efficiency plan or demand response plan that results in
 18 projected average annual costs that exceed one and one-half
 19 percent, on a cumulative basis, of a gas utility's expected
 20 annual rate revenue from customers participating in such plans,
 21 or two percent, on a cumulative basis, of an electric utility's
 22 expected annual rate revenue from customers participating in
 23 such plans. The board may approve, reject, or modify the>
 24 8. By striking page 10, line 33, through page 11, line 7,
 25 and inserting <currently approved energy efficiency plan or
 26 demand response plan includes projected average annual costs
 27 that exceed one and one-half percent, on a cumulative basis,
 28 of the gas utility's expected annual rate revenue received
 29 from customers participating in such plan for service within
 30 the previous calendar year, exclusive of recovery of energy
 31 efficiency costs, or two percent, on a cumulative basis, of
 32 the electric utility's expected annual rate revenue received
 33 from customers participating in such plan for service within
 34 the previous calendar year, exclusive of recovery of energy
 35 efficiency costs, the gas or electric utility may file a

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1 request to modify its approved energy efficiency plan or
 2 demand response plan to achieve projected average annual costs
 3 at one and one-half or less, on a cumulative basis, of the
 4 gas utility's expected annual rate revenue from customers
 5 participating in such plan, or two percent or less, on a
 6 cumulative basis, of the electric utility's expected annual
 7 rate revenue from customers participating in such plan. In
 8 such case, or whenever a request>
 9 9. By striking page 11, line 31, through page 12, line 1,
 10 and inserting <defined in section 476.42. Customers that have
 11 been granted exemptions from energy efficiency plans or demand
 12 response plans pursuant to paragraph "a", subparagraph (1),
 13 subparagraph division (b), shall not be charged for recovery of
 14 energy efficiency or demand response costs beginning January
 15 1 of the year following the year in which the customer was
 16 granted the exemption.>

MICHAEL BREITBACH

S-5097

1 Amend Senate File 2346 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 49.31, subsection 1, Code 2018, is
 5 amended to read as follows:
 6 1. a. All ballots shall be arranged with the names of
 7 candidates for each office listed below the office title.
 8 For partisan elections the name of the political party or
 9 organization which nominated each candidate shall be listed

10 after or below each candidate's name.
 11 b. (1) The commissioner shall determine the order of
 12 political parties and nonparty political organizations
 13 candidates on the ballot as provided in this paragraph. The
 14 sequence order shall be the same for each office on the ballot
 15 and for each precinct in the county voting in the election.
 16 The commissioner shall arrange the ballot so that the
 17 candidates of each political party, as defined in section 43.2,
 18 for each partisan office appearing on the ballot shall appear
 19 in descending order so that the candidates of the political
 20 party whose candidate for governor received the greatest number
 21 of votes in the commissioner's county at the most recent
 22 general election for the office of the governor shall appear
 23 first on the ballot, and the candidates of the political party
 24 whose candidate for governor received the next greatest number
 25 of votes in the commissioner's county in such an election
 26 appear next on the ballot, and continuing in descending order
 27 in the same manner.
 28 (2) If the candidate for governor from two or more political
 29 parties received the same number of votes in the county, the
 30 commissioner shall determine the order of arranging political
 31 party candidates for those political parties based upon the
 32 number of votes received in the most recent general election
 33 for the office of the governor for which the number of votes
 34 received for the candidates of those political parties were
 35 different.

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1 c. The commissioner shall determine the order of candidates
 2 of nonparty political organizations on the ballot. The order
 3 shall be the same for each office on the ballot and for each
 4 precinct in the county voting in the election.
 5 Sec. 2. Section 49.31, subsection 2, paragraph b, Code 2018,
 6 is amended to read as follows:
 7 b. The Notwithstanding any provision of subsection 1,
 8 paragraph "b", to the contrary, the commissioner shall then
 9 arrange the surnames of each political party's candidates for
 10 each office to which two or more persons are to be elected at
 11 large alphabetically for the respective offices for the first
 12 precinct on the list; thereafter, for each political party and
 13 for each succeeding precinct, the names appearing first for
 14 the respective offices in the last preceding precinct shall
 15 be placed last, so that the names that were second before the
 16 change shall be first after the change. The commissioner may
 17 also rotate the names of candidates of a political party in the
 18 reverse order of that provided in this subsection or alternate
 19 the rotation so that the candidates of different parties shall
 20 not be paired as they proceed through the rotation. The
 21 procedure for arrangement of names on ballots provided in this
 22 section shall likewise be substantially followed in elections
 23 in political subdivisions of less than a county.>

24 2. Title page, by striking lines 1 through 4 and inserting
 25 <An Act relating to the ballot arrangement for certain partisan
 26 offices.>

JAKE CHAPMAN

S-5098

1 Amend Senate File 2293 as follows:
 2 1. Page 1, after line 14 by inserting:
 3 <Sec. __. Section 321.20, subsections 2 and 4, Code 2018,
 4 are amended to read as follows:
 5 2. Notwithstanding contrary provisions of this chapter
 6 or chapter 326 regarding titling and registration by means
 7 other than electronic means, the department shall, by ~~January~~
 8 July 1, 2018 2019, develop and implement a program to allow
 9 for electronic applications, titling, registering, and funds
 10 transfers for vehicles subject to registration in order to
 11 improve the efficiency and timeliness of the processes and to
 12 reduce costs for all parties involved. The program shall also
 13 provide for the electronic submission of any statement required
 14 by this section, except where prohibited by federal law.
 15 4. Notwithstanding this section or any other provision of
 16 law to the contrary, if the program required by subsection
 17 2 is not implemented by ~~January~~ July 1, 2018 2019, an owner
 18 of a vehicle subject to registration may apply to the county
 19 treasurer of a county contiguous to the county designated for
 20 the owner under subsection 1 for registration and issuance of a
 21 certificate of title.>
 22 2. By striking page 1, line 29, through page 2, line 10.
 23 3. Page 2, line 29, by striking <~~but not limited to~~>
 24 4. Page 2, line 35, by striking <~~amounts~~> and inserting
 25 <~~compensation~~>
 26 5. Page 3, by striking lines 2 through 5 and inserting
 27 <~~services, including for parts, labor, and diagnostics.~~>
 28 6. Page 3, by striking lines 6 through 12 and inserting:
 29 <(1) In determining the schedule of compensation for parts,
 30 the franchiser may multiply the price paid by the franchisee
 31 for parts, including all shipping costs and other charges, by
 32 the sum of one and the franchisee's average percentage markup.
 33 The franchisee's average percentage markup is calculated by
 34 subtracting one from the result of dividing the total amounts
 35 charged by the franchisee for parts used in warranty-like

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1 repairs by the total cost to the franchisee for the parts in
 2 the retail service orders submitted pursuant to subparagraph
 3 (3).>
 4 7. Page 3, by striking lines 13 through 21 and inserting:
 5 <(2) In determining the schedule of compensation for
 6 labor-related warranty services, the franchiser may calculate

7 the franchisee's retail labor rate by dividing the total
 8 amount of retail sales attributable to labor for warranty-like
 9 services by the number of hours of labor spent to generate the
 10 retail sales in the retail service orders submitted pursuant to
 11 subparagraph (3).>
 12 8. Page 4, line 3, by striking <amounts> and inserting
 13 <markup or rate>
 14 9. Page 4, line 15, by striking <reasonable amounts for the>
 15 and inserting <a reasonable>
 16 10. Page 4, line 27, after <markup> by inserting <or labor
 17 rate>
 18 11. Page 4, by striking lines 29 through 32 and inserting:
 19 <(4) The compensation to the franchisee for warranty parts
 20 and labor shall not be less than the rates charged by the
 21 franchisee for like parts and services to retail customers,
 22 provided the rates are reasonable.>
 23 12. By striking page 4, line 35, through page 5, line 3.
 24 13. Page 5, line 4, by striking <c.> and inserting <b.>
 25 14. Page 5, line 10, before <form> by inserting <proper>
 26 15. Page 5, line 20, before <required> by inserting
 27 <reasonably>
 28 16. Page 6, line 2, by striking <322.2> and inserting
 29 <322.3>
 30 17. Title page, by striking lines 1 and 2 and inserting
 31 <An Act relating to motor vehicles, including provisions
 32 concerning record retention at established places of business
 33 of motor vehicle dealers, electronic titling and registration
 34 of motor vehicles, and warranties and recalls of motor vehicle
 35 franchises.>

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1 18. By renumbering as necessary.

TIM KRAAYENBRINK

S-5099

1 Amend Senate File 2243 as follows:
 2 1. Page 1, line 4, by striking <provide> and inserting
 3 <provide,>

DENNIS GUTH

S-5100

1 Amend Senate File 2311 as follows:
 2 1. Page 12, before line 19 by inserting:
 3 <Sec. ____. Section 476.6, subsection 15, Code 2018, is
 4 amended by adding the following new paragraph:
 5 NEW PARAGRAPH. i. A gas or electric utility required to
 6 be rate-regulated under this chapter shall implement a tree

- 7 planting program, approved by the board, that is designed to
8 reduce energy costs.>
9 2. By renumbering as necessary.

ROBERT M. HOGG

S-5101

- 1 Amend Senate File 2311 as follows:
2 1. Page 12, before line 19 by inserting:
3 <Sec. ____. Section 476.6, subsection 15, Code 2018, is
4 amended by adding the following new paragraph:
5 NEW PARAGRAPH. i. Regardless of any provision to the
6 contrary, each gas or electric utility required to be
7 rate-regulated under this chapter shall provide rebates
8 to customers for energy efficient appliances and appliance
9 recycling programs to retire outdated, non-energy efficient
10 appliances.>
11 2. By renumbering as necessary.

ROBERT M. HOGG

S-5102

- 1 Amend Senate File 2311 as follows:
2 1. Page 8, before line 19 by inserting:
3 <(3) Gas and electric utility customers shall not be
4 assessed any administrative costs associated with energy
5 efficiency plan or demand response plan management, including
6 costs related to the management of any customer lists for plan
7 enrollment or exemption, pursuant to subparagraph (1).>

ROBERT M. HOGG

S-5103

- 1 Amend Senate File 2311 as follows:
2 1. By striking page 19, line 11, through page 21, line 2.

MICHAEL BREITBACH

S-5104

- 1 Amend Senate File 2311 as follows:
2 1. Page 16, by striking lines 1 through 20.
3 2. By renumbering as necessary.

MATT McCOY

S-5105

- 1 Amend Senate File 2362, as follows:
- 2 1. Page 2, line 3, after <resources.> by inserting
- 3 <In developing the plan, the institution shall consider
- 4 opportunities to mitigate the marginal costs of new editions
- 5 of existing textbooks.>

AMY SINCLAIR

S-5106

- 1 Amend Senate File 2311 as follows:
- 2 1. Page 16, by striking lines 1 through 20.
- 3 2. By renumbering as necessary.

MICHAEL BREITBACH

S-5107

- 1 Amend Senate File 2311 as follows:
- 2 1. Page 3, line 21, by striking <subsections 1 through 4,>
- 3 2. Page 15, by striking lines 18 through 35.
- 4 3. By renumbering as necessary.

ROBERT M. HOGG

S-5108

- 1 Amend the amendment, S-5038, to Senate File 2311 as follows:
- 2 1. Page 1, by striking line 5 and inserting <~~unless the~~
- 3 ~~board otherwise approves. The utility shall also represent~~
- 4 ~~estimated savings from customer participation in previous~~
- 5 ~~energy efficiency or demand response programs in customer~~
- 6 ~~billings as a separate item, in an amount approved by the~~
- 7 ~~board.~~>

ROBERT M. HOGG

S-5109

- 1 Amend Senate File 2311 as follows:
- 2 1. Page 3, line 22, by striking <~~476.41 through 476.44,~~> and
- 3 inserting <476.41 through 476.44,>

ROBERT M. HOGG

S-5110

- 1 Amend Senate File 2311 as follows:
- 2 1. Page 8, before line 19 by inserting:

3 <(3) A customer that is enrolled in an energy efficiency
4 plan or demand response plan offered by a gas or electric
5 utility shall not be assessed any costs associated with
6 construction, capital investment, energy, or any other costs
7 that the board determines the utility could have reasonably
8 avoided by energy efficiency or demand response investments not
9 made by the utility.>

ROBERT M. HOGG

S-5111

1 Amend Senate File 2364 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. **NEW SECTION. 280.30 High-quality school**
5 **building emergency operations plans.**

6 1. The board of directors of a school district and the
7 authorities in charge of each accredited nonpublic school
8 shall develop a high-quality emergency operations plan for the
9 district and individual school buildings in which students
10 are educated no later than June 30, 2019. The plan shall
11 include but not be limited to responses to active shooter
12 scenarios and natural disasters. The plan shall provide that
13 any alert regarding an emergency situation that is transmitted
14 to school personnel or students by electronic means shall
15 also be transmitted to the employer of any individual who is
16 not a school employee but who is required as a part of the
17 individual's employment to regularly be present in a school
18 building during the school year. The plan shall include
19 publication of procedures for school personnel, parents, and
20 guardians to report possible threats to the safety of students
21 or school personnel on school grounds or at school activities.
22 The board and authorities shall consider any recommendations
23 of the department of education relating to the development of
24 a high-quality emergency operations plan and shall consult
25 with local emergency management coordinators and local law
26 enforcement agencies in the development of the plan. The board
27 and authorities shall review and update the plan on an annual
28 basis. The plan shall be confidential and shall not be a
29 public record subject to disclosure under chapter 22.

30 2. The board of directors of a school district and the
31 authorities in charge of each accredited nonpublic school
32 shall require that all school personnel conduct at least once
33 per school year an emergency operations drill based on the
34 emergency operations plan in each individual school building
35 in which students are educated. Persons participating in

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1 the drill may include students. This subsection shall not
2 be construed to affect the requirements of section 100.31,

3 subsection 1.>

4 2. Title page, line 1, by striking <to conduct> and
5 inserting <and accredited nonpublic schools to develop
6 high-quality>

7 3. Title page, line 2, by striking <planning> and inserting
8 <plans>

TIM KRAAYENBRINK

S-5112

1 Amend Senate File 2343 as follows:

2 1. Page 1, lines 3 and 4, by striking <Notwithstanding any
3 other provision of law to the contrary, a> and inserting <A>

ROBERT M. HOGG

S-5113

HOUSE AMENDMENT TO SENATE FILE 2333

1 Amend Senate File 2333, as passed by the Senate, as follows:

2 1. Page 1, by striking lines 1 through 11 and inserting:
3 <Section 1. Section 99B.31, subsection 1, paragraph h, Code
4 2018, is amended to read as follows:

5 *h.* The actual retail value of any prize does not exceed
6 ~~one~~ nine hundred fifty dollars. If a prize consists of more
7 than one item, unit, or part, the aggregate retail value of all
8 items, units, or parts shall not exceed ~~one~~ nine hundred fifty
9 dollars.>

S-5114

1 Amend the amendment, S-5097, to Senate File 2346 as follows:

2 1. Page 1, by striking line 13 and inserting <candidates
3 on the ballot as provided in this paragraph and paragraph "d".
4 The>

5 2. Page 1, by striking line 16 and inserting <Except as
6 described in paragraph "d", the commissioner shall arrange the
7 ballot so that the>

8 3. Page 2, before line 5 by inserting:

9 <d. (1) For candidates for the general assembly or the
10 office of a statewide elected official as defined in section
11 68B.2, the commissioner shall place at the top of the ballot
12 the candidates from the republican party and the democratic
13 party, and candidates not affiliated with any organization in
14 rotating order such that the entity whose candidate appeared
15 at the top of the ballot for one election shall appear in the
16 second position for the next election and continuing in a like
17 manner.

18 <(2) The names of all other candidates shall be placed below

19 the names of the candidates described in subparagraph (1).>

DAVID JOHNSON

S-5115

- 1 Amend Senate File 2311 as follows:
- 2 1. Page 2, by striking lines 18 through 23.
- 3 2. By striking page 6, line 5, through page 9, line 7.
- 4 3. By striking page 10, line 6, through page 12, line 20.
- 5 4. By renumbering as necessary.

ROBERT M. HOGG

S-5116

- 1 Amend Senate File 2311 as follows:
- 2 1. Page 8, before line 19 by inserting:
- 3 <(3) Gas and electric utility customers enrolled in energy
- 4 efficiency plans or demand response plans shall not be assessed
- 5 any administrative costs associated with energy efficiency plan
- 6 or demand response plan management, including costs related to
- 7 the management of any customer lists for plan enrollment or
- 8 exemption, pursuant to subparagraph (1).>

ROBERT M. HOGG

S-5117

- 1 Amend Senate File 2343 as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
- 4 <Section 1. Section 809.5, subsection 2, Code 2018, is
- 5 amended by adding the following new paragraph:
- 6 NEW PARAGRAPH. d. If the property is a motor vehicle seized
- 7 from a person accused of violating section 321.279, the state
- 8 has demonstrated that the claimant's possession of the property
- 9 would be a risk to public safety.>

ROBERT M. HOGG

S-5118

- 1 Amend the amendment, S-5111, to Senate File 2364 as follows:
- 2 1. Page 2, by striking line 3 and inserting <subsection 1.
- 3 _____. For purposes of this section, an employee of an area
- 4 education agency may be considered an employee of a school
- 5 district.>>

6 2. By renumbering, redesignating, and correcting internal
7 references as necessary.

TOD R. BOWMAN

S-5119

1 Amend the amendment, S-5111, to Senate File 2364 as follows:

2 1. Page 2, by striking line 3 and inserting <subsection 1.
3 _____. For purposes of this section, an employee of an area
4 education agency shall be considered an employee of a school
5 district.>>

6 2. By renumbering, redesignating, and correcting internal
7 references as necessary.

TOD R. BOWMAN

S-5120

1 Amend Senate Joint Resolution 2006 as follows:

2 1. Page 1, by striking lines 3 through 18 and inserting:
3 <Section 4 of Article IV of the Constitution of the State
4 of Iowa, as amended by amendment number 1 of the Amendments of
5 1952 and by amendment number 1 of the Amendments of 1988, is
6 repealed and the following adopted in lieu thereof:

7 **Election by general assembly in case of tie — inability of**
8 **governor-elect to qualify — succession by lieutenant governor —**
9 **inauguration of governor and lieutenant governor upon removal of**
10 **inability of governor-elect to qualify.** SEC. 4. The nominees
11 for governor and lieutenant governor jointly having the highest
12 number of votes cast for them shall be declared duly elected.
13 If two or more sets of nominees for governor and lieutenant
14 governor have an equal and the highest number of votes for
15 the offices jointly, the general assembly shall by joint vote
16 proceed, as soon as is possible, to elect one set of nominees
17 for governor and lieutenant governor.

18 If after the final canvass of votes but before inauguration
19 the governor-elect has since died, does not qualify, or
20 is permanently unable to assume office, the lieutenant
21 governor-elect shall become governor upon inauguration, to the
22 exclusion of any other office, for the residue of the term.

23 In the event of a temporary inability of the governor-elect
24 to assume office, the lieutenant governor-elect shall become
25 governor upon inauguration, until the inability is removed, at
26 which time, the governor-elect and lieutenant governor-elect
27 shall be inaugurated as governor and lieutenant governor.

28 Section 10 of Article IV of the Constitution of the State of
29 Iowa is amended to read as follows:

30 **Vacancies.** SEC. 10. When any office shall, from any cause,
31 become vacant, and no mode is provided by the constitution and
32 laws for filling such vacancy, the governor shall have power to
33 fill such vacancy, by granting a commission, which shall expire

34 at the end of the next session of the general assembly, or at
 35 the next election by the people. The governor shall have the

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1 power to fill a vacancy in the office of lieutenant governor
 2 by appointment.
 3 Section 17 of Article IV of the Constitution of the State of
 4 Iowa is repealed and the following adopted in lieu thereof:
 5 **Lieutenant governor to assume the office of governor** —
 6 **vacancy.** SEC. 17. If the governor dies, resigns, is removed
 7 or impeached prior to acquittal or conviction, or is otherwise
 8 unable to serve, the lieutenant governor shall become governor,
 9 to the exclusion of any other office. If the preceding
 10 governor becomes able to serve, the succeeding governor shall
 11 again assume the office of lieutenant governor for the residue
 12 of the term, to the exclusion of any other office.
 13 Section 19 of Article IV of the Constitution of the State
 14 of Iowa, as amended by amendment number 2 of the Amendments of
 15 1952 and by amendment number 2 of the Amendments of 1988, is
 16 repealed and the following adopted in lieu thereof:
 17 **Succession to office of governor and lieutenant governor** —
 18 **simultaneous inability to serve** — **qualification of successor**
 19 **governor to office.** SEC. 19. If the governor and lieutenant
 20 governor are simultaneously unable to serve, the president
 21 of the senate shall become governor, followed by the speaker
 22 of the house if the president of the senate is unable or
 23 unwilling to serve, each succeeding, to the exclusion of the
 24 powers and duties of any other office. If the governor or
 25 lieutenant governor so succeeded becomes able to serve, the
 26 governor or lieutenant governor shall assume the office to
 27 which the governor or lieutenant governor qualified prior
 28 to the inability, and any successor governor who has served
 29 during the period of inability may assume the office to which
 30 the successor governor previously qualified, if the successor
 31 governor served as governor for less than one hundred ten
 32 days.>

ROBY SMITH

S-5121

1 Amend Senate File 2355 as follows:
 2 1. Page 1, by striking lines 1 through 10 and inserting:
 3 <Sec. __. AUDIT, ACCOUNTING, AND APPRAISAL OF IOWA
 4 COMMUNICATIONS NETWORK.
 5 1. The state auditor or an independent third party selected
 6 by the state auditor shall conduct a comprehensive audit and
 7 accounting of the Iowa communications network to include the
 8 following>
 9 2. Page 1, line 12, by striking <(1)> and inserting <a.>
 10 3. Page 1, line 17, by striking <(2)> and inserting <b.>

- 11 4. Page 1, by striking lines 24 and 25 and inserting:
 12 <c. Information identifying and quantifying the amounts
 13 billed for services performed by the network to current
 14 authorized users.>
- 15 5. Page 1, line 26, by striking <(4)> and inserting <d.>
- 16 6. Page 1, after line 27 by inserting:
 17 <e. Information identifying the duration, terms, and
 18 conditions of all third-party contracts and leases entered into
 19 by the network, including but not limited to any obligations
 20 of the state that may survive a sale, lease, or transfer of any
 21 network assets or services.>
- 22 7. Page 1, by striking lines 28 through 30 and inserting:
 23 <2. Following the completion of the comprehensive audit
 24 and accounting required pursuant to subsection 1, the Iowa
 25 telecommunications and technology commission shall select an
 26 independent appraisal firm to conduct an appraisal of the
 27 network and>
- 28 8. Page 1, line 35, by striking <c.> and inserting <3.>
- 29 9. Page 2, line 1, by striking <subsection> and inserting
 30 <section>
- 31 10. Page 2, by striking lines 4 through 34 and inserting:
 32 <4. The audit, accounting, and appraisal of the network
 33 conducted pursuant to this section shall be completed no later
 34 than December 21, 2018.>
- 35 11. Title page, by striking line 1 and inserting <An Act

Page 2

- 1 providing for an audit, accounting, and appraisal of the Iowa>

RANDY FEENSTRA

S-5122

- 1 Amend Senate File 2324 as follows:
 2 1. Page 1, line 3, after <3.> by inserting <q.>
 3 2. Page 1, line 8, by striking <buses.> and inserting <buses
 4 if such a pickup does not carry more passengers than there are
 5 safety belts or safety harnesses in the pickup as installed by
 6 the manufacturer and if such a pickup is not operated while any
 7 passenger is present in the bed of the pickup. The operator
 8 of a pickup used as a school bus pursuant to such rules shall
 9 comply with the qualification, licensing, and instruction
 10 requirements set forth in sections 321.375 and 321.376, other
 11 than the requirement to obtain a commercial driver's license.
 12 However, the rules shall allow the board of directors of a
 13 school district to prohibit the use of pickups as school buses
 14 by the school district.>
- 15 3. Page 1, after line 8 by inserting:
 16 <b. The rules prescribed for school buses shall allow
 17 passenger vans designed to carry twelve or fewer passengers,
 18 including the driver, and weighing ten thousand pounds or less,

19 to be used as school buses if such a van does not carry more
 20 passengers than there are safety belts or safety harnesses in
 21 the van as installed by the manufacturer. The operator of a
 22 van used as a school bus pursuant to such rules shall comply
 23 with the qualification, licensing, and instruction requirements
 24 set forth in sections 321.375 and 321.376.>

25 4. Title page, line 1, after <allowing> by inserting
 26 <certain vans and>

WAYLON BROWN

S-5123

1 Amend Senate File 2362 as follows:

2 1. Page 1, line 6, after <internet.> by inserting <The
 3 community college shall consider opportunities to mitigate the
 4 marginal costs of new editions of existing textbooks.>

5 2. Page 1, line 27, after <internet.> by inserting <The
 6 institution shall consider opportunities to mitigate the
 7 marginal costs of new editions of existing textbooks.>

8 3. Page 2, line 3, after <resources.> by inserting
 9 <In developing the plan, the institution shall consider
 10 opportunities to mitigate the marginal costs of new editions
 11 of existing textbooks.>

TIM KRAAYENBRINK

S-5124

1 Amend Senate File 2365 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <Section 1. **NEW SECTION. 216.8B Assistance animals and**
 5 **service animals in housing — penalty.**

6 1. For purposes of this section, unless the context
 7 otherwise requires:

8 *a. "Assistance animal"* means an animal that qualifies as a
 9 reasonable accommodation under the federal Fair Housing Act, 42
 10 U.S.C. §3601 et seq., as amended, or section 504 of the federal
 11 Rehabilitation Act of 1973, 29 U.S.C. §794, as amended.

12 *b. "Service animal"* means a dog or miniature horse as set
 13 forth in the implementing regulations of Title II and Title
 14 III of the federal Americans with Disabilities Act of 1990, 42
 15 U.S.C. §12101 et seq.

16 2. A landlord shall waive lease restrictions and additional
 17 payments normally required for pets on the keeping of animals
 18 for the assistance animal or service animal of a person with
 19 a disability.

20 3. A tenant is liable for damage done to any dwelling by an
 21 assistance animal or service animal.

22 4. A person who knowingly denies or interferes with the
 23 right of a person with a disability under this section is, upon

24 conviction, guilty of a simple misdemeanor.

25 Sec. 2. **NEW SECTION. 216.8C Finding of disability and need**
26 **for an assistance animal or service animal in housing.**

27 1. A licensee under chapter 148, 148C, 152, 154B, 154C,
28 or 154D whose assistance is requested by a patient or client
29 seeking a finding that an assistance animal or service animal
30 as defined in section 216.8B, subsection 1, is a reasonable
31 accommodation in housing shall make a written finding regarding
32 whether the patient or client has a disability and, if a
33 disability is found, a separate written finding regarding
34 whether the need for an assistance animal or service animal is
35 related to the disability.

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1 2. A licensee under chapter 148, 148C, 152, 154B, 154C, or
2 154D shall not make a finding under subsection 1 unless all of
3 the following circumstances are present:

4 a. The licensee has met with the patient or client in person
5 or by telemedicine.

6 b. The licensee is sufficiently familiar with the patient
7 or client and the disability.

8 c. The licensee is legally and professionally qualified to
9 make the finding.

10 3. The commission, in consultation with the consumer
11 protection division of the office of the attorney general,
12 shall adopt rules regarding the making of a written finding
13 by licensees under this section. The rules shall include a
14 form for licensees to document the licensees' written finding.
15 The form shall recite this section's requirements and comply
16 with the federal Fair Housing Act, 42 U.S.C. §3601 et seq.,
17 as amended, and section 504 of the federal Rehabilitation Act
18 of 1973, 29 U.S.C. §794, as amended. The form shall ask only
19 two questions regarding the qualifications of the patient or
20 client. The form shall ask whether a person has a disability
21 and whether the need for an assistance animal or service animal
22 is related to the disability. The form shall indicate that the
23 responses must be limited to "yes" or "no". The form shall not
24 allow for additional detail.

25 4. A person who, in the course of employment, is asked to
26 make a finding of disability and disability-related need for
27 an assistance animal or service animal shall utilize the form
28 created by the commission to document the person's written
29 finding.

30 5. A landlord may deny a request for an exception to a
31 pet policy if a person, who doesn't have a readily apparent
32 disability, or a disability known to the landlord, fails
33 to provide documentation indicating that the person has a
34 disability and the person has a disability-related need for an
35 assistance animal or service animal.

Page 3

1 6. This section does not limit the means by which a person
 2 with a disability may demonstrate, pursuant to state or federal
 3 law, that the person has a disability or that the person has
 4 a disability-related need for an assistance animal or service
 5 animal.

6 Sec. 3. Section 216C.11, Code 2018, is amended to read as
 7 follows:

8 ~~216C.11 Service dogs and assistive animals~~ Service animals
 9 and service-animals-in-training — penalty.

10 1. For purposes of this section, unless context otherwise
 11 requires:

12 a. "Disability" means the physical or mental condition of
 13 a person which constitutes a substantial disability, and the
 14 condition of a person with a positive human immunodeficiency
 15 virus test result, a diagnosis of acquired immune deficiency
 16 syndrome, a diagnosis of acquired immune deficiency
 17 syndrome-related complex, or any other condition related to
 18 acquired immune deficiency syndrome. The inclusion of a
 19 condition related to a positive human immunodeficiency virus
 20 test result in the meaning of "disability" under the provisions
 21 of this section does not preclude the application of the
 22 provisions of this section to conditions resulting from other
 23 contagious or infectious diseases.

24 b. "service dog" means a dog specially trained to assist a
 25 person with a disability, whether described as a service dog,
 26 a support dog, an independence dog, or otherwise. "Assistive
 27 animal" means a simian or other animal specially trained or
 28 in the process of being trained to assist a person with a
 29 disability. "Service animal" means a dog or miniature horse as
 30 set forth in the implementing regulations of Title II and Title
 31 III of the federal Americans with Disabilities Act of 1990, 42
 32 U.S.C. §12101 et seq.

33 2. A person with a disability, a person assisting a
 34 person with a disability by controlling a service ~~dog or an~~
 35 ~~assistive animal~~ animal or a service-animal-in-training, or

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1 a person training a service ~~dog or an assistive~~ animal has
 2 the right to be accompanied by a service ~~dog or an assistive~~
 3 animal, under control, in any of the places listed in sections
 4 216C.3 and 216C.4 without being required to make additional
 5 payment for the service ~~dog or assistive animal~~ animal or
 6 service-animal-in-training. A landlord shall waive lease
 7 restrictions on the keeping of animals for the service dog or
 8 assistive animal of a person with a disability. The person is
 9 liable for damage done to any premises or facility by a service
 10 dog or assistive animal.

11 3. A person who knowingly denies or interferes with the
 12 right of a person under this section is, upon conviction,

13 guilty of a simple misdemeanor.

14 4. a. A person who intentionally misrepresents an animal
 15 as a service animal or a service-animal-in-training is, upon
 16 conviction, guilty of a simple misdemeanor.

17 b. A person commits the offense of intentional
 18 misrepresentation of an animal as a service animal or a
 19 service-animal-in-training, if all of the following elements
 20 are established:

21 (1) For the purpose of obtaining any of the rights or
 22 privileges set forth in state or federal law, the person
 23 intentionally misrepresents an animal in one's possession
 24 as one's service animal or service-animal-in-training
 25 or a person with a disability's service animal or
 26 service-animal-in-training whom the person is assisting by
 27 controlling.

28 (2) The person was previously given a written or
 29 verbal warning regarding the fact that it is illegal to
 30 intentionally misrepresent an animal as a service animal or a
 31 service-animal-in-training.

32 (3) The person knows that the animal in question is not a
 33 service animal or a service-animal-in-training.

34 Sec. 4. EMERGENCY RULES. The Iowa civil rights commission
 35 may adopt emergency rules under section 17A.4, subsection 3,

Page 5

1 and section 17A.5, subsection 2, paragraph "b", to implement
 2 the section of this Act enacting section 216.8C and the rules
 3 shall be effective immediately upon filing. Any rules adopted
 4 in accordance with this section shall also be published as a
 5 notice of intended action as provided in section 17A.4.

6 Sec. 5. APPLICABILITY. The section of this Act enacting
 7 section 216.8C applies once rules are adopted. Prior to the
 8 adoption of the rules and creation of a licensee's written
 9 finding form, a tenant seeking an assistance animal or a
 10 service animal as a reasonable accommodation in housing
 11 shall otherwise demonstrate pursuant to state or federal law
 12 that the person has a disability and that the person has a
 13 disability-related need for an assistance animal or service
 14 animal.>

15 2. Title page, by striking lines 1 through 6 and inserting
 16 <An Act relating to assistance animals and service animals in
 17 housing and misrepresentation of an animal as a service animal
 18 or a service-animal-in-training and providing penalties and
 19 including applicability provisions.>

DAN DAWSON

S-5125

1 Amend Senate File 2101 as follows:

2 1. Page 1, lines 14 through 16, by striking <The bottom of

- 3 the cap or mark must be no less than three feet and no more than
4 five feet, six inches above the ground.>
5 2. Page 1, line 17, by striking <thirty-six> and inserting
6 <one hundred>
7 3. Page 1, by striking line 22 and inserting <possession, an
8 owner, lessee, or other person in lawful>
9 4. Page 1, by striking lines 29 through 31 and inserting
10 <doing so would violate any applicable law.>

JAKE CHAPMAN

S-5126

- 1 Amend the amendment, S-5120, to Senate Joint Resolution 2006
2 as follows:
3 1. Page 2, line 2, after <appointment> by inserting <
4 subject to confirmation by a two-thirds vote of all the members
5 of the general assembly>

TONY BISIGNANO

S-5127

- 1 Amend the amendment, S-5121, to Senate File 2355 as follows:
2 1. Page 1, by striking lines 5 and 6 and inserting:
3 <1. The executive council shall select an independent third
4 party to conduct a comprehensive audit and>
5 2. Page 1, by striking lines 32 through 34 and inserting:
6 <4. a. The comprehensive audit and accounting of the
7 network conducted pursuant to subsection 1 shall be completed
8 no later than September 1, 2018, and the results of such audit
9 and accounting shall be submitted to the executive council and
10 general assembly no later than September 1, 2018.
11 b. The appraisal of the network conducted pursuant to
12 subsection 2 shall be completed no later than December 21,
13 2018.>

MATT McCOY

S-5128

- 1 Amend Senate File 2276 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 232.70, Code 2018, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 6A. A report made by a mandatory reporter
6 who is an employee of a public or nonpublic school shall be
7 weighted as of more importance than other reports made by other
8 mandatory reporters. Within twenty-four hours of receiving
9 a report from an employee of a public or nonpublic school,
10 the department shall inform the employee, orally or by other
11 appropriate means, whether or not the department has commenced

- 12 an assessment of the allegation in the report.>
 13 2. Page 1, line 3, after <district> by inserting <and the
 14 authorities in charge of each nonpublic school>
 15 3. Page 1, line 7, after <services.> by inserting <The
 16 sign shall include information regarding the importance given
 17 to reports made by mandatory reporters who are employees of a
 18 public school district or nonpublic school, pursuant to section
 19 232.70.>
 20 4. By renumbering as necessary.

MATT McCOY

S-5129

- 1 Amend House File 2440, as passed by the House, as follows:
 2 1. Page 5, by striking lines 31 and 32 and inserting
 3 <recommendations to the general assembly not later than
 4 December 14, 2018, for consideration during the ~~2018~~ 2019
 5 legislative session.>

DAVID JOHNSON

S-5130

- 1 Amend Senate File 2276 as follows:
 2 1. Page 1, line 3, after <district> by inserting <and the
 3 authorities in charge of each nonpublic school>

MATT McCOY

S-5131

- 1 Amend Senate File 2276 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 232.70, Code 2018, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 6A. A report made by a mandatory reporter
 6 shall be weighted as of more importance than other reports.
 7 Within twenty-four hours of receiving a report from a reporter,
 8 the department shall inform the reporter, orally or by other
 9 appropriate means, whether or not the department has commenced
 10 an assessment of the allegation in the report.>
 11 2. Page 1, line 7, after <services.> by inserting <The sign
 12 shall include information regarding the importance given to
 13 reports made by mandatory reporters.>
 14 3. By renumbering as necessary.

MATT McCOY

S-5132

1 Amend the amendment, S-5120, to Senate Joint Resolution 2006
2 as follows:

3 1. Page 2, line 2, after <appointment> by inserting <,
4 subject to confirmation by a simple majority vote of the
5 members of each house of the general assembly>

TOD R. BOWMAN

S-5133

1 Amend Senate File 2326 as follows:

2 1. Page 1, by striking lines 1 through 17 and inserting:
3 <Sec. ____ Section 321.477, Code 2018, is amended to read
4 as follows:

5 **321.477 Employees as peace officers — maximum age.**

6 1. The department may designate by resolution certain of its
7 employees upon each of whom there is conferred the authority of
8 a peace officer to enforce all laws of ~~the~~ this state including
9 but not limited to the rules and regulations of the department.
10 Employees designated as peace officers pursuant to this section
11 shall have the same powers, duties, privileges, and immunities
12 conferred by law on peace officers ~~for relating to the~~
13 enforcement of all laws of this state and the apprehension of
14 violators. The department and the department of public safety
15 shall coordinate to provide effective and efficient enforcement
16 of all laws of this state, including any related regulatory
17 actions.

18 ~~2. Employees designated as peace officers pursuant to this~~
19 ~~section who are assigned to the supervision of the highways~~
20 ~~of this state shall spend the preponderance of their time~~
21 ~~conducting enforcement activities that assure the safe and~~
22 ~~lawful movement and operation of commercial motor vehicles and~~
23 ~~vehicles transporting loads, including but not limited to the~~
24 ~~enforcement of motor vehicle laws relating to the operating~~
25 ~~authority, registration, size, weight, and load of motor~~
26 ~~vehicles and trailers, and registration of a motor carrier's~~
27 ~~interstate transportation service with the department.~~

28 ~~3. 2.~~ Employees designated as peace officers pursuant to
29 this section shall not exercise the general powers of a peace
30 officer within the limits of any city, except as follows:

- 31 a. When so ordered by the direction of the governor.
32 b. When request is made by the mayor of any city, with the
33 approval of the director.
34 c. When request is made by the sheriff or county attorney of
35 any county, with the approval of the director.

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1 d. While in the pursuit of law violators or in investigating
2 law violations.

- 3 e. While making any inspection provided by this chapter, or
 4 any additional inspection ordered by the director.
- 5 f. When engaged in the investigation and enforcement of laws
 6 relating to narcotic, counterfeit, stimulant, and depressant
 7 drugs.
- 8 ~~4. 3.~~ The limitations specified in subsection ~~3 2~~ shall in
 9 no way be construed as a limitation on the power of employees
 10 designated as peace officers pursuant to this section when a
 11 public offense is being committed in their presence.
- 12 ~~5. 4.a.~~ The department shall establish operational
 13 requirements to assure that at least ninety percent of all
 14 collective enforcement activities performed by employees
 15 designated as peace officers pursuant to this section who
 16 are assigned to the supervision of the highways of this
 17 state shall be devoted to the protection of highway assets
 18 and to activities that assure the safe and lawful movement
 19 and operation of commercial motor vehicles and vehicles
 20 transporting loads, including but not limited to all of the
 21 following:
- 22 (1) The enforcement of motor vehicle laws relating to
 23 the operating authority, registration, size, weight, and
 24 load of motor vehicles and trailers, and registration of a
 25 motor carrier's interstate transportation service with the
 26 department.
- 27 (2) The enforcement of federal motor carrier safety
 28 regulations and federal motor carrier hazardous materials
 29 regulations as adopted in this chapter and in rules adopted by
 30 the department under this chapter.
- 31 (3) The performance of activities required for
 32 participation in the motor carrier safety assistance program
 33 and the high priority program administered under 49 C.F.R. pt.
 34 350.
- 35 (4) The control and direction of traffic.

Page 3

- 1 (5) The enforcement of motor vehicle laws in road work
 2 zones.
- 3 b. The department shall submit a report to the general
 4 assembly on or before December 1 of each year that details the
 5 nature and scope of enforcement activities conducted in the
 6 previous fiscal year by employees designated as peace officers
 7 pursuant to this section who are assigned to the supervision
 8 of the highways of this state. The report shall include a
 9 comparison of commercial and noncommercial motor vehicle
 10 enforcement activities conducted by such employees and any
 11 other information necessary to demonstrate the department's
 12 compliance with the operational requirements established
 13 pursuant to this section.
- 14 c. The operational requirements established pursuant to
 15 this section are intended to assure the effective use of the
 16 department's resources. The failure of the department or

17 employees designated as peace officers pursuant to this section
 18 to meet the operational requirements shall not be a defense to
 19 any charge in the prosecution of a person arrested or issued
 20 a citation in lieu of arrest by an employee designated as a
 21 peace officer pursuant to this section, and shall not create a
 22 private cause of action.
 23 ~~6.~~ 5. The maximum age for a person employed as a peace
 24 officer pursuant to this section is sixty-five years of age.>
 25 2. By renumbering as necessary.

MICHAEL BREITBACH

S-5134

1 Amend Senate File 2321 as follows:
 2 1. Page 1, line 3, after <person> by inserting <who is
 3 eighteen years of age or older>
 4 2. Page 1, after line 10 by inserting:
 5 <Sec. __. Section 724.4, Code 2018, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. 5. A minor who goes armed with a
 8 dangerous weapon that directs an electric current, impulse,
 9 wave, or beam that produces a high-voltage pulse designed to
 10 immobilize a person, whether concealed or not, commits a simple
 11 misdemeanor.>
 12 3. Title page, by striking line 1 and inserting <An Act
 13 relating to persons going armed with portable>
 14 4. By renumbering as necessary.

DAN DAWSON

S-5135

1 Amend the amendment, S-5134, to Senate File 2321 as follows:
 2 1. Page 1, after line 13 by inserting:
 3 <__. Title page, by striking lines 2 through 4 and
 4 inserting <devices or weapons that direct an electronic
 5 current, and providing penalties.>>
 6 2. By renumbering as necessary.

DAN DAWSON

S-5136

1 Amend House File 2235, as passed by the House, as follows:
 2 1. Page 1, by striking line 2 and inserting <subparagraphs
 3 (1) and (2), Code 2018, are amended to read as follows:>
 4 2. Page 1, line 4, after <statewide> by inserting
 5 <summative>
 6 3. Page 1, line 9, before <assessment> by inserting
 7 <summative>
 8 4. Page 1, after line 12 by inserting:

9 <(2) ~~The~~ For the school year beginning July 1, 2018, and
 10 each succeeding school year, the rules shall also require that
 11 all of the following:

12 (a) That all students enrolled in school districts in
 13 grades three through eleven be administered an assessment in
 14 mathematics and English language arts, including reading and
 15 writing, during the last quarter of the school year and all
 16 students enrolled in school districts in grades five, eight,
 17 and ten be administered an assessment in science during the
 18 last quarter of the school year.

19 (b) That the assessment, at a minimum, assess the core
 20 academic indicators identified in this paragraph "b"; be
 21 aligned with the Iowa common core standards in both content
 22 and rigor; accurately describe student achievement and
 23 growth for purposes of the school, the school district, and
 24 state accountability systems; provide valid, reliable, and
 25 fair measures of student progress toward college or career
 26 readiness; and meet the summative assessment requirements of
 27 the federal Every Student Succeeds Act, Pub. L. No. 114-95.

28 (c) That the assessment be available for administration in
 29 both paper-and-pencil and computer-based formats and include
 30 assessments in mathematics, science, and English language arts,
 31 including reading and writing.

32 (d) That the assessment be peer-reviewed by an independent,
 33 third-party evaluator to determine that the assessment is
 34 aligned with the Iowa core academic standards, provides a
 35 measurement of student growth and student proficiency, and

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1 meets the summative assessment requirements of the federal
 2 Every Student Succeeds Act, Pub. L. No. 114-95. The assessment
 3 developed by the Iowa testing service within the university of
 4 Iowa college of education shall make any necessary adjustments
 5 as determined by the peer review to meet the requirements of
 6 this subparagraph (2).>

MARK LOFGREN

S-5137

- 1 Amend Senate File 2302 as follows:
 2 1. Page 1, by striking lines 8 through 20.
 3 2. By renumbering as necessary.

DAVID JOHNSON

S-5138

- 1 Amend Senate File 2369 as follows:
 2 1. Page 2, line 10, after <child's> by inserting <custodial
 3 parent's>

- 4 2. Page 2, line 25, after <child's> by inserting <custodial
 5 parent's>
 6 3. Page 2, line 34, after <child's> by inserting <custodial
 7 parent's>

MARK SEGEBART

S-5139

- 1 Amend Senate File 2247 as follows:
 2 1. Page 1, line 10, after <withdrawn.> by inserting <The
 3 costs of mediation provided under this subsection shall be
 4 borne by the petitioner.>

RICH TAYLOR
 NATE BOULTON

S-5140

- 1 Amend House File 2234, as passed by the House, as follows:
 2 1. By striking page 1, line 33, through page 2, line 30.
 3 2. Page 3, by striking lines 3 through 11 and inserting
 4 <be reduced to six months, or reduced to three months if the
 5 property is not used for an agricultural purpose as defined in
 6 section 535.13, provided in all cases under this section that
 7 the mortgagee waives in the foreclosure action any rights to
 8 a deficiency judgment against the mortgagor which might arise
 9 out of the foreclosure proceedings. In such event the debtor
 10 will, in the meantime, be entitled to the possession of said
 11 real property; and if such redemption period is so reduced, for
 12 the first ~~three~~ two months after sale such right of redemption
 13 shall be exclusive to the debtor, and the time periods in
 14 sections 628.5, 628.15, and 628.16, shall be reduced to ~~four~~
 15 three months.>

DAN ZUMBACH

S-5141

- 1 Amend House File 2377, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 4, by striking lines 6 through 10 and inserting:
 4 <g. Including all schedule II ~~controlled substances,~~
 5 schedule III, schedule IV, and those substances in schedules
 6 III and IV that the advisory council and board determine can
 7 be addictive or fatal if not taken under the proper care and
 8 direction of a prescribing practitioner schedule V controlled
 9 substances except when dispensed by a pharmacist without a
 10 prescription, and opioid antagonists.>

THOMAS A. GREENE

S-5142

HOUSE AMENDMENT TO
SENATE FILE 2099

- 1 Amend Senate File 2099, as passed by the Senate, as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 633.3, Code 2018, is amended by adding
- 4 the following new subsection:
- 5 NEW SUBSECTION. 30A. *Probate assets* — means a
- 6 decedent’s property subject to administration by a personal
- 7 representative.>
- 8 2. Page 1, line 14, by striking <probated> and inserting
- 9 <~~probated~~ administered>
- 10 3. Page 1, after line 15 by inserting:
- 11 <Sec. __. Section 635.2, subsection 5, Code 2018, is
- 12 amended to read as follows:
- 13 5. A statement that the probate ~~property assets~~ of the
- 14 decedent subject to the jurisdiction of this state does not
- 15 have an aggregate gross value of more than the amount permitted
- 16 under the provisions of section 635.1 and the approximate
- 17 amount of personal property and income for the purposes of
- 18 setting a bond.>
- 19 4. Page 1, by striking lines 27 and 28 and inserting:
- 20 <2. The report and inventory shall ~~show the gross value~~
- 21 ~~of probate assets subject to the jurisdiction of this state~~
- 22 separately specify which assets are probate assets subject to
- 23 the jurisdiction of this state and clearly state their gross
- 24 value and the sum thereof.>
- 25 5. Page 1, line 33, by striking <probated> and inserting
- 26 <~~probated~~ administered>
- 27 6. Page 1, line 34, by striking <shows> and inserting <~~shows~~
- 28 separately specifies>
- 29 7. Page 2, line 5, by striking <statement> and inserting
- 30 <~~report~~>
- 31 8. Page 2, by striking lines 19 and 20 and inserting
- 32 <interested parties within a reasonable time ~~from the date of~~
- 33 issuance of the letters of appointment~~after the expiration of~~
- 34 all times following all notices required in chapter 633. The
- 35 closing statement>

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- 1 9. Page 2, line 32, by striking <of the estate> and
- 2 inserting <~~of the estate~~ explaining how and to whom the probate
- 3 assets will be distributed>
- 4 10. Page 4, line 9, by striking <probate> and inserting
- 5 <~~probate report and~~>
- 6 11. Page 4, by striking lines 23 through 30 and inserting:
- 7 <Sec. __. EFFECTIVE DATE. This Act takes effect January
- 8 1, 2020.
- 9 Sec. __. APPLICABILITY. The following applies January 1,

10 2020, to estates opened under chapter 635 or converted from
 11 administration under chapter 633 on or after January 1, 2020:
 12 The section of this Act amending section 635.1.
 13 Sec. ____ APPLICABILITY. The following applies January 1,
 14 2020, to estates being probated under chapter 635 on or after
 15 January 1, 2020:
 16 The sections of this Act amending sections 633.3, 635.2,
 17 635.7 and 635.8.>
 18 12. Title page, line 2, after <including> by inserting
 19 <effective date and>
 20 13. By renumbering as necessary.

S-5143

HOUSE AMENDMENT TO
 SENATE FILE 2113

1 Amend Senate File 2113, as passed by the Senate, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 256.7, Code 2018, is amended by adding
 5 the following new subsection:
 6 **NEW SUBSECTION.** 33. *a.* For purposes of this subsection:
 7 (1) “*Adverse childhood experience*” means the same as defined
 8 in section 279.70.
 9 (2) “*Postvention*” means the same as defined in section
 10 279.70.
 11 *b.* Adopt rules to require school districts to adopt
 12 protocols for suicide prevention and postvention and the
 13 identification of adverse childhood experiences and strategies
 14 to mitigate toxic stress response. The protocols shall be
 15 based on nationally recognized best practices.
 16 Sec. 2. **NEW SECTION. 279.70 Training on suicide prevention**
 17 **and identification of adverse childhood experiences and**
 18 **strategies to mitigate toxic stress response.**
 19 1. For purposes of this section, unless the context
 20 otherwise requires:
 21 *a.* “*Adverse childhood experience*” means a potentially
 22 traumatic event occurring in childhood that can have negative,
 23 lasting effects on an individual’s health and well-being.
 24 *b.* “*Postvention*” means the provision of crisis intervention,
 25 support, and assistance for those affected by a suicide or
 26 suicide attempt to prevent further risk of suicide.
 27 2. By July 1, 2019, the board of directors of a school
 28 district shall require annual, evidence-based training at
 29 least one hour in length on suicide prevention and postvention
 30 for all school personnel who hold a license, certificate,
 31 authorization, or statement of recognition issued by the board
 32 of educational examiners and who have regular contact with
 33 students in kindergarten through grade twelve. The content
 34 of the training shall be based on nationally recognized best
 35 practices.

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1 3. By July 1, 2019, the board of directors of a
 2 school district shall require annual, evidence-based,
 3 evidence-supported training on the identification of adverse
 4 childhood experiences and strategies to mitigate toxic
 5 stress response for all school personnel who hold a license,
 6 certificate, authorization, or statement of recognition issued
 7 by the board of educational examiners and who have regular
 8 contact with students in kindergarten through grade twelve.
 9 The content of the training shall be based on nationally
 10 recognized best practices.

11 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
 12 shall not apply to this Act.>

13 2. Title page, by striking lines 1 and 2 and inserting <An
 14 Act requiring school employee training and protocols relating
 15 to suicide prevention and the identification of adverse
 16 childhood experiences and strategies to mitigate toxic stress
 17 response.>

S-5144

1 Amend Senate File 2214 as follows:
 2 1. By striking page 2, line 1, through page 3, line 4.

DAN DAWSON

S-5145

1 Amend Senate File 2360 as follows:
 2 1. Page 1, by striking lines 9 through 13.
 3 2. Page 1, by striking line 15.
 4 3. Page 1, line 22, by striking <Two providers> and
 5 inserting <One provider>
 6 4. Page 1, line 26, after <2.> by inserting <The director of
 7 the department of education or the director's designee shall
 8 convene the task force.>
 9 5. By renumbering, redesignating, and correcting internal
 10 references as necessary.

AMY SINCLAIR

S-5146

1 Amend House File 2297, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, line 20, after <inspection> by inserting <For
 4 purposes of this subsection, "dry lay-up" means a process
 5 whereby a boiler is taken out of service for a period of six

6 months or longer, drained, dried, and cleaned, and measures to
 7 prevent corrosion are performed on the boiler.>

COMMITTEE ON LABOR AND BUSINESS
 RELATIONS
 JASON SCHULTZ, Chair

S-5147

1 Amend House File 2441, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 3, by striking lines 7 through 22 and inserting
 4 <~~December 15~~ January 15 of the year preceding the budget year
 5 during which the program will be offered. The ~~department~~
 6 school budget review committee shall review the request
 7 and shall ~~prior to January 15 either~~ grant approval for the
 8 request ~~or return the request for approval with comments of the~~
 9 ~~department included if the amount requested does not exceed an~~
 10 amount equal to the limitation of section 257.41, subsection
 11 3, minus any funds for the adopted program carried forward
 12 from the year prior to the base year. An unapproved request
 13 for a program may be resubmitted with modifications to the
 14 department not later than February 1. The board of director's
 15 shall certify by resolution that the request complies with
 16 the school district's adopted program plan. If the amount
 17 requested exceeds an amount equal to the limitation of section
 18 257.41, subsection 3, minus any funds for the adopted program
 19 carried forward from the year prior to the base year, the
 20 amount approved by the school budget review committee shall
 21 equal the limitation amount minus any funds for the adopted
 22 program carried forward from the year prior to the base year.
 23 Not later than ~~February~~ March 15, the ~~department~~ school budget
 24 review committee>

AMY SINCLAIR

S-5148

1 Amend Senate File 2300 as follows:
 2 1. Page 1, by striking lines 11 through 14 and inserting
 3 <The workgroup shall consist of representatives from the
 4 departments of human services, education, public health,
 5 public safety, and human rights, the department on aging,
 6 and the office of the attorney general; a court appointed
 7 special advocate; and other experts the department of human
 8 services deems necessary. The membership of the workgroup
 9 shall also include four members of the general assembly. The
 10 legislative members shall serve as ex officio, nonvoting
 11 members of the workgroup, with one member to be appointed by
 12 each of the following: the majority leader of the senate,
 13 the minority leader of the senate, the speaker of the house
 14 of representatives, and the minority leader of the house of

15 representatives. The workgroup shall submit a report on the
16 study>

MARK SEGEBART

S-5149

1 Amend Senate File 2237 as follows:

2 1. Page 1, line 5, after <judgment> by inserting <of a
3 court not of record, or twenty years from the date of entry of
4 judgment of a court of record.>

5 2. Page 1, by striking lines 9 through 11 and inserting
6 <extinguished, and no execution shall be issued. However, in
7 the event that the judgment or the right to collect thereon is
8 sold or otherwise assigned>

JEFF EDLER

S-5150

1 Amend Senate File 2327 as follows:

2 1. Page 2, line 18, after <board> by inserting <or a
3 community college>

4 2. Page 3, line 29, after <Iowa> by inserting <, and the
5 remainder of the applicant's apprentices shall be residents of
6 states contiguous to Iowa>

7 3. Page 5, line 5, by striking <261.130 and 261.131> and
8 inserting <261.131 and 261.132>

9 4. Page 5, line 30, by striking <261.130 or 261.131> and
10 inserting <261.131 or 261.132>

11 5. Page 5, line 32, by striking <261.130> and inserting
12 <261.131>

13 6. Page 5, line 34, by striking <261.131> and inserting
14 <261.132>

15 7. Page 6, line 21, by striking <261.130> and inserting
16 <261.131>

17 8. Page 6, line 23, by striking <261.131> and inserting
18 <261.132>

19 9. Page 6, line 24, after <7A.> by inserting <In addition
20 to the list created by the workforce development board under
21 this subsection, each community college, in consultation with
22 regional career and technical education planning partnerships,
23 and with the approval of the board of directors of the
24 community college, may identify and maintain a list of not
25 more than five regional high-demand jobs in the community
26 college region, and shall share the lists with the workforce
27 development board. The lists submitted by community colleges
28 under the subsection may be used in that community college
29 region for purposes of programs identified under this
30 subsection.>

31 10. Page 6, line 26, after <prioritize> by inserting
32 <statewide>

- 33 11. Page 6, line 30, before <determines> by inserting <, or
34 a community college in accordance with this subsection,>
35 12. Page 6, line 35, by striking <261.130> and inserting

Page 2

- 1 <261.131>
2 13. Page 7, line 1, by striking <261.131> and inserting
3 <261.132>
4 14. Page 7, line 4, by striking <261.130 and 261.131> and
5 inserting <261.131 and 261.132>
6 15. Page 7, line 6, by striking <261.130 and 261.131> and
7 inserting <261.131 and 261.132>
8 16. Page 8, line 27, after <board> by inserting <or a
9 community college>
10 17. Page 9, line 21, by striking <261.130 and 261.131> and
11 inserting <261.131 and 261.132>
12 18. Page 9, line 24, by striking <261.130 or 261.131> and
13 inserting <261.131 or 261.132>
14 19. Page 9, after line 33 by inserting:
15 <f. Whether the proposal addresses areas of workforce need
16 throughout the region.>
17 20. Page 10, by striking lines 13 and 14.
18 21. Page 10, line 15, by striking <261.130> and inserting:
19 <Sec. __. **NEW SECTION. 261.131**>
20 22. Page 12, line 2, after <board> by inserting <or
21 community college>
22 23. Page 12, line 3, by striking <department removes a
23 high-demand job from the list> and inserting <board or a
24 community college removes a high-demand job from a list>
25 24. Page 16, line 4, by striking <261.131> and inserting
26 <261.132>
27 25. Page 19, by striking line 27 and inserting <up to the
28 full amount of grant payments made during that semester, or the
29 equivalent, shall>
30 26. Page 20, by striking lines 11 and 12 and inserting
31 <awarding eligible students approved for grants based on the
32 date of application, rather than prorating grant awards among
33 all eligible students.>
34 27. Page 21, line 7, by striking <created in section 84A.1B>
35 and inserting <or a community college pursuant to section

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- 1 84A.1B, subsection 13A>
2 28. By renumbering, redesignating, and correcting internal
3 references as necessary.

S-5151

- 1 Amend House File 637, as passed by the House, as follows:
- 2 1. Page 1, line 3, by striking <2017> and inserting <2018>
- 3 2. Page 1, line 21, by striking <check and> and inserting
- 4 <check and, if requested,>
- 5 3. Page 1, line 34, by striking <2017> and inserting <2018>
- 6 4. Page 2, line 11, by striking <2017> and inserting <2018>
- 7 5. Page 2, line 14, by striking <2017> and inserting <2018>
- 8 6. Page 3, line 1, by striking <The applicant shall> and
- 9 inserting <If a background investigation is conducted, the
- 10 applicant shall>
- 11 7. Page 3, after line 17 by inserting:
- 12 <DIVISION ____
- 13 EFFECTIVE DATE
- 14 Sec. ____ EFFECTIVE DATE. This Act, being deemed of
- 15 immediate importance, takes effect upon enactment.>
- 16 8. Title page, line 4, by striking <division and> and
- 17 inserting <division,>
- 18 9. Title page, line 4, by striking <council> and inserting
- 19 <council, and including effective date provisions>
- 20 10. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
CHARLES SCHNEIDER, Chair

S-5152

- 1 Amend House File 2284, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 1, before line 1 by inserting:
- 4 <Section 1. Section 614.1, subsection 12, Code 2018, is
- 5 amended to read as follows:
- 6 12. *Sexual abuse or sexual exploitation by a counselor,*
- 7 *therapist, or school employee.* An action for damages for
- 8 injury suffered as a result of sexual abuse, as defined in
- 9 section 709.1, by a counselor, therapist, or school employee,
- 10 as defined in section 709.15, or as a result of sexual
- 11 exploitation by a counselor, therapist, or school employee
- 12 shall be brought within ~~five~~ ten years of the date the victim
- 13 was last treated by the counselor or therapist, or within
- 14 ~~five~~ ten years of the date the victim was last enrolled in or
- 15 attended the school. If the victim was a minor when the injury
- 16 or exploitation occurred, an action may be brought according
- 17 to section 614.8A.
- 18 Sec. ____ Section 614.8, Code 2018, is amended to read as
- 19 follows:
- 20 **614.8 Minors and persons with mental illness.**
- 21 1. The times limited for actions in this chapter, or for
- 22 complaints or claims in chapter 216, 669, or 670, except those
- 23 brought for penalties and forfeitures, are extended in favor
- 24 of persons with mental illness, so that they shall have one

25 year from and after the termination of the disability within
 26 which to file a complaint pursuant to chapter 216, to make a
 27 claim pursuant to chapter 669 or 670, or to otherwise commence
 28 an action.

29 2. Except as provided in section 614.1, subsection 9, or
 30 section 614.8A, the times limited for actions in this chapter,
 31 or for complaints or claims in chapter 216, 669, or 670, except
 32 those brought for penalties and forfeitures, are extended in
 33 favor of minors, so that they shall have one year from and
 34 after attainment of majority within which to file a complaint
 35 pursuant to chapter 216, to make a claim pursuant to chapter

Page 2

1 669, or to otherwise commence an action.

2 Sec. ____ Section 614.8A, Code 2018, is amended to read as
 3 follows:

4 **614.8A Damages Commencement of action for minor or child**
 5 **sexual abuse — time limitation.**

6 1. Notwithstanding section 614.8, subsection 2, and the
 7 times limited for actions in this chapter, the time to file an
 8 action relating to sexual abuse which occurred when the injured
 9 person was a minor is extended twenty-five years beyond the
 10 minor's attainment of eighteen years of age.

11 2. ~~A~~ In addition to the extension of time provided in
 12 subsection 1, an action for damages for injury suffered as
 13 a result of sexual abuse which occurred when the injured
 14 person was a child, but not discovered until after the injured
 15 person is of the age of majority, shall be brought within ~~four~~
 16 twenty-five years from the time of discovery by the injured
 17 party of both the injury and the causal relationship between
 18 the injury and the sexual abuse.>

19 2. Title page, lines 1 and 2, by striking <period for
 20 executing judgments on claims for rent> and inserting <periods
 21 for certain civil actions>

22 3. By renumbering as necessary.

JANET PETERSEN

S-5153

1 Amend the House amendment, S-5083, to Senate File 2177, as
 2 passed by the Senate, as follows:

3 1. Page 1, lines 26 and 27, by striking <acquisition, or
 4 reasonable belief of unauthorized acquisition.> and inserting
 5 <acquisition>

BRAD ZAUN

S-5154

1 Amend Senate File 2331 as follows:

2 1. Page 1, by striking lines 14 through 16 and inserting:
 3 <NEW PARAGRAPH. *l.* For an interest-bearing consumer loan,
 4 a service charge in an amount not to exceed the lesser of ten
 5 percent of the amount financed or thirty dollars. A creditor
 6 shall not contract for, receive, or collect a service charge
 7 pursuant to this paragraph from the same borrower more than
 8 three times in any twelve-month period. For a transaction in
 9 which all or part of the proceeds will be used to pay off a
 10 previous consumer loan between the same borrower and the same
 11 creditor, for which the borrower has already been assessed a
 12 service charge, the service charge on the new consumer loan
 13 shall not exceed the lesser of ten percent of the amount
 14 financed by the new consumer loan, less the amount required to
 15 pay off the previous consumer loan, or thirty dollars. For
 16 purposes of this paragraph, “*creditor*” includes a person related
 17 to the creditor by common ownership or control, a person with
 18 whom the creditor has any financial interest, or any employee
 19 or agent of the creditor.>

BRAD ZAUN

S-5155

1 Amend House File 2258, as passed by the House, as follows:
 2 1. Page 1, by striking lines 9 through 11 and inserting
 3 <approved project, to reimburse the governmental entity for
 4 funds advanced internally or to help make payments on bonds
 5 incurred to pay for approved projects, and to pay principal and
 6 interest on bonds issued>

COMMITTEE ON LOCAL GOVERNMENT
 JULIAN B. GARRETT, Chair

S-5156

1 Amend House File 2407, as passed by the House, as follows:
 2 1. Page 1, line 3, after <not> by inserting <intentionally>
 3 2. Page 1, line 4, by striking <or other chemical> and
 4 inserting <off label>

TIM L. KAPUCIAN

S-5157

HOUSE AMENDMENT TO
 SENATE FILE 220

1 Amend Senate File 220, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1. Section 321.1, Code 2018, is amended by adding

6 the following new subsection:

7 **NEW SUBSECTION. 06B.** *“Automated traffic law enforcement*
8 *system”* means a device used for the enforcement of laws
9 regulating vehicular traffic and equipped with one or more
10 sensors working in conjunction with one of the following:

11 a. An official traffic-control signal, to produce recorded
12 images of motor vehicles entering an intersection against a red
13 signal light.

14 b. A speed measuring device, to produce recorded images of
15 motor vehicles traveling at a prohibited rate of speed.

16 c. A railroad grade crossing signal light, as described in
17 section 321.342, to produce recorded images of motor vehicles
18 violating the signal light.

19 d. Any official traffic-control device, if failure to comply
20 with the official traffic-control device constitutes a moving
21 violation under this chapter.

22 **Sec. 2. NEW SECTION. 321.492C Automated traffic law**
23 **enforcement systems.**

24 1. The department shall not place, operate, maintain,
25 or employ the use of any automated traffic law enforcement
26 system. The department shall not cause to be placed any
27 automated traffic law enforcement system except as provided in
28 this section or in rules adopted by the department under this
29 section.

30 2.a. A local authority, or another entity on a local
31 authority’s behalf, shall not operate an automated traffic law
32 enforcement system without approving the use of the system
33 following an established self-certification process. The
34 self-certification process shall include a justification report
35 meeting the requirements of paragraph “b”, which shall be

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1 made readily available for the public to review, and a public
2 hearing at which the local authority shall provide evidence
3 of a demonstrated safety need for the automated traffic law
4 enforcement system. Notice of the date, time, and place of
5 the hearing shall be published in the manner described in
6 section 362.3. A public hearing may address several locations
7 at which a local authority intends to place an automated
8 traffic law enforcement system. However, a local authority
9 shall adopt an ordinance approving the use of an automated
10 traffic law enforcement system for each location at which the
11 local authority operates a fixed or mobile automated traffic
12 law enforcement system. A local authority may approve the
13 operation of an automated traffic law enforcement system
14 only if the system is located in a documented high-crash or
15 high-risk location at which there is a demonstrated safety
16 need for the system. The local authority shall demonstrate
17 the safety need for the system based on the volume of traffic,
18 the history of motor vehicle accidents, the frequency and type
19 of traffic violations, the risk to peace officers employing

20 traditional traffic enforcement methods, any additional
21 information required in the justification report, and any other
22 safety criteria deemed appropriate by the local authority.
23 These requirements shall apply for each location at which a
24 local authority, or another entity on a local authority's
25 behalf, operates a fixed or mobile automated traffic law
26 enforcement system. However, any area located within a road
27 work zone or school district, as those terms are defined in
28 section 321.1, shall be presumed to be a high-risk location at
29 which there is a demonstrated safety need for a system.
30 *b.* A justification report shall provide all necessary
31 information and documentation to demonstrate whether an area is
32 a high-crash or high-risk location and shall include but not be
33 limited to documentation regarding all the following:
34 (1) Existing traffic speeds, posted speed limits,
35 traffic volumes, and intersection or roadway geometry. Such

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1 documentation shall provide assurance that existing speed
2 limits and official traffic-control signal timings are
3 appropriate and shall describe how the limits and timings were
4 established.
5 (2) The applicable motor vehicle accident history, the
6 primary accident types, accident causes, accident severity, and
7 the history of any related traffic violations. Only accidents
8 attributable to violating the speed limit or an official
9 traffic-control signal shall be included in this report. Such
10 documentation shall compare accident data with data from other
11 similar locations within the local authority's jurisdiction,
12 other similar jurisdictions, and larger metropolitan areas.
13 (3) The identification of critical traffic safety issues
14 related to the data required by subparagraphs (1) and (2),
15 including a comprehensive list of solutions that may address
16 the critical traffic safety issues.
17 (4) Solutions or safety countermeasures that the local
18 authority has implemented along with those that the local
19 authority has considered but not implemented. These may
20 include solutions relating to law enforcement, engineering,
21 public education campaigns, or other safety countermeasures.
22 (5) Discussions held and actions taken by the local
23 authority with any partnering entities that have resources
24 which could aid in the reduction of accidents attributable
25 to violating the speed limit or an official traffic-control
26 signal.
27 (6) The reason or reasons the local authority believes an
28 automated traffic law enforcement system is the best solution
29 to address the critical traffic safety issues.
30 *c.* A local authority, or another entity on a local
31 authority's behalf, shall not operate an automated traffic law
32 enforcement system without posting signage meeting all of the
33 following requirements:

34 (1) For a fixed automated traffic law enforcement system,
35 permanent signs advising drivers that the system is in place

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1 shall be posted in clear and present view of passing drivers in
2 advance of the location where the system is in use.

3 (2) For a mobile automated traffic law enforcement system,
4 temporary or permanent signs advising drivers that the system
5 is in place shall be posted in clear and present view of
6 passing drivers in advance of the location where the system is
7 in use.

8 (3) The signage conforms to the manual on uniform
9 traffic-control devices as adopted by the department.

10 *d.* A local authority, or another entity on a local
11 authority's behalf, shall not issue a citation resulting from
12 the use of an automated traffic law enforcement system until
13 an active peace officer of the local authority has reviewed
14 the citation and any relevant recorded images produced by the
15 system.

16 *e.* The amount of the fine or civil penalty imposed by a
17 citation resulting from the use of an automated traffic law
18 enforcement system shall not exceed the amount of the fine for
19 a scheduled violation under section 805.8A for the same or a
20 similar violation of this chapter.

21 *f.* An automated traffic law enforcement system working
22 in conjunction with a speed measuring device or official
23 traffic-control signal shall comply with the generally accepted
24 procedures for operating the system. An automated traffic law
25 enforcement system shall verify its internal calibrations on a
26 daily basis. If the daily internal calibration is not valid,
27 the system shall not operate until a successful calibration
28 is subsequently conducted. In addition to the daily internal
29 calibration, a monthly calibration shall be conducted by a
30 person trained in the calibration of the system. A person
31 trained in the calibration of a mobile automated traffic law
32 enforcement system shall also conduct a calibration prior to
33 the use of the mobile system after any change in location.
34 A local authority, or another entity on a local authority's
35 behalf, operating an automated traffic law enforcement

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1 system shall maintain a monthly log detailing whether the
2 local authority or entity successfully performed the daily
3 and monthly calibrations. The log and documentation of the
4 calibrations shall be admissible in any court proceeding
5 relating to an official traffic-control signal violation
6 pursuant to section 321.257 or a speed limit violation pursuant
7 to section 321.285.

8 *g.* A local authority shall maintain or compile records
9 relating to the number of traffic violations and number

10 of traffic accidents for all locations at which the local
11 authority, or another entity on a local authority's behalf,
12 operates or intends to operate an automated traffic law
13 enforcement system. Such records shall be maintained or
14 compiled by the local authority for one year prior to the
15 installation of the automated traffic law enforcement system
16 and for each year the automated traffic law enforcement
17 system is in operation. Such records shall be available for
18 examination to the same extent allowed in section 22.2. A
19 local authority with an automated traffic law enforcement
20 system operating within its jurisdiction shall file an annual
21 report with the general assembly on or before December 31 of
22 each year detailing the effectiveness of each automated traffic
23 law enforcement system operating within its jurisdiction. An
24 annual report shall include the justification report described
25 in paragraph "b" and shall also include but not be limited to
26 information relating to increases or decreases in the number of
27 speed limit violations, violations of official traffic-control
28 signals, and traffic accidents.

29 *h.* Prior to a local authority placing an automated traffic
30 law enforcement system on a primary road, the local authority
31 shall obtain approval from the department in accordance
32 with rules adopted by the department. A local authority
33 shall submit to the department any information requested by
34 the department during the approval process. If the local
35 authority's use of the system is approved by the department,

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1 the local authority shall follow the requirements set forth
2 in rules adopted by the department. The department may
3 modify its rules relating to automated traffic law enforcement
4 systems to the extent necessary to ensure automated traffic
5 law enforcement systems are operated in a safe and equitable
6 manner. This paragraph "h" shall not apply to an automated
7 traffic law enforcement system approved or allowed to operate
8 in accordance with rules adopted by the department and in
9 operation prior to January 1, 2017. A local authority may
10 continue to operate such a system in the same manner as the
11 system was operated prior to January 1, 2017. However, after a
12 local authority discontinues operation of such a system, any
13 new manner of operation or new system operated by the local
14 authority shall comply with this paragraph "h". The department
15 shall have the authority to annually review all automated
16 traffic law enforcement systems placed on primary roads and
17 shall have the authority to require removal or modification of
18 such systems.

19 *i.* A local authority shall designate a process by which
20 a person may appeal a citation issued through the use of an
21 automated traffic law enforcement system, which at a minimum
22 shall provide for all of the following:

23 (1) An appeal to an impartial body created by the local

24 authority to review citations issued through the use of
25 automated traffic law enforcement systems.

26 (2) Following a decision from the impartial body that is
27 adverse to the person, an appeal to the district court, sitting
28 in small claims, of the county in which the local authority is
29 located.

30 *j.* (1) A local authority shall authorize a petition process
31 by which citizens within the local authority may petition for
32 the removal of a fixed automated traffic law enforcement system
33 or the disapproval of a location approved for the use of mobile
34 automated traffic law enforcement systems in accordance with
35 this section. Petitions under this paragraph “*j*” shall be

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1 specific to one fixed system or one location approved for the
2 use of mobile systems.

3 (2) If the local authority is a city, a petition brought
4 under this paragraph “*j*” is valid if it is signed by a number
5 of eligible electors of the city equal to or greater than ten
6 percent of the number of persons who voted in the last regular
7 city election. The petition shall include the signatures of
8 the petitioners, the places of residence of the petitioners,
9 and the date on which the petitioners signed the petition.

10 (3) If the local authority is a county, a petition brought
11 under this paragraph “*j*” is valid if it is signed by a number
12 of eligible electors of the county equal to or greater than
13 ten percent of the number of votes cast in the county in the
14 last presidential election. The petition shall include the
15 signatures of the petitioners, the places of residence of the
16 petitioners, and the date on which the petitioners signed the
17 petition.

18 (4) If a petition is valid as provided in this paragraph
19 “*j*”, the city council or county board of supervisors, as
20 applicable, shall vote on whether to repeal the ordinance
21 allowing the operation of the fixed system or approving the
22 location for the use of mobile systems.

23 (5) If a city council or county board of supervisors has
24 voted pursuant to subparagraph (4), a new petition for the same
25 fixed system or the same location approved for use of mobile
26 systems shall not be valid for three years after the date of
27 the vote.

28 *k.* A local authority that operates an automated traffic
29 law enforcement system in violation of this section shall be
30 precluded from operating any automated traffic law enforcement
31 system for a period of two years. A citizen residing within
32 the jurisdiction of a local authority which violates this
33 section shall be allowed to file suit to enjoin the local
34 authority from operating an automated traffic law enforcement
35 system in accordance with this paragraph “*k*”.

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1 3. All moneys collected by a local authority from citations
 2 issued as a result of the use of an automated traffic law
 3 enforcement system, less the amount necessary for the
 4 installation, operation, and maintenance of the automated
 5 traffic law enforcement system, shall be deposited in the
 6 account or accounts maintained by the local authority for
 7 moneys appropriated to the local authority from the secondary
 8 road fund or street construction fund of the cities, or shall
 9 be deposited in any account and used for the purposes of public
 10 safety. This subsection shall not apply to moneys collected
 11 for court costs or other associated costs, the criminal penalty
 12 surcharge required by section 911.1, or the county enforcement
 13 surcharge required by section 911.4, as applicable.>

14 2. Title page, line 2, by striking <and providing a penalty>
 15 and inserting <including systems in road work zones and school
 16 districts, and providing penalties>

S-5158

1 Amend House File 2338, as passed by the House, as follows:

2 1. Page 2, line 15, by striking <5, and 6,> and inserting
 3 <and 5,>

4 2. Page 6, by striking lines 13 through 26.

5 3. Page 10, by striking lines 22 through 25 and inserting:

6 <~~e~~. This subsection does not apply to a person whose license
 7 was revoked under section 321J.2A or section 321J.4, subsection
 8 4 or 6, to a person whose license was revoked under section
 9 321J.4, subsection 6, for the period during which the person is
 10 ineligible for a temporary restricted license, or to a person
 11 whose license is suspended or revoked for another reason.>

12 4. By renumbering as necessary.

COMMITTEE ON JUDICIARY
 BRAD ZAUN, Chair

S-5159

1 Amend the House amendment, S-5083, to Senate File 2177, as
 2 passed by the Senate, as follows:

3 1. Page 1, lines 24 and 25, by striking <subsections 1 and
 4 5, Code 2018, are> and inserting <subsection 5, Code 2018, is>

5 2. By striking page 1, line 26, through page 2, line 6.

BRAD ZAUN

S-5160

1 Amend House File 2445, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I>

4 2. Page 13, after line 1 by inserting:

5 <DIVISION II

6 Sec. ____ Section 35D.9, Code 2018, is amended to read as
7 follows:

8 **35D.9 County of ~~settlement~~ residence upon discharge.**

9 A member of the home does not acquire ~~legal settlement~~
10 ~~residency~~ in the county in which the home is located unless
11 the member is voluntarily or involuntarily discharged from the
12 home, ~~continuously resides in the county for a period of one~~
13 ~~year subsequent to the discharge, and during that year is not~~
14 ~~readmitted to the home or does not receive any services from~~
15 ~~the home and the member meets county of residence requirements.~~
16 For purposes of this section, "county of residence" means the
17 same as defined in section 331.394.

18 Sec. ____ Section 125.2, Code 2018, is amended by adding the
19 following new subsection:

20 **NEW SUBSECTION. 4A.** *"County of residence"* means the same
21 as defined in section 331.394.

22 Sec. ____ Section 125.2, subsection 13, Code 2018, is
23 amended by striking the subsection.

24 Sec. ____ Section 139A.12, Code 2018, is amended to read as
25 follows:

26 **139A.12 County liability for care, provisions, and medical**
27 **attendance.**

28 The local board shall provide proper care, provisions, and
29 medical attendance for any person removed and isolated or
30 quarantined in a separate house or hospital for detention and
31 treatment, and the care, provisions, and medical attendance
32 shall be paid for by the county in which the infected person
33 has ~~a legal settlement~~ residence, if the patient or legal
34 guardian is unable to pay.

35 Sec. ____ Section 139A.18, Code 2018, is amended to read as

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1 follows:

2 **139A.18 Reimbursement from county.**

3 If any person receives services or supplies under this
4 chapter who does not have ~~a legal settlement~~ residence in the
5 county in which the bills were incurred and paid, the amount
6 paid shall be certified to the board of supervisors of the
7 county in which the person claims settlement or owns property,
8 and the board of supervisors of that county shall reimburse the
9 county from which the claim is certified, in the full amount
10 originally paid.

11 Sec. ____ Section 232.141, subsections 7 and 8, Code 2018,
12 are amended to read as follows:

13 7. A county charged with the costs and expenses under
14 subsections 2 and 3 may recover the costs and expenses from the
15 ~~county where the child has legal settlement~~ child's custodial
16 parent's county of residence, as defined in section 331.394.
17 by filing verified claims which are payable as are other

18 claims against the county. A detailed statement of the facts
 19 upon which a claim is based shall accompany the claim. ~~Any~~
 20 ~~dispute involving the legal settlement of a child for which the~~
 21 ~~court has ordered payment under this section shall be settled~~
 22 ~~pursuant to sections 252.22 and 252.23.~~

23 8. This subsection applies only to placements in a juvenile
 24 shelter care home which is publicly owned, operated as a county
 25 or multicounty shelter care home, organized under a chapter 28E
 26 agreement, or operated by a private juvenile shelter care home.
 27 If the actual and allowable costs of a child's shelter care
 28 placement exceed the amount the department is authorized to
 29 pay in accordance with law and administrative rule, the unpaid
 30 costs may be recovered from the child's custodial parent's
 31 county of legal settlement residence. However, the maximum
 32 amount of the unpaid costs which may be recovered under this
 33 subsection is limited to the difference between the amount
 34 the department is authorized to pay and the statewide average
 35 of the actual and allowable rates in effect in May of the

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1 preceding fiscal year for reimbursement of juvenile shelter
 2 care homes. In no case shall the home be reimbursed for more
 3 than the home's actual and allowable costs. The unpaid costs
 4 are payable pursuant to filing of verified claims against
 5 the child's custodial parent's county of legal settlement
 6 residence. A detailed statement of the facts upon which a
 7 claim is based shall accompany the claim. Any dispute between
 8 counties arising from filings of claims pursuant to this
 9 subsection shall be settled in the manner provided to determine
 10 residency in section 331.394.

11 Sec. __. Section 252.24, Code 2018, is amended to read as
 12 follows:

13 **252.24 County of settlement residence liable — exception.**

14 1. The county ~~where the settlement is of residence, as~~
 15 defined in section 331.394, shall be liable to the county
 16 granting assistance for all reasonable charges and expenses
 17 incurred in the assistance and care of a poor person.

18 2. When assistance is furnished by any governmental agency
 19 of the county, township, or city, the assistance shall be
 20 deemed to have been furnished by the county in which the
 21 agency is located and the agency furnishing the assistance
 22 shall certify the correctness of the costs of the assistance
 23 to the board of supervisors of that county and that county
 24 shall collect from the ~~county of the person's settlement county~~
 25 of residence. The amounts collected by the county where the
 26 agency is located shall be paid to the agency furnishing the
 27 assistance. This statute applies to services and supplies
 28 furnished as provided in section 139A.18.

29 3. ~~Notwithstanding subsection 2, if This section shall~~
 30 apply to assistance or maintenance ~~is~~ provided by a county
 31 through the county's mental health and disability services

32 system implemented under chapter 331, ~~liability for the~~
 33 ~~assistance and maintenance is the responsibility of the~~
 34 ~~person's county of residence.~~
 35 Sec. ____ Section 331.502, subsection 14, Code 2018, is

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1 amended by striking the subsection.
 2 Sec. ____ Section 331.653, subsection 25, Code 2018, is
 3 amended by striking the subsection.
 4 Sec. ____ Section 347.16, subsection 3, Code 2018, is
 5 amended to read as follows:
 6 3. Care and treatment may be furnished in a county public
 7 hospital to any sick or injured person who has ~~legal settlement~~
 8 ~~residence~~ outside the county which maintains the hospital,
 9 subject to such policies and rules as the board of hospital
 10 trustees may adopt. If care and treatment is provided under
 11 this subsection to a person who is indigent, the ~~county in~~
 12 ~~which that person has legal settlement~~ ~~person's county of~~
 13 ~~residence, as defined in section 331.394,~~ shall pay to the
 14 board of hospital trustees the fair and reasonable cost of
 15 the care and treatment provided by the county public hospital
 16 unless the cost of the indigent person's care and treatment is
 17 otherwise provided for. If care and treatment is provided to
 18 an indigent person under this subsection, the county public
 19 hospital furnishing the care and treatment shall immediately
 20 notify, by regular mail, the auditor of the county of ~~legal~~
 21 ~~settlement~~ ~~residence~~ of the indigent person of the provision
 22 of care and treatment to the indigent person. ~~However, if the~~
 23 ~~including~~ care and treatment is provided by a county through
 24 the county's mental health and disability services system
 25 implemented under chapter 331, ~~liability for the assistance~~
 26 ~~and maintenance is the responsibility of the person's county~~
 27 ~~of residence.~~
 28 Sec. ____ REPEAL. Sections 252.16, 252.17, 252.18, 252.22,
 29 and 252.23, Code 2018, are repealed.>
 30 3. Title page, by striking line 3 and inserting <and the
 31 responsibility for other health-related services.>
 32 4. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES
 MARK SEGEBART, Chair

S-5161

1 Amend Senate File 2342 as follows:
 2 1. Page 1, by striking lines 4 through 8 and inserting <any
 3 standard, requirement, or threshold, including any term or
 4 condition of a permit or license issued by the agency, unless
 5 that standard, requirement, or threshold is clearly required
 6 or clearly permitted by a state statute, rule adopted pursuant
 7 to this chapter, or a federal statute or regulation, or is

8 required by a court ruling, a state or federal executive order,
 9 a state or federal directive that would result in the gain or
 10 loss of specific funding, or a federal waiver.>
 11 2. Title page, by striking line 3 and inserting <clear
 12 authorization.>

TOM SHIPLEY

S-5162

1 Amend House File 2458, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 21, after line 27 by inserting:
 4 <Sec. ___. LEGISLATIVE FINDINGS AND INTENT. The general
 5 assembly finds that health occupations are widely recognized as
 6 high-demand occupations and high-turnover jobs. Therefore, it
 7 is the intent of the general assembly that the college student
 8 aid commission, the department of workforce development and
 9 the Iowa workforce development board, the Iowa commission on
 10 volunteer service, and the economic development authority work
 11 to incorporate health occupations, including but not limited
 12 to nurse aides, home care and hospice aides, and other direct
 13 care and service workers, in programs created under this Act
 14 to address the recruitment and retention of the direct care
 15 workforce and assist in bringing to scale recruitment and
 16 retention programs and initiatives that utilize best practices,
 17 such as the prepare to care training program and the mouth care
 18 matters initiative.>
 19 2. By renumbering as necessary.

MATT McCOY

S-5163

1 Amend House File 2458, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 4, after line 30 by inserting:
 4 <c. Moneys appropriated for purposes of this section
 5 shall not be used for marketing and promotional materials
 6 including but not limited to t-shirts, hats, stickers, bumper
 7 stickers, buttons, pencils, pens, bandanas, scarves, banners,
 8 signs, calendars, fans, insulated beverage containers, sticky
 9 notes, notepads, balloons, thundersticks, bus and billboard
 10 advertising, television and radio commercials, combs, cups,
 11 keychains, rulers, flying discs, mouse pads, and bags.>
 12 2. Page 6, after line 8 by inserting:
 13 <5A. Moneys appropriated for purposes of this section
 14 shall not be used for marketing and promotional materials
 15 including but not limited to t-shirts, hats, stickers, bumper
 16 stickers, buttons, pencils, pens, bandanas, scarves, banners,
 17 signs, calendars, fans, insulated beverage containers, sticky
 18 notes, notepads, balloons, thundersticks, bus and billboard

19 advertising, television and radio commercials, combs, cups,
 20 keychains, rulers, flying discs, mouse pads, and bags.>
 21 3. Page 9, after line 2 by inserting:
 22 <5. Moneys appropriated for purposes of this section
 23 shall not be used for marketing and promotional materials
 24 including but not limited to t-shirts, hats, stickers, bumper
 25 stickers, buttons, pencils, pens, bandanas, scarves, banners,
 26 signs, calendars, fans, insulated beverage containers, sticky
 27 notes, notepads, balloons, thundersticks, bus and billboard
 28 advertising, television and radio commercials, combs, cups,
 29 keychains, rulers, flying discs, mouse pads, and bags.>
 30 4. Page 10, line 23, after <section.> by inserting <Moneys
 31 appropriated for purposes of this section shall not be used
 32 for marketing and promotional materials including but not
 33 limited to t-shirts, hats, stickers, bumper stickers, buttons,
 34 pencils, pens, bandanas, scarves, banners, signs, calendars,
 35 fans, insulated beverage containers, sticky notes, notepads,

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1 balloons, thundersticks, bus and billboard advertising,
 2 television and radio commercials, combs, cups, keychains,
 3 rulers, flying discs, mouse pads, and bags.>
 4 5. Page 16, line 14, after <section.> by inserting <Moneys
 5 appropriated for purposes of this section shall not be used
 6 for marketing and promotional materials including but not
 7 limited to t-shirts, hats, stickers, bumper stickers, buttons,
 8 pencils, pens, bandanas, scarves, banners, signs, calendars,
 9 fans, insulated beverage containers, sticky notes, notepads,
 10 balloons, thundersticks, bus and billboard advertising,
 11 television and radio commercials, combs, cups, keychains,
 12 rulers, flying discs, mouse pads, and bags.>
 13 6. Page 21, line 5, after <section.> by inserting <Moneys
 14 appropriated for purposes of this section shall not be used
 15 for marketing and promotional materials including but not
 16 limited to t-shirts, hats, stickers, bumper stickers, buttons,
 17 pencils, pens, bandanas, scarves, banners, signs, calendars,
 18 fans, insulated beverage containers, sticky notes, notepads,
 19 balloons, thundersticks, bus and billboard advertising,
 20 television and radio commercials, combs, cups, keychains,
 21 rulers, flying discs, mouse pads, and bags.>
 22 7. By renumbering, redesignating, and correcting internal
 23 references as necessary.

NATE BOULTON

S-5164

1 Amend House File 2281, as passed by the House, as follows:
 2 1. Page 1, after line 8 by inserting:
 3 <Sec. _____. Section 459.102, Code 2018, is amended by adding
 4 the following new subsection:

5 NEW SUBSECTION. 51A. “*Small confinement feeding operation*”
 6 means a confinement feeding operation that has an animal unit
 7 capacity of three hundred or fewer animal units.

8 Sec. ____ Section 459.202, subsection 1, paragraph a, Code
 9 2018, is amended to read as follows:

10 a. Except as provided in subsection 3 and sections 459.203,
 11 459.203A, 459.205, and 459.206, this subsection applies to
 12 confinement feeding operation structures constructed on or
 13 after May 31, 1995, but prior to January 1, 1999; and to the
 14 expansion of structures constructed prior to January 1, 1999.

15 Sec. ____ Section 459.202, subsection 2, paragraph a, Code
 16 2018, is amended to read as follows:

17 a. Except as provided in subsection 3 and sections 459.203,
 18 459.203A, 459.205, and 459.206, this subsection applies to
 19 confinement feeding operation structures constructed on or
 20 after January 1, 1999, but prior to March 1, 2003, and to the
 21 expansion of structures constructed on or after January 1,
 22 1999, but prior to March 1, 2003.

23 Sec. ____ Section 459.202, subsection 3, paragraph a, Code
 24 2018, is amended to read as follows:

25 a. Except as provided in sections 459.203, 459.203A,
 26 459.205, and 459.206, this subsection applies to confinement
 27 feeding operation structures constructed on or after May
 28 31, 1995, but prior to March 1, 2003; to the expansion of
 29 structures constructed on or after May 31, 1995, but prior to
 30 March 1, 2003; and to the expansion of structures constructed
 31 prior to May 31, 1995.

32 Sec. ____ Section 459.202, subsection 4, paragraph a, Code
 33 2018, is amended to read as follows:

34 a. Except as provided in subsection 5 and sections 459.203,
 35 459.203A, 459.205, and 459.206, this subsection applies to

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1 confinement feeding operation structures constructed on or
 2 after March 1, 2003, and to the expansion of confinement
 3 feeding operation structures constructed on or after March 1,
 4 2003.

5 Sec. ____ Section 459.202, subsection 5, paragraph a, Code
 6 2018, is amended to read as follows:

7 a. Except as provided in sections 459.203, 459.203A,
 8 459.205, and 459.206, this subsection applies to confinement
 9 feeding operation structures constructed on or after March 1,
 10 2003, and to the expansion of confinement feeding operation
 11 structures constructed on or after March 1, 2003.

12 Sec. ____ Section 459.202, subsection 6, Code 2018, is
 13 amended to read as follows:

14 6. Except as provided in ~~section~~ sections 459.203A and
 15 459.205, a confinement feeding operation structure shall not be
 16 constructed or expanded within one hundred feet from a public
 17 thoroughfare.

18 Sec. ____ Section 459.203, unnumbered paragraph 1, Code

19 2018, is amended to read as follows:

20 A confinement feeding operation that does not qualify as a
 21 small confinement feeding operation, that was constructed or
 22 expanded prior to the date that ~~a~~ the applicable separation
 23 distance requirement became effective under section 459.202,
 24 and ~~which that~~ does not comply with ~~the section's that~~
 25 separation distance requirement may continue to operate
 26 regardless of the separation distance requirement. The
 27 confinement feeding operation may be expanded only if any of
 28 the following applies:

29 Sec. __. NEW SECTION. 459.203A Separation distance
 30 requirements for confinement feeding operations qualifying as
 31 small animal feeding operations — expansion of prior constructed
 32 operations.

33 1. A confinement feeding operation that qualifies as a small
 34 confinement feeding operation, that was constructed or expanded
 35 prior to the date that the applicable separation distance

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1 requirement became effective under section 459.202, and that
 2 does not comply with that separation distance requirement
 3 on and after the effective date of this Act may continue to
 4 operate regardless of the separation distance requirement.

5 2. A confinement feeding operation described in subsection
 6 1 may be expanded only if all of the following apply:

7 a. The confinement feeding operation is not expanded by
 8 the construction or expansion of an unformed manure storage
 9 structure. However, the confinement feeding operation may
 10 be expanded by replacing one or more unformed manure storage
 11 structures with one or more formed manure storage structures,
 12 subject to all of the following:

13 (1) The animal weight capacity or animal unit capacity,
 14 whichever is applicable, is not increased for that portion of
 15 the confinement feeding operation that utilizes all replacement
 16 formed manure storage structures.

17 (2) The use of each replaced unformed manure storage
 18 structure is discontinued within one year after the
 19 construction of the replacement formed manure storage
 20 structure.

21 (3) The capacity of all replacement formed manure storage
 22 structures does not exceed the amount required to store manure
 23 produced by that portion of the confinement feeding operation
 24 utilizing the formed manure storage structures during any
 25 fourteen-month period.

26 (4) No portion of the replacement formed manure storage
 27 structure is closer to an object or location for which a
 28 separation distance is required under section 459.202 than any
 29 other confinement feeding operation structure which is part of
 30 the operation.

31 b. (1) For a confinement feeding operation constructed
 32 prior to January 1, 1999, any construction or expansion of

33 a confinement feeding operation structure complies with the
 34 separation distance requirements applying to that structure as
 35 provided in section 459.202, subsections 1 and 3.

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1 (2) For a confinement feeding operation constructed on
 2 or after January 1, 1999, but prior to March 1, 2003, any
 3 construction or expansion of a confinement feeding operation
 4 structure complies with the separation distance requirements
 5 applying to that structure as provided in section 459.202,
 6 subsections 2 and 3.

7 (3) For a confinement feeding operation constructed on
 8 or after March 1, 2003, any construction or expansion of a
 9 confinement feeding operation structure complies with the
 10 separation distance requirements applying to that structure as
 11 provided in section 459.202, subsections 4 and 5.

12 Sec. ____ Section 459.205, subsection 1, Code 2018, is
 13 amended to read as follows:

14 1. A confinement feeding operation structure, if the
 15 structure is part of a confinement feeding operation ~~which that~~
 16 qualifies as a small ~~animal confinement~~ feeding operation.
 17 However, this subsection shall not apply if the confinement
 18 feeding operation structure is an unformed manure storage
 19 structure.

20 Sec. ____ Section 459.205, subsection 4, paragraph c, Code
 21 2018, is amended to read as follows:

22 c. The liquid manure originates from a small ~~animal~~
 23 confinement feeding operation.

24 Sec. ____ Section 459.205, subsection 5, Code 2018, is
 25 amended to read as follows:

26 5. The stockpiling of dry manure within a separation
 27 distance required between a stockpile and an object or location
 28 for which a separation distance is required under section
 29 459.204B if any of the following apply:

30 a. The titleholder of the land benefiting from the
 31 separation distance requirement executes a written waiver with
 32 the titleholder of the land where the stockpile is located.

33 b. The stockpile consists of dry manure originating from a
 34 small animal feeding operation other than a confinement feeding
 35 operation.

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1 c. The stockpile consists of dry manure originating from a
 2 small confinement feeding operation.

3 d. The stockpile consists of dry manure originating from
 4 a confinement feeding operation that was constructed before
 5 January 1, 2006, unless the confinement feeding operation is
 6 expanded after that date.>

7 2. Title page, lines 1 and 2, by striking <operations
 8 maintaining fishes,> and inserting <operations, including>

- 9 3. By renumbering as necessary.

DAVID JOHNSON

S-5165

- 1 Amend House File 2446, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, by striking lines 19 and 20 and inserting
 4 <sections ~~476.11, 476.20~~, 476.95, ~~476.96~~, 476.95A, 476.95B,
 5 476.100, ~~476.101~~, and 476.102.>
 6 2. Page 14, line 23, by striking <476.100,>

RANDY FEENSTRA

S-5166

HOUSE AMENDMENT TO
 SENATE FILE 2200

- 1 Amend Senate File 2200, as passed by the Senate, as follows:
 2 1. Page 3, line 3, by striking <commerce> and inserting
 3 <commerce, except as permitted under Title 38 of the United
 4 States Code>

S-5167

- 1 Amend House File 2397, as passed by the House, as follows:
 2 1. Page 1, by striking lines 1 through 18 and inserting:
 3 <Sec. . **NEW SECTION. 671A.1 Limitation on admissibility**
 4 **of evidence.**
 5 1. *Witness's character for truthfulness or untruthfulness.*
 6 a. *Reputation or opinion evidence.* A witness's credibility
 7 may be attacked or supported by testimony about the witness's
 8 reputation for having a character for truthfulness or
 9 untruthfulness, or by testimony in the form of an opinion
 10 about that character. But evidence of truthful character is
 11 admissible only after the witness's character for truthfulness
 12 has been attacked.
 13 b. *Specific instances of conduct.* Except for a criminal
 14 conviction under subsection 2, extrinsic evidence is not
 15 admissible to prove specific instances of a witness's conduct
 16 in order to attack or support the witness's character for
 17 truthfulness. But the court may, on cross-examination, allow
 18 them to be inquired into if they are probative of the character
 19 for truthfulness or untruthfulness of:
 20 (1) The witness; or
 21 (2) Another witness whose character the witness being
 22 cross-examined has testified about.
 23 By testifying on another matter, a witness does not waive any
 24 privilege against self-incrimination for testimony that relates
 25 only to the witness's character for truthfulness.

26 2. *Impeachment by evidence of a criminal conviction.*

27 a. *In general.* The following apply to attacking a
28 witness's character for truthfulness by evidence of a criminal
29 conviction:

30 (1) For a crime that in the convicting jurisdiction was
31 punishable by death or by imprisonment for more than one year,
32 the evidence:

33 (a) Must be admitted, unless the court determines it must be
34 excused on grounds of prejudice, confusion, waste of time, or
35 other reasons, in a civil case or in a criminal case in which

Page 2

1 the witness is not a defendant.

2 (b) Must be admitted in a criminal case in which the
3 witness is a defendant, if the probative value of the evidence
4 outweighs its prejudicial effect to that defendant.

5 (2) For any crime regardless of the punishment, the evidence
6 must be admitted if the crime involved dishonesty or false
7 statement.

8 b. *Limit on using the evidence after ten years.* This
9 paragraph applies if more than ten years have passed since
10 the witness's conviction or release from confinement for it,
11 whichever is later. Evidence of the conviction is admissible
12 only if:

13 (1) Its probative value, supported by specific facts and
14 circumstances, substantially outweighs its prejudicial effect;
15 and

16 (2) The proponent gives an adverse party reasonable written
17 notice of the intent to use it so that the party has a fair
18 opportunity to contest its use.

19 c. *Effect of pardon, annulment, or certificate of*
20 *rehabilitation.* Evidence of a conviction is not admissible if:

21 (1) The conviction has been the subject of a pardon,
22 annulment, certificate of rehabilitation, or other equivalent
23 procedure based on a finding that the person has been
24 rehabilitated, and the person has not been convicted of a later
25 crime punishable by death or by imprisonment for more than one
26 year; or

27 (2) The conviction has been the subject of a pardon,
28 annulment, or other equivalent procedure based on a finding of
29 innocence.

30 d. *Juvenile adjudications.* Evidence of a juvenile
31 adjudication is admissible under this rule only if:

32 (1) It is offered in a criminal case;

33 (2) The adjudication was of a witness other than the
34 defendant;

35 (3) An adult's conviction for that offense would be

Page 3

1 admissible to attack the adult's credibility; and

2 (4) Admitting the evidence is necessary to fairly determine
3 guilt or innocence.

4 *e. Pendency of an appeal.* A conviction that satisfies this
5 rule is admissible even if an appeal is pending. Evidence of
6 the pendency of the appeal is also admissible.

7 2. Title page, lines 1 and 2 by striking <of an employee's
8 criminal history in civil actions>

9 3. By renumbering as necessary.

NATE BOULTON

S-5168

1 Amend House File 2392, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, line 6, after <communications> by inserting <in
4 order to provide proof of or prevent criminal activity that is>

JEFF EDLER

S-5169

1 Amend House File 2305, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 2, after line 15 by inserting:

4 <Sec. _____. COVERAGE FOR HEALTH CARE SERVICES DELIVERED BY
5 TELEHEALTH — CONSISTENCY ACROSS PROGRAMS.

6 1. The department of human services shall adopt rules
7 pursuant to chapter 17A to provide for coverage of health
8 care services delivered by telehealth consistent with section
9 514C.32, as enacted in this Act, under the state family
10 planning services program established pursuant to section
11 217.41B, the Medicaid program established pursuant to chapter
12 249A, the Iowa health and wellness plan established pursuant
13 to chapter 249N, the healthy and well kids in Iowa program
14 established pursuant to chapter 514I, and any other program
15 established under the purview of the department of human
16 services providing health care services as defined in section
17 514C.32, as enacted in this Act.

18 2. A health benefit plan, not deemed to be insurance, that
19 provides health benefits through a third-party administrator,
20 including but not limited to a health benefit plan sponsored
21 by a nonprofit agricultural organization, pursuant to section
22 505.20, if enacted by 2018 Iowa Acts, Senate File 2329, shall
23 comply with section 514C.32, as enacted in this Act.>

24 2. Title page, line 1, before <coverage> by inserting <and
25 other third-party>

26 3. By renumbering as necessary.

JANET PETERSEN

S-5170

1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 7 and 8 and inserting <A plan
 4 selected by the board shall ~~remain in effect for at least six~~
 5 ~~years unless it is~~ only be changed by a>

ROBERT M. HOGG

S-5171

1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 9 through 24 and inserting
 4 <special election as provided in section 331.207.>

ROBERT M. HOGG

S-5172

HOUSE AMENDMENT TO
 SENATE FILE 2117

1 Amend Senate File 2117, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:

<DIVISION I
 APPROPRIATION REDUCTIONS

6 Section 1. EXECUTIVE BRANCH APPROPRIATION REDUCTIONS.

8 1. For the period beginning on the effective date of this
 9 section and ending on June 30, 2018, the following departments
 10 and agencies and the judicial branch are subject to a reduction
 11 in expenditures made from appropriations from the general fund
 12 in the following amounts:

13 a. Department of administrative services		
14	\$	62,560
15 b. Auditor of state		
16	\$	8,062
17 c. Department of commerce		
18	\$	12,433
19 d. Executive council		
20	\$	777
21 e. Governor's office		
22	\$	20,888
23 f. Governor's office of drug control policy		
24	\$	2,058
25 g. Department of human rights		
26	\$	21,228
27 h. Department of inspections and appeals		
28	\$	102,374

29 In identifying and implementing the reduction pursuant
 30 to this paragraph, the director of the department shall be
 31 authorized to make allocations between department divisions
 32 in the manner and to the extent as the director determines
 33 appropriate, in consultation with the department of management.
 34 i. State public defender
 35 \$ 236,041

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1 j. Department of management
 2 \$ 22,629
 3 k. Department of revenue
 4 \$ 528,271
 5 l. Secretary of state
 6 \$ 31,525
 7 m. Treasurer of state
 8 \$ 9,256
 9 n. Department of agriculture and land stewardship
 10 \$ 188,688
 11 o. Department of natural resources
 12 \$ 123,373
 13 p. Department of economic development
 14 \$ 157,960
 15 q. Iowa workforce development
 16 \$ 166,960
 17 r. Department for the blind
 18 \$ 19,720
 19 s. College aid commission
 20 \$ 94,172
 21 t. Department of education
 22 \$ 784,830
 23 In identifying and implementing the reduction pursuant to
 24 this paragraph, the department shall not reduce the standing
 25 appropriation under section 285.2, subsection 1, paragraph "b",
 26 for purposes of nonpublic school transportation.
 27 u. Community colleges
 28 \$ 500,000
 29 v. Vocational rehabilitation
 30 \$ 54,472
 31 w. Iowa public television
 32 \$ 68,421
 33 x. Board of regents
 34 \$ 10,933,070
 35 In identifying and implementing the reduction pursuant to

Page 3

1 this paragraph, the board shall not reduce expenditures made
 2 from appropriations for the university of northern Iowa, the
 3 state school for the deaf, and the Iowa braille and sight
 4 saving school.

5	y. Department on aging	
6	.....	\$ 110,012
7	z. Department of public health	
8	.....	\$ 662,871
9	aa. Department of human services	
10	.....	\$ 4,316,042
11	In identifying and implementing the reduction pursuant	
12	to this paragraph, the department shall not reduce benefits	
13	available under the Medicaid state plan and approved waivers.	
14	ab. Department of veterans affairs	
15	.....	\$ 36,877
16	ac. Iowa veterans home	
17	.....	\$ 65,164
18	ad. Department of Justice	
19	.....	\$ 378,471
20	In identifying and implementing the reduction pursuant to	
21	this paragraph, the department shall not reduce expenditures	
22	made from appropriations for victim assistance grants.	
23	ae. Iowa civil rights commission	
24	.....	\$ 10,431
25	af. Department of corrections	
26	.....	\$ 3,405,688
27	ag. Law enforcement academy	
28	.....	\$ 8,607
29	ah. Department of public defense	
30	.....	\$ 59,193
31	ai. Department of homeland security and emergency	
32	management	
33	\$ 19,130
34	aj. Department of public safety	
35	\$ 200,000

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1 The department shall not apply any reduction to expenditures
2 made from appropriations to the division of the state patrol.
3 ak. Judicial branch
4 \$ 1,611,815
5 2. The department of management, in consultation with
6 the departments and agencies and the judicial branch listed
7 in subsection 1, shall identify and implement the reductions
8 in subsection 1 with respect to the appropriate general fund
9 appropriations. Within fifteen days of the effective date of
10 this section, the department of management shall transmit a
11 report to the general assembly and legislative services agency
12 listing the appropriation reductions applied.
13 3. In order to implement the reductions in subsection 1,
14 the departments and agencies and the judicial branch may adjust
15 allocations made from appropriations that are being reduced.
16 4. In order to implement the reductions in subsection 1, the
17 department of management may reduce a standing appropriation to
18 a department or agency required to reduce expenditures pursuant

19 to subsection 1.

20 Sec. 2. TRANSFER — IOWA SKILLED WORKER AND JOB CREATION
21 FUND. There is transferred from the Iowa skilled worker and
22 job creation fund created in section 8.75 to the general fund
23 of the state for the fiscal year beginning July 1, 2017, and
24 ending June 30, 2018, the following amount:

25 \$ 10,000,000

26 Sec. 3. 2017 Iowa Acts, chapter 169, section 17, subsection
27 1, paragraph a, subparagraph (1), is amended to read as
28 follows:

29 (1) For the purposes of providing assistance under the high
30 quality jobs program as described in section 15.335B:

31 \$ 15,900,000

32 5,900,000

33 Sec. 4. 2017 Iowa Acts, chapter 170, section 5, subsection
34 1, is amended to read as follows:

35 1. The appropriations made pursuant to section 2.12 for the

Page 5

1 expenses of the general assembly and legislative agencies for
2 the fiscal year beginning July 1, 2017, and ending June 30,
3 2018, are reduced by the following amount:

4 \$ 400,000

5 687,318

6 Sec. 5. 2017 Iowa Acts, chapter 174, section 31, subsection
7 1, paragraph c, subparagraph (3), is amended to read as
8 follows:

9 (3) (a) For the fiscal year beginning July 1, 2017, the
10 graduate medical education and disproportionate share hospital
11 fund shall remain at the amount in effect on June 30, 2017,
12 ~~except that the portion of the fund attributable to graduate~~
13 ~~medical education shall be reduced in an amount that reflects~~
14 ~~the elimination of graduate medical education payments made to~~
15 ~~out of state hospitals.~~

16 (b) Effective May 1, 2018, a hospital that is located in
17 Iowa, is classified as state government-owned or nonstate
18 government-owned, and qualifies for graduate medical education
19 or disproportionate share hospital payments shall transfer
20 to the medical assistance program an amount equal to provide
21 the nonfederal share for a graduate medical education and
22 disproportionate share hospital payment. Distribution of the
23 payments shall be made on a monthly basis. A hospital that
24 meets the specified conditions shall receive and retain one
25 hundred percent of the total graduate medical education and
26 disproportionate share hospital payments.

27 Sec. 6. REPEAL. 2017 Iowa Acts, chapter 170, section 18,
28 is repealed.

29 DIVISION II

30 SUPPLEMENTAL APPROPRIATIONS

31 Sec. 7. INDIGENT DEFENSE. There is appropriated from the
32 general fund of the state to the office of the state public

33 defender of the department of inspections and appeals for the
34 fiscal year beginning July 1, 2017, and ending June 30, 2018,
35 the following amount, or so much thereof as is necessary to

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1 supplement appropriations made for the following designated
2 purpose:

3 For payments on behalf of eligible adults and juveniles from
4 the indigent defense fund in accordance with section 815.11:
5 \$ 1,700,000

6 Sec. 8. UTILITY COSTS. There is appropriated from the
7 general fund of the state to the department of administrative
8 services for the fiscal year beginning July 1, 2017, and ending
9 June 30, 2018, the following amount, or so much thereof as is
10 necessary to supplement appropriations made for the following
11 designated purpose:

12 For payment of utility costs:
13 \$ 451,871

14 Sec. 9. 2017 Iowa Acts, chapter 174, section 36, is amended
15 to read as follows:

16 SEC. 36. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
17 appropriated from the pharmaceutical settlement account created
18 in section 249A.33 to the department of human services for the
19 fiscal year beginning July 1, 2017, and ending June 30, 2018,
20 the following amount, or so much thereof as is necessary, to be
21 used for the purpose designated:

22 Notwithstanding any provision of law to the contrary, to
23 supplement the appropriations made in this Act for medical
24 contracts under the medical assistance program for the fiscal
25 year beginning July 1, 2017, and ending June 30, 2018:
26 \$ 800,000

27
28 DIVISION III
29 IOWA ECONOMIC EMERGENCY FUND

30 Sec. 10. Section 8.55, subsection 3, paragraph c, Code 2018,
31 is amended by striking the paragraph and inserting in lieu
32 thereof the following:
33 c. There is appropriated from the Iowa economic emergency
34 fund to the general fund of the state for the fiscal year in
35 which moneys in the fund were used for cash flow purposes,

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1 for the purposes of reducing or preventing any overdraft on
2 or deficit in the general fund of the state, the amount from
3 the Iowa economic emergency fund that was used for cash flow
4 purposes pursuant to paragraph "b" and that was not returned
5 to the Iowa economic emergency fund by June 30 of the fiscal
6 year. The appropriation in this paragraph shall not exceed one
7 percent of the adjusted revenue estimate for the fiscal year
8 for which the appropriation is made and is contingent upon all

9 of the following having occurred:

10 (1) Prior to an appropriation being made pursuant to this
11 paragraph, the balance of the general fund of the state at the
12 end of the fiscal year for which the appropriation is made is
13 negative.

14 (2) The governor issues an official proclamation and
15 notifies the legislative fiscal committee and the legislative
16 services agency that the balance of the general fund is
17 negative and that an appropriation made pursuant to this
18 paragraph brings the general fund of the state into balance.

19 Sec. 11. APPROPRIATION IN LIEU OF STANDING APPROPRIATION.

20 1. There is appropriated from the Iowa economic emergency
21 fund created in section 8.55 to the general fund of the state
22 for the fiscal year beginning July 1, 2017, and ending June 30,
23 2018, the following amount:

24 \$ 13,000,000

25 2. The appropriation made pursuant to this section is in
26 lieu of the standing appropriation implemented under section
27 8.55 by the department of management pursuant to the official
28 proclamation issued by the governor on September 28, 2017.

29 Sec. 12. RETROACTIVE APPLICABILITY. The following
30 provision or provisions of this division of this Act apply
31 retroactively to September 28, 2017:

32 The section of this division of this Act appropriating
33 moneys from the Iowa economic emergency fund to the general
34 fund in lieu of a prior standing appropriation.

35 DIVISION IV

Page 8

1 EFFECTIVE DATE

2 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
3 immediate importance, takes effect upon enactment.>

S-5173

1 Amend House Joint Resolution 2009, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 5 through 9 and inserting:
4 <Right to keep and bear arms. SEC. 1A. A well regulated
5 Militia, being necessary to the security of a free State,
6 the right of the people to keep and bear Arms, shall not be
7 infringed.>

TONY BISIGNANO

S-5174

1 Amend the House amendment, S-5172, to Senate File 2117, as
2 amended, passed, and reprinted by the Senate, as follows:

- 3 1. Page 7, by striking lines 19 through 34.
 4 2. By renumbering as necessary.

DAVID JOHNSON
 ROBERT M. HOGG

S-5175

- 1 Amend House File 2370, as passed by the House, as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. NEW SECTION. 91A.5B Treatment of adoptive
 4 parent employees.
 5 1. For purposes of this section, “*adoption*” means the
 6 permanent placement in this state of a child by the department
 7 of human services, by a licensed agency under chapter 238, by
 8 an agency that meets the provisions of the interstate compact
 9 in section 232.158, or by a person making an independent
 10 placement according to the provisions of chapter 600.
 11 2. An employer shall treat an employee who chooses to
 12 adopt in the same manner as an employee who is the biological
 13 parent of a newborn child for purposes of employment policies,
 14 benefits, and protections for the first year of the adoption.>
 15 2. Title page, line 1, after <relating to> by inserting
 16 <adoption including treatment of adoptive parent employees and>
 17 3. By renumbering as necessary.

TONY BISIGNANO

S-5176

- 1 Amend House File 2466, as passed by the House, as follows:
 2 1. Page 2, after line 24 by inserting:
 3 <f. In administering this section, an employee or agent of
 4 the department shall not enter private property without the
 5 consent of the owner or occupant and the department shall not
 6 establish any requirements on the use of the private property.>

KEN ROZENBOOM

S-5177

- 1 Amend the House amendment, S-5172, to Senate File 2117, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 2, by striking lines 27 and 28.
 4 2. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-5178

HOUSE AMENDMENT TO
SENATE FILE 2349

1 Amend Senate File 2349, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 505.20 Certain agricultural
5 **organizations exempt from regulation.**

6 1. A health benefit plan, sponsored by a nonprofit
7 agricultural organization domiciled in this state and created
8 primarily to promote programs for the development of rural
9 communities and the economic stability and sustainability of
10 farmers in the state which meets the requirements set forth in
11 subsection 2, shall be deemed to not be insurance and shall
12 not be subject to the provisions of Title XIII, subtitle 1, to
13 the extent such plan, after January 1, 2018, provides health
14 benefits under a self-funded arrangement that is administered
15 by a domestic entity that is registered as a third-party
16 administrator pursuant to chapter 510 and that has continuously
17 provided, either directly or through an affiliate, health
18 care administrative services to the nonprofit agricultural
19 organization or its affiliates for a period in excess of ten
20 years.

21 2. A nonprofit agricultural organization providing a health
22 benefit plan to its members under this section must meet all
23 of the following requirements:

24 a. Have been in existence for twenty-five continuous years
25 prior to the issuance of health benefits to members of the
26 organization.

27 b. Provide membership opportunities for eligible individuals
28 in all ninety-nine counties of the state.

29 c. Collect annual dues from members.

30 d. Hold regular meetings to further the purposes of the
31 members.

32 e. Provide the members with representation on its governing
33 board and committees.

34 f. Provide education, mentoring, and financial assistance to
35 grow and expand rural businesses in the state.

Page 2

1 g. Have contracted with the domestic entity described in
2 subsection 1 to administer the health benefit plan.

3 3. Such nonprofit agricultural organization shall file a
4 certification with the commissioner that the organization meets
5 the foregoing requirements prior to providing health benefits
6 under a self-funded arrangement to its members.

7 Sec. 2. Section 507A.4, subsection 9, Code 2018, is amended
8 to read as follows:

9 9. a. Transactions involving a multiple employer welfare

10 arrangement, as defined in section 3 of the federal Employee
 11 Retirement Income Security Act of 1974, 29 U.S.C. §1002,
 12 paragraph 40, if the multiple employer welfare arrangement
 13 meets all of the following conditions:

14 (1) The arrangement is administered by an authorized
 15 insurer or an authorized third-party administrator.

16 ~~(2) The arrangement has been in existence and provided~~
 17 ~~health insurance in Iowa for at least five years prior to July~~
 18 ~~1, 1997.~~

19 ~~(3) (2) The arrangement was is established by a trade,~~
 20 ~~industry, or professional association of employers that~~
 21 ~~has a constitution or bylaws, and has been is organized and~~
 22 ~~maintained in good faith for at least ten continuous years~~
 23 ~~prior to July 1, 1997 with membership stability as defined by~~
 24 ~~rules adopted by the commissioner.~~

25 ~~(4) (3) The arrangement registers with and obtains~~
 26 ~~and maintains a certificate of registration issued by the~~
 27 ~~commissioner of insurance.~~

28 ~~(5) (4) The arrangement is subject to the jurisdiction~~
 29 ~~of the commissioner of insurance, including regulatory~~
 30 ~~oversight and complies with all rules and solvency standards as~~
 31 ~~established by rules adopted by the commissioner of insurance~~
 32 ~~pursuant to chapter 17A.~~

33 ~~b. A multiple employer welfare arrangement registered with~~
 34 ~~the commissioner of insurance that does not meet the solvency~~
 35 ~~standards requirements established by rule adopted by the~~

Page 3

1 ~~commissioner of insurance is pursuant to chapter 17A shall be~~
 2 ~~subject to chapter 507C.~~

3 c. A multiple employer welfare arrangement that meets all
 4 of the conditions of paragraph "a" shall not be considered any
 5 of the following:

6 (1) An insurance company or association of any kind or
 7 character under section 432.1.

8 (2) A member of the Iowa individual health benefit
 9 reinsurance association under section 513C.10.

10 (3) A member insurer of the Iowa life and health insurance
 11 guaranty association under section 508C.5, subsection 12.

12 d. A multiple employer welfare arrangement registered with
 13 the commissioner of insurance shall file with the commissioner
 14 of insurance on or before March 1 of each year a copy of the
 15 report required to be filed by the multiple employer welfare
 16 arrangement with the United States department of labor pursuant
 17 to 29 C.F.R. §2520.101-2. A newly formed multiple employer
 18 welfare arrangement shall file with the commissioner a copy
 19 of the report required to be filed pursuant to 29 C.F.R.
 20 §2520.101-2 by a newly formed multiple employer welfare
 21 arrangement with the United States department of labor thirty
 22 days prior to operating in any state. The copy shall be filed
 23 with the commissioner within thirty calendar days of the date

24 that the multiple employer welfare arrangement files the report
 25 with the United States department of labor.

26 ~~e. When not otherwise provided, a~~ A foreign or domestic
 27 multiple employer welfare arrangement doing business in this
 28 state shall pay ~~to the commissioner of insurance the fees as~~
 29 ~~required in~~ pursuant to section 511.24 unless otherwise provided
 30 by law.

31 Sec. 3. Section 509.1, Code 2018, is amended by adding the
 32 following new subsection:

33 NEW SUBSECTION. 8A. A policy of group health insurance
 34 coverage issued to an associated health plan pursuant
 35 to section 513D.1 that is subject to regulation by the

Page 4

1 commissioner.

2 Sec. 4. Section 509.1, subsection 9, unnumbered paragraph
 3 1, Code 2018, is amended to read as follows:

4 A policy issued to a resident of this state under a group
 5 life, accident, or health insurance policy issued to a group
 6 other than one described in subsections 1 through 8 8A, subject
 7 to the following requirements:

8 Sec. 5. NEW SECTION. 513D.1 Association health plans.

9 The commissioner shall adopt rules that allow for the
 10 creation of association health plans that are consistent with
 11 the United States department of labor's regulations in 29
 12 C.F.R. pt. 2510.

13 Sec. 6. NEW SECTION. 513D.2 Rules and enforcement.

14 1. The commissioner shall adopt rules, as necessary,
 15 pursuant to chapter 17A to administer this chapter.

16 2. The commissioner may take any enforcement action under
 17 the commissioner's authority to enforce compliance with this
 18 chapter.

19 Sec. 7. EMERGENCY RULES. The commissioner may adopt
 20 emergency rules under section 17A.4, subsection 3, and
 21 section 17A.5, subsection 2, paragraph "b", to administer the
 22 provisions of this Act. Any rules adopted in accordance with
 23 this section shall also be published as a notice of intended
 24 action as provided in section 17A.4.>

25 2. Title page, by striking lines 1 through 3 and inserting
 26 <An Act relating to health plans established by associations of
 27 employers or sponsored by certain agricultural organizations.>

S-5179

HOUSE AMENDMENT TO
 SENATE FILE 2364

1 Amend Senate File 2364, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 1, line 29, by striking <all school personnel
 4 conduct>

- 5 2. Page 1, line 32, by striking <educated> and inserting
6 <educated be conducted that includes but is not limited to
7 administrators, teachers, secretaries, receptionists, school
8 support staff, and custodians. The drill may include but is
9 not limited to a table top exercise, walk-through, partial
10 drill, or full drill.>
- 11 3. Page 1, line 33, after <students.> by inserting <Prior
12 to the drill, local law enforcement and emergency management
13 agencies that will participate in the drill shall provide
14 the participating board and authorities with a written plan
15 listing equipment and personnel to be used during the drill.
16 The plan shall be presented to the participating board and
17 authorities for approval prior to the drill. A drill shall not
18 be conducted unless the plan is approved by the participating
19 board and authorities.>

S-5180

HOUSE AMENDMENT TO
SENATE FILE 192

- 1 Amend Senate File 192, as amended, passed, and reprinted by
2 the Senate, as follows:
- 3 1. Page 8, before line 2 by inserting:
4 <Sec. ____ Section 514C.31, subsection 2, paragraph c,
5 subparagraph (3), Code 2018, is amended to read as follows:
6 (3) A ~~person who holds a master's degree or a doctoral~~
7 ~~degree and is certified by a national behavior analyst~~
8 ~~certification board as a behavior analyst~~ licensed pursuant to
9 chapter 154D.>
- 10 2. By renumbering as necessary.

S-5181

HOUSE AMENDMENT TO
SENATE FILE 2347

- 1 Amend Senate File 2347, as passed by the Senate, as follows:
- 2 1. Page 1, line 22, after <liters> by inserting <per
3 calendar month>
- 4 2. Page 2, by striking lines 20 through 24 and inserting:
5 <2. A person who violates any of the provisions of this
6 section commits the following:
7 a. For a first offense, a simple misdemeanor.
8 b. For a second or subsequent offense, a serious
9 misdemeanor.>

S-5182

HOUSE AMENDMENT TO
SENATE FILE 475

1 Amend Senate File 475, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I
ONLINE EDUCATION

7 Section 1. Section 256.7, subsection 32, paragraph a, Code
8 2018, is amended to read as follows:

9 a. Adopt rules for online learning in accordance with
10 sections ~~256.41~~, 256.42; and 256.43, and criteria for waivers
11 granted pursuant to section 256.42.

12 Sec. 2. Section 256.7, subsection 32, paragraph b, Code
13 2018, is amended by striking the paragraph.

14 Sec. 3. Section 256.7, subsection 32, paragraph c, Code
15 2018, is amended to read as follows:

16 c. ~~Adopt rules that limit the statewide enrollment of~~
17 ~~pupils in educational instruction and course content that are~~
18 ~~delivered primarily over the internet to not more than eighteen~~
19 ~~one hundredths of one percent of the statewide enrollment of~~
20 ~~all pupils, and that limit the number of pupils participating~~
21 ~~in open enrollment for purposes of receiving educational~~
22 ~~instruction and course content that are delivered primarily~~
23 ~~over the internet to no more than one percent of a sending~~
24 ~~district's enrollment. Such limitations shall not apply if~~
25 ~~the limitations would prevent siblings from enrolling in the~~
26 ~~same school district or if a sending district determines that~~
27 ~~the educational needs of a physically or emotionally fragile~~
28 ~~student would be best served by educational instruction and~~
29 ~~course content that are delivered primarily over the internet.~~
30 ~~Students who meet the requirements of section 282.18 may~~
31 ~~participate in open enrollment under this paragraph "c" for~~
32 ~~purposes of enrolling only in the CAM community school district~~
33 ~~or the Clayton Ridge community school district.~~

34 (1) ~~The department, in collaboration with the international~~
35 ~~association for K-12 online learning, shall annually collect~~

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1 ~~data on student performance in educational instruction and~~
2 ~~course content that are delivered primarily over the internet~~
3 ~~pursuant to this paragraph "c". The department shall include~~
4 ~~such data in its annual report to the general assembly pursuant~~
5 ~~to subparagraph (4) and shall post the data on the department's~~
6 ~~internet site.~~

7 (2) School districts Adopt rules which require that
8 educational instruction and course content delivered primarily
9 over the internet be aligned with the Iowa core standards as

10 applicable. Under such rules, a school district may develop
 11 and offer to students enrolled in the district educational
 12 instruction and course content for delivery primarily over the
 13 internet. A school district providing educational instruction
 14 and course content that are delivered primarily over the
 15 internet pursuant to this paragraph “c” shall annually submit
 16 to the department, in the manner prescribed by the department,
 17 data that includes but is not limited to the following:
 18 (a) Student achievement and demographic characteristics.
 19 (b) Retention rates.
 20 (c) The percentage of enrolled students’ active
 21 participation in extracurricular activities.
 22 (d) Academic proficiency levels, consistent with
 23 requirements applicable to all school districts and accredited
 24 nonpublic schools in this state.
 25 (e) Academic growth measures, which shall include either of
 26 the following:
 27 (i) Entry and exit assessments in, at a minimum, math
 28 and English for elementary and middle school students, and
 29 additional subjects, including science, for high school
 30 students.
 31 (ii) State-required assessments that track year-over-year
 32 improvements in academic proficiency.
 33 (f) Academic mobility. To facilitate the tracking
 34 of academic mobility, school districts shall request the
 35 following information from the parent or guardian of a student

Page 3

1 enrolled in educational instruction and course content that
 2 are delivered primarily over the internet pursuant to this
 3 paragraph “c”:
 4 (i) For a student newly enrolling, the reasons for choosing
 5 such enrollment.
 6 (ii) For a student terminating enrollment, the reasons for
 7 terminating such enrollment.
 8 (g) Student progress toward graduation. Measurement of
 9 such progress shall account for specific characteristics of
 10 each enrolled student, including but not limited to age and
 11 course credit accrued prior to enrollment in educational
 12 instruction and course content that are delivered primarily
 13 over the internet pursuant to this paragraph “c”, and shall be
 14 consistent with evidence-based best practices.
 15 ~~(3) The department shall conduct annually a survey of not~~
 16 ~~less than ten percent of the total number of students enrolled~~
 17 ~~as authorized under this paragraph “c” and section 282.18, to~~
 18 ~~determine whether students are enrolled under this paragraph~~
 19 ~~“c” and section 282.18 to receive educational instruction and~~
 20 ~~course content primarily over the internet or are students who~~
 21 ~~are receiving competent private instruction from a licensed~~
 22 ~~practitioner provided through a school district pursuant to~~
 23 ~~chapter 200A.~~

24 ~~(4) (2)~~ The department shall compile and review the data
 25 collected pursuant to this paragraph “c” and shall submit its
 26 findings and recommendations for the continued delivery of
 27 educational instruction and course content by school districts
 28 pursuant to this paragraph “e” delivered primarily over the
 29 internet, in a report to the general assembly by January 15
 30 annually.

31 ~~(5) School districts providing educational instruction and~~
 32 ~~course content that are delivered primarily over the internet~~
 33 ~~pursuant to this paragraph “e” shall comply with the following~~
 34 ~~requirements relating to such instruction and content:~~

35 (a) ~~Monitoring and verifying full time student enrollment,~~

Page 4

1 ~~timely completion of graduation requirements, course credit~~
 2 ~~accrual, and course completion.~~

3 (b) ~~Monitoring and verifying student progress and~~
 4 ~~performance in each course through a school based assessment~~
 5 ~~plan that includes submission of coursework and security and~~
 6 ~~validity of testing.~~

7 (c) ~~Conducting parent teacher conferences.~~

8 (d) ~~Administering assessments required by the state to all~~
 9 ~~students in a proctored setting and pursuant to state law.~~

10 Sec. 4. Section 256.9, subsection 56, Code 2018, is amended
 11 to read as follows:

12 56. Develop and establish an online learning program
 13 model in accordance with rules adopted pursuant to section
 14 256.7, subsection 32, ~~paragraph “a”~~, and in accordance with
 15 section 256.43. The director shall maintain a list of approved
 16 online providers that meet the standards of section 256.42,
 17 subsection 6, and provide course content through an online
 18 learning platform taught by an Iowa licensed teacher that
 19 has specialized training or experience in online learning.
 20 Providers shall apply for approval annually or as determined
 21 by the department.

22 Sec. 5. Section 256.41, Code 2018, is amended to read as
 23 follows:

24 **256.41 Online learning requirements — legislative findings**
 25 **and declarations school districts.**

26 1. ~~The general assembly finds and declares the following:~~

27 ~~a. That prior legislative enactments on the use of~~
 28 ~~telecommunications in elementary and secondary school classes~~
 29 ~~and courses did not contemplate and were not intended to~~
 30 ~~authorize participation in open enrollment under section 282.18~~
 31 ~~for purposes of attending online schools, contracts to provide~~
 32 ~~exclusively or predominantly online coursework to students, or~~
 33 ~~online coursework that does not use teachers licensed under~~
 34 ~~chapter 272 for instruction and supervision.~~

35 ~~b. That online learning technology has moved ahead of Iowa’s~~

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1 ~~statutory framework and the current administrative rules of the~~
 2 ~~state board, promulgated over twenty years ago, are inadequate~~
 3 ~~to regulate today's virtual opportunities.~~

4 A school district providing educational instruction and
 5 course content delivered primarily over the internet shall
 6 do all of the following with regard to such instruction and
 7 content:

8 a. Monitor and verify full-time student enrollment, timely
 9 completion of graduation requirements, course credit accrual,
 10 and course completion.

11 b. Monitor and verify student progress and performance
 12 in each course through a school-based assessment plan that
 13 includes submission of coursework and security and validity of
 14 testing components.

15 c. Conduct parent-teacher conferences.

16 d. Administer assessments required by the state to all
 17 students in a proctored setting and pursuant to state law.

18 2. Online learning curricula shall be provided and
 19 supervised by a teacher licensed under chapter 272.

20 Sec. 6. Section 256.42, subsection 7, Code 2018, is amended
 21 by striking the subsection and inserting in lieu thereof the
 22 following:

23 7. a. The provisions of section 256.11, subsection 5, which
 24 require that specified subjects be offered and taught by a
 25 school district or accredited nonpublic school, shall not apply
 26 for up to two specified subjects at a school district or school
 27 under this section if any of the following apply:

28 (1) The school district or school makes every reasonable and
 29 good faith effort to employ a teacher licensed under chapter
 30 272 for the specified subject, and is unable to employ such a
 31 teacher.

32 (2) Fewer than ten students typically register for
 33 instruction in the specified subject at the school district or
 34 school.

35 b. The department may waive for one school year the

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1 applicability of section 256.11, subsection 5, at its
 2 discretion, to additional specified subjects for a school
 3 district or accredited nonpublic school that proves to the
 4 satisfaction of the department that the school district or
 5 school has made every reasonable effort, but is unable to meet
 6 the requirements of section 256.11, subsection 5. A school
 7 district or accredited nonpublic school may apply for an annual
 8 waiver each year.

9 c. Any specified subject course to which section 256.11,
 10 subsection 5, does not apply under paragraph "a" or "b" shall
 11 be provided by the initiative if the initiative offers the
 12 course unless the course offered by the initiative lacks the

13 capacity to accommodate additional students. In that case,
14 the specified subject course may instead be provided by the
15 school district or accredited nonpublic school through an
16 online learning platform, provided the online learning platform
17 is taught by an Iowa licensed teacher with online learning
18 experience and the course content is aligned with the Iowa
19 content standards and satisfies the requirements of subsection
20 6.

21 *d.* For purposes of this subsection, “good faith effort”
22 means the same as defined in section 279.19A, subsection 9.

23 Sec. 7. Section 256.42, subsection 8, Code 2018, is amended
24 to read as follows:

25 8. The department shall establish fees payable by school
26 districts and accredited nonpublic schools participating in
27 the initiative. Fees collected pursuant to this subsection
28 are appropriated to the department to be used only for the
29 purpose of administering this section and shall be established
30 so as not to exceed the budgeted cost of administering this
31 section ~~to the extent not covered by the moneys appropriated~~
32 ~~in subsection 9.~~ Providing professional development
33 necessary to prepare teachers to participate in the initiative
34 shall be considered a cost of administering this section.
35 Notwithstanding section 8.33, fees collected by the department

Page 7

1 that remain unencumbered or unobligated at the close of the
2 fiscal year shall not revert but shall remain available for
3 expenditure for the purpose of expanding coursework offered
4 under the initiative in subsequent fiscal years.

5 Sec. 8. Section 256.42, subsection 9, Code 2018, is amended
6 by striking the subsection.

7 Sec. 9. Section 256.43, subsection 1, paragraph i, Code
8 2018, is amended to read as follows:

9 *i.* Criteria for school districts or schools to use when
10 choosing providers of online learning to meet the online
11 learning program requirements specified in rules adopted
12 pursuant to section 256.7, subsection 32, ~~paragraph “a.”~~

13 Sec. 10. Section 256.43, subsection 2, Code 2018, is amended
14 to read as follows:

15 2. *Private providers.* At the discretion of the school board
16 or authorities in charge of an accredited nonpublic school,
17 after consideration of circumstances created by necessity,
18 convenience, and cost-effectiveness, courses developed by
19 private providers may be utilized by the school district or
20 school in implementing a high-quality online learning program.
21 Courses obtained from private providers shall be taught by
22 teachers licensed under chapter 272. A school district may
23 provide courses developed by private providers and delivered
24 primarily over the internet to pupils who are participating in
25 open enrollment under section 282.18. However, if a student’s
26 participation in open enrollment to receive educational

27 instruction and course content delivered primarily over the
 28 internet results in the termination of enrollment in the
 29 receiving district, the receiving district shall, within thirty
 30 days of the termination, notify the district of residence of
 31 the termination and the date of the termination.

32 Sec. 11. Section 256.43, Code 2018, is amended by adding the
 33 following new subsection:

34 NEW SUBSECTION. 5. *Prohibited activities.* A rebate for
 35 tuition or fees paid or any other dividend or bonus moneys for

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1 enrollment of a child shall not be offered or provided directly
 2 or indirectly by a school district, school, or private provider
 3 to the parent or guardian of a pupil who enrolls in a school
 4 district or school to receive educational instruction and
 5 course content delivered primarily over the internet.

6 DIVISION II

7 CONCURRENT ENROLLMENT — CAREER AND TECHNICAL EXCEPTION TO 8 LIMITATION

9 Sec. 12. Section 257.11, subsection 3, Code 2018, is amended
 10 by adding the following new paragraph:

11 NEW PARAGRAPH. c. Notwithstanding paragraph “b”,
 12 subparagraph (1), a school district that otherwise meets the
 13 requirements of this subsection may enter into a sharing
 14 agreement with a community college under which the community
 15 college may offer, or provide a community college-employed
 16 instructor to teach, one or more classes in only one of the
 17 six career and technical education service areas specified in
 18 section 256.11, subsection 5, paragraph “h”, and the pupils
 19 enrolled in such a class shall be assigned additional weighting
 20 in accordance with this subsection if the number of pupils
 21 enrolled in such a class exceeds five and the school district’s
 22 total enrollment does not exceed six hundred pupils.

23 Sec. 13. Section 261E.3, subsection 3, paragraph g, Code
 24 2018, is amended to read as follows:

25 g. The school district shall certify annually to the
 26 department that the course provided to a high school student
 27 for postsecondary credit in accordance with this chapter does
 28 not supplant a course provided by the school district in which
 29 the student is enrolled, except as provided under section
 30 257.11, subsection 3, paragraph “c”.

31 DIVISION III

32 STUDENT HEALTH WORKING GROUP

33 Sec. 14. STUDENT HEALTH WORKING GROUP.

34 1. The department of public health and the department
 35 of education shall convene a student health working group to

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1 review state-initiated student health requirements, including
 2 but not limited to requirements relating to dental and vision

3 health screenings under sections 135.17 and 135.39D, blood
 4 lead testing under section 135.105D, and immunizations under
 5 section 139A.8, and other related requirements imposed on
 6 public schools. The working group shall study measures
 7 for implementing such student health screening requirements
 8 while reducing the administrative burden such requirements
 9 impose on public schools. The working group shall develop a
 10 uniform enforcement framework that includes a single method
 11 for enforcement of the current student health requirements and
 12 related data collection.

13 2. Voting members of the working group shall include persons
 14 deemed appropriate by the department of public health as well
 15 as one representative of each of the following, appointed by
 16 the respective entity:

17 a. The department of education.

18 b. The department of public health.

19 c. The area education agencies.

20 d. The Iowa academy of family physicians.

21 3. a. The working group shall elect a chairperson and vice
 22 chairperson from the voting members appointed.

23 b. A majority of the voting members of the working group
 24 shall constitute a quorum.

25 4. The department of public health and the department of
 26 education shall work cooperatively to provide staffing and
 27 administrative support to the working group.

28 5. The working group shall submit its uniform enforcement
 29 framework, findings, and recommendations to the general
 30 assembly not later than December 31, 2018.

31 DIVISION IV

32 OPEN ENROLLMENT — EXTRACURRICULAR ACTIVITY FEE

33 Sec. 15. Section 282.18, subsection 7, Code 2018, is amended
 34 to read as follows:

35 7. a. A pupil participating in open enrollment shall be

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1 counted, for state school foundation aid purposes, in the
 2 pupil's district of residence. A pupil's residence, for
 3 purposes of this section, means a residence under section
 4 282.1.

5 b. (1) The board of directors of the district of residence
 6 shall pay to the receiving district the sum of the state cost
 7 per pupil for the previous school year plus either the teacher
 8 leadership supplement state cost per pupil for the previous
 9 fiscal year as provided in section 257.9 or the teacher
 10 leadership supplement foundation aid for the previous fiscal
 11 year as provided in section 284.13, subsection 1, paragraph "d",
 12 if both the district of residence and the receiving district
 13 are receiving such supplements, plus any moneys received for
 14 the pupil as a result of the non-English speaking weighting
 15 under section 280.4, subsection 3, for the previous school
 16 year multiplied by the state cost per pupil for the previous

17 year. If the pupil participating in open enrollment is also
 18 an eligible pupil under section 261E.6, the receiving district
 19 shall pay the tuition reimbursement amount to an eligible
 20 postsecondary institution as provided in section 261E.7.

21 (2) If a pupil participates in cocurricular or
 22 extracurricular activities in accordance with subsection
 23 11A, the district of residence may deduct up to two hundred
 24 dollars per activity, for up to two activities, from the amount
 25 calculated in subparagraph (1). For a cocurricular activity,
 26 one semester shall equal one activity. Extracurricular
 27 activities for which such a resident district may charge up
 28 to two hundred dollars per activity for up to two activities
 29 under this subparagraph include interscholastic athletics,
 30 music, drama, and any other activity with a general fund
 31 expenditure exceeding five thousand dollars annually. A pupil
 32 may participate in additional extracurricular activities at the
 33 discretion of the resident district. The school district of
 34 residence may charge the pupil a fee for participation in such
 35 cocurricular or extracurricular activities equivalent to the

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1 fee charged to and paid in the same manner by other resident
 2 pupils.

3 Sec. 16. Section 282.18, Code 2018, is amended by adding the
 4 following new subsection:

5 NEW SUBSECTION. 11A. A pupil participating in open
 6 enrollment for purposes of receiving educational instruction
 7 and course content primarily over the internet in accordance
 8 with section 256.7, subsection 32, may participate in any
 9 cocurricular or extracurricular activities offered to children
 10 in the pupil's grade or group and sponsored by the district
 11 of residence under the same conditions and requirements
 12 as the pupils enrolled in the district of residence. The
 13 pupil may participate in not more than two cocurricular or
 14 extracurricular activities during a school year unless the
 15 resident district approves the student's participation in
 16 additional activities. The student shall comply with the
 17 eligibility, conduct, and other requirements relating to the
 18 activity that are established by the district of residence for
 19 any student who applies to participate or who is participating
 20 in the activity.

DIVISION V

DEPARTMENT OF EDUCATION — BILITERACY SEAL

22 Sec. 17. Section 256.9, Code 2018, is amended by adding the
 23 following new subsection:

24 NEW SUBSECTION. 60. Develop and administer a seal of
 25 biliteracy program to recognize students graduating from
 26 high school who have demonstrated proficiency in two or more
 27 world languages, one of which may be American sign language,
 28 though one of which must be English. Participation in the
 29 program by a school district, attendance center, or accredited
 30

31 nonpublic school shall be voluntary. The department shall work
 32 with stakeholders to identify standardized tests that may be
 33 utilized to demonstrate proficiency. The department shall
 34 produce a seal of biliteracy, which may include but need not
 35 be limited to a sticker that may be affixed to a student's

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1 high school transcript or a certificate that may be awarded to
 2 the student. A participating school district or school shall
 3 notify the department of the names of the students who have
 4 qualified for the seal and the department shall provide the
 5 school district or school with the appropriate number of seals
 6 or other authorized endorsement. The department may charge a
 7 nominal fee to cover printing and postage charges related to
 8 issuance of the biliteracy seal under this subsection.

9 DIVISION VI

10 LIMITATION ON DEPARTMENT OF EDUCATION GUIDANCE

11 Sec. 18. NEW SECTION. **256.9A Limitation on guidance and**
 12 **interpretations.**

13 1. For the purposes of this section, “*guidance*” means a
 14 document or statement issued by the department, the state
 15 board, or the director that purports to interpret a law, a
 16 rule, or other legal authority and is designed to provide
 17 advice or direction to a person regarding the implementation
 18 of or compliance with the law, the rule, or the other legal
 19 authority being interpreted.

20 2. The department, the state board, or the director shall
 21 not issue guidance inconsistent with any statute, rule, or
 22 other legal authority and shall not issue guidance that imposes
 23 any legally binding obligations or duties upon any person
 24 unless such legally binding obligations or duties are required
 25 or reasonably implied by any statute, rule, or other legal
 26 authority.

27 3. This section shall not apply to a rule adopted pursuant
 28 to chapter 17A, a declaratory order issued pursuant to section
 29 17A.9, a document or statement required by federal law or a
 30 court, or a document or statement issued in the course of a
 31 contested case proceeding, an administrative proceeding, or a
 32 judicial proceeding to which the department, the state board,
 33 or the director is a party.

34 4. Guidance issued by the department, the state board, or
 35 the director in violation of subsection 2 shall not be deemed

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1 to be legally binding.

2 Sec. 19. **EFFECTIVE UPON ENACTMENT.** This division of this
 3 Act, being deemed of immediate importance, takes effect upon
 4 enactment.

5 DIVISION VII

6 FINANCIAL LITERACY

7 Sec. 20. Section 256.11, subsection 5, Code 2018, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *k.* One-half unit of personal finance
10 literacy. All students shall complete at least one-half unit
11 of personal finance literacy as a condition of graduation. The
12 curriculum shall, at a minimum, address the following:

13 (1) Savings, including emergency fund, purchases, and
14 wealth building.

15 (2) Understanding investments, including compound and
16 simple interest, liquidity, diversification, risk return
17 ratio, certificates of deposit, money market accounts, single
18 stocks, bonds, mutual funds, rental real estate, annuities,
19 commodities, and futures.

20 (3) Wealth building and college planning, including
21 long-term and short-term investing using tax-favored plans,
22 individual retirement accounts and payments from such accounts,
23 employer-sponsored retirement plans and investments, public and
24 private educational savings accounts, and uniform gifts and
25 transfers to minors.

26 (4) Credit and debt, including credit cards, payday
27 lending, rent-to-own transactions, debt consolidation,
28 automobile leasing, cosigning a loan, debt avoidance, and the
29 marketing of debt, especially to young people.

30 (5) Consumer awareness of the power of marketing on buying
31 decisions including zero percent interest offers; marketing
32 methods, including product positioning, advertising, brand
33 recognition, and personal selling; how to read a credit report
34 and correct inaccuracies; how to build a credit score; how to
35 develop a plan to deal with creditors and avoid bankruptcy; and

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1 the federal Fair Debt Collection Practices Act.

2 (6) Financial responsibility and money management,
3 including creating and living on a written budget and balancing
4 a checkbook; basic rules of successful negotiating and
5 techniques; and personality or other traits regarding money.

6 (7) Insurance, risk management, income, and career
7 decisions, including career choices that fit personality styles
8 and occupational goals, job search strategies, cover letters,
9 resumes, interview techniques, payroll taxes and other income
10 withholdings, and revenue sources for federal, state, and local
11 governments.

12 (8) Different types of insurance coverage including
13 renters, homeowners, automobile, health, disability, long-term
14 care, identity theft, and life insurance; term life, cash
15 value and whole life insurance; and insurance terms such
16 as deductible, stop loss, elimination period, replacement
17 coverage, liability, and out-of-pocket.

18 (9) Buying, selling, and renting advantages and
19 disadvantages relating to real estate, including adjustable
20 rate, balloon, conventional, government-backed, reverse, and

21 seller-financed mortgages.
 22 Sec. 21. EFFECTIVE DATE. This division of this Act takes
 23 effect July 1, 2019.>

S-5183

1 Amend House File 2253, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 13 through 29 and inserting:
 4 <3. a. "Public improvement" means a building or
 5 construction work which is constructed under the control of
 6 a governmental entity and ~~is paid for which either of the~~
 7 following applies:
 8 (1) Has been paid for in whole or in part with funds of the
 9 governmental entity, ~~including~~
 10 (2) A commitment has been made prior to construction by the
 11 governmental entity to pay for the building or construction
 12 work in whole or in part with funds of the governmental entity.
 13 b. "Public improvement" includes a building or improvement
 14 constructed or operated jointly with any other public or
 15 private agency, but ~~excluding~~ ~~excludes~~ urban renewal demolition
 16 and low-rent housing projects, industrial aid projects
 17 authorized under chapter 419, emergency work or repair or
 18 maintenance work performed by employees of a governmental
 19 entity, and ~~excluding~~ ~~excludes~~ a highway, bridge, or culvert
 20 project, and ~~excluding~~ ~~excludes~~ construction or repair or
 21 maintenance work performed for a city utility under chapter 388
 22 by its employees or performed for a rural water district under
 23 chapter 357A by its employees.>

JAKE CHAPMAN

S-5184

1 Amend House File 2342, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, lines 13 and 14, by striking <of, ~~or direct the~~
 4 ~~disposal of,~~> and inserting <of, or direct the disposal of,>
 5 2. Page 1, line 21, by striking <commission ~~or disposed of~~
 6 ~~and~~> and inserting <commission, ~~or disposed of, or~~>
 7 3. Page 2, line 3, after <481.13A> by inserting <unless
 8 the property is fish or wildlife that is illegal to possess,
 9 including fish or wildlife that was taken, possessed, or
 10 transported unlawfully>
 11 4. Page 2, line 9, after <seized.> by inserting <However,
 12 the state shall not return any fish or wildlife that is
 13 illegal to possess, including fish or wildlife that was taken,
 14 possessed, or transported unlawfully.>

KEVIN KINNEY

S-5185

- 1 Amend House File 2342, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 5, by striking lines 7 through 23 and inserting:
 4 <Sec. __. Section 483A.33, Code 2018, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. 6. For purposes of this section,
 7 “*convicted*” means the same as in section 481A.13A, subsection
 8 3.>
 9 2. By renumbering as necessary.

KEVIN KINNEY

S-5186

- 1 Amend House File 2342, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, line 3, after <481A.13A> by inserting <unless the
 4 property is illegal to possess>
 5 2. Page 2, line 9, after <seized> by inserting <or the
 6 property is illegal to possess>
 7 3. Page 2, line 14, after <property> by inserting <, except
 8 for property that is illegal to possess.>

JULIAN B. GARRETT

S-5187

- 1 Amend Senate File 2173 as follows:
 2 1. Page 1, line 13, after <154D> by inserting <, or social
 3 work, provided that the social worker is licensed pursuant to
 4 chapter 147 and section 154C.3, subsection 1, paragraph “c”>
 5 2. Page 1, line 17, by striking <and psychology> and
 6 inserting <psychology, and social work>
 7 3. Page 1, line 28, after <154D.> by inserting <social work,
 8 provided that the social worker is licensed pursuant to chapter
 9 147 and section 154C.3, subsection 1, paragraph “c”>
 10 4. Page 2, line 2, by striking <and psychology> and
 11 inserting <psychology, and social work>
 12 5. Page 2, before line 6 by inserting:
 13 <Sec. __. EFFECTIVE DATE. This Act, being deemed of
 14 immediate importance, takes effect upon enactment.>
 15 6. Title page, line 2, after <corporations> by inserting
 16 <and including effective date provisions>

BRAD ZAUN

S-5188

- 1 Amend the amendment, S-5179, to Senate File 2364, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 5 through 19 and inserting:
4 <__. Page 1, by striking lines 31 through 33 and inserting
5 <emergency operations plan be conducted in each individual
6 school building in which students are educated. The board and
7 authorities shall determine which school personnel participate
8 in the drill and whether students or local law enforcement
9 agencies participate in the drill. The drill may include but
10 is not limited to a table top exercise, walk-through, partial
11 drill, or full drill. This subsection shall not>>
12 2. By renumbering as necessary.

TIM KRAAYENBRINK

S-5189

- 1 Amend Senate File 2388 as follows:
2 1. Page 3, line 1, by striking <2019> and inserting <2022>
3 2. Page 3, line 6, by striking <2021> and inserting <2024>
4 3. Page 4, after line 20 by inserting:
5 <Sec. __. Section 433.4, Code 2018, is amended by adding
6 the following new subsection:
7 NEW SUBSECTION. 3. For the assessment years beginning
8 January 1, 2019, January 1, 2020, and January 1, 2021,
9 following the partial exemption from taxation under subsection
10 2, each company assessed for taxation under this chapter shall
11 receive an additional exemption from taxation on the value of
12 the company's property as provided in this subsection.
13 a. For the assessment year beginning January 1, 2019, the
14 amount of the additional exemption for each company shall be
15 equal to twenty-five percent of the amount of the company's
16 actual value, as determined under subsection 1, remaining
17 following application of the exemption under subsection 2 for
18 the assessment year.
19 b. For the assessment year beginning January 1, 2020, the
20 amount of the additional exemption for each company shall be
21 equal to fifty percent of the amount of the company's actual
22 value, as determined under subsection 1, remaining following
23 application of the exemption under subsection 2 for the
24 assessment year.
25 c. For the assessment year beginning January 1, 2021, the
26 amount of the additional exemption for each company shall be
27 equal to seventy percent of the amount of the company's actual
28 value, as determined under subsection 1, remaining following
29 application of the exemption under subsection 2 for the
30 assessment year.
31 Sec. __. Section 433.5, subsection 2, Code 2018, is amended
32 to read as follows:
33 2. The department of revenue shall ascertain the exemption

34 value per mile of the property of each company within this
 35 state by dividing the amount of the total exemption for that

Page 2

1 company determined under section 433.4, ~~subsection~~ subsections
 2 2 and 3, by the number of miles of line of such company within
 3 the state, and the result shall be deemed and held to be the
 4 exemption value per mile of line for that company.>
 5 4. Page 4, line 25, by striking <2019> and inserting <2022>
 6 5. Page 4, line 26, by striking <2021> and inserting <2024>
 7 6. Page 10, line 10, by striking <2019> and inserting <2022>
 8 7. Page 10, line 11, by striking <2019> and inserting <2022>
 9 8. Page 10, line 16, by striking <This Act,> and inserting
 10 <Except as specifically provided, this Act>
 11 9. Page 10, line 21, by striking <2019> and inserting <2022>
 12 10. Page 10, line 23, by striking <2019> and inserting
 13 <2022>
 14 11. Page 10, after line 25 by inserting:
 15 <Sec. ____ . EFFECTIVE DATE. The following take effect July
 16 1, 2021:
 17 1. The section of this Act amending section 427A.1,
 18 subsection 1, paragraphs “c” and “d”.
 19 2. The section of this Act enacting section 427A.1,
 20 subsection 6A.
 21 3. The section of this Act amending section 476.1D.>
 22 12. Page 10, line 27, by striking <2021> and inserting
 23 <2024>
 24 13. Page 11, line 14, by striking <2019> and inserting
 25 <2022>
 26 14. By renumbering, redesignating, and correcting internal
 27 references as necessary.

RANDY FEENSTRA

S-5190

1 Amend House File 2233, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, line 30, by striking <thirty> and inserting
 4 <sixty>

TONY BISIGNANO

S-5191

1 Amend House File 2233, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, line 17, before <A> by inserting <1.>
 4 2. Page 2, line 24, by striking <1.> and inserting <a.>
 5 3. Page 3, line 2, by striking <2.> and inserting <b.>
 6 4. Page 3, after line 4 by inserting:

7 <2. This section shall not apply to highway, bridge, or
8 culvert projects as referred to in section 573.28.>
9 5. By renumbering, redesignating, and correcting internal
10 references as necessary.

JULIAN B. GARRETT

S-5192

1 Amend Senate File 2389 as follows:
2 1. Page 1, by striking lines 10 and 11 and inserting
3 <department to be reasonably competitive with fees established
4 in other public parks or recreation areas that provide the same
5 or similar privileges and are located within sixty miles of the
6 perimeter of the state park or recreation area for which the
7 department is establishing fees. Such fees may be>

DAN DAWSON

S-5193

1 Amend the amendment, S-5189, to Senate File 2388 as follows:
2 1. Page 2, line 10, by striking <Act> and inserting <Act,>

RANDY FEENSTRA

S-5194

1 Amend the amendment, S-5189, to Senate File 2388 as follows:
2 1. Page 1, line 10, after <chapter> by inserting <that has
3 an approved broadband infrastructure expansion certification
4 under subsection 4,>
5 2. Page 1, after line 30 by inserting:
6 <Sec. __. Section 433.4, Code 2018, is amended by adding
7 the following new subsection:
8 NEW SUBSECTION. 4. *a.* In order to receive the additional
9 exemption from taxation under subsection 3, each company
10 assessed for taxation under this chapter shall, on or before
11 January 1, 2019, file with the office of the chief information
12 officer a broadband infrastructure expansion certification
13 that must be approved by the chief information officer and
14 transmitted to the department of revenue.
15 *b.* A broadband infrastructure expansion certification filed
16 under this subsection shall provide a plan for the period
17 beginning January 1, 2019, and ending December 31, 2028,
18 detailing the company's proposed broadband infrastructure
19 installation projects that include the installation of
20 broadband infrastructure that facilitates broadband service at
21 or above twenty-five megabits per second of download speed and
22 three megabits per second of upload speed. The certification
23 shall also include all of the following:
24 (1) The proposed location of each project.

- 25 (2) The nature of the broadband infrastructure
 26 installation.
- 27 (3) The actual cost of installing the broadband
 28 infrastructure under the project, if available. The
 29 application shall contain supporting documents demonstrating
 30 the actual cost.
- 31 (4) The estimated date of commencement and the estimated
 32 date of completion of each project.
- 33 (5) Any other information required by the office of the
 34 chief information officer.
- 35 c. The office of the chief information officer shall review

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- 1 each certification filed and if the certification meets the
 2 requirements of this subsection and rules adopted by the office
 3 of the chief information officer to implement this subsection,
 4 approve the certification and transmit such approval to the
 5 department of revenue not later than May 1, 2019.
- 6 d. For purposes of this subsection, “*broadband*
 7 *infrastructure*” means the same as defined in section 8B.1.>
- 8 3. By renumbering as necessary.

CHAZ ALLEN

S-5195

- 1 Amend Senate File 2389 as follows:
- 2 1. By striking page 1, line 33, through page 2, line 7, and
 3 inserting:
- 4 <6. a. A park advisory oversight committee is established,
 5 which shall consist of twelve members as follows:
- 6 (1) The chairpersons, vice chairpersons, and ranking
 7 members of the senate standing committee on natural resources
 8 and environment and the house standing committee on natural
 9 resources.
- 10 (2) The following persons from throughout the state
 11 representing and appointed by each of the following
 12 organizations:
- 13 (a) The Iowa natural heritage foundation.
 14 (b) The Iowa association of county conservation boards.
 15 (c) Ducks unlimited.
 16 (d) Pheasants forever.
 17 (e) The Izaak Walton league.
 18 (f) Iowa rivers revival.
- 19 b. Persons serving on the park advisory oversight committee
 20 pursuant to paragraph “a”, subparagraph (2), shall be subject to
 21 senate confirmation. Those persons shall serve staggered terms
 22 of six years. A person shall not serve on the park advisory
 23 oversight committee for more than two consecutive terms. The
 24 initial terms for representatives from each organization shall
 25 be as follows:

26 (1) One year for the representative from the Iowa natural
27 heritage foundation.

28 (2) Two years for the representative from the Iowa
29 association of county conservation boards.

30 (3) Three years for the representative from ducks
31 unlimited.

32 (4) Four years for the representative from pheasants
33 forever.

34 (5) Five years for the representative from the Izaak Walton
35 league.

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1 (6) Six years for the representative from Iowa rivers
2 revival.

3 c. A vacancy of a position under paragraph "a", subparagraph
4 (2), shall be filled for the remainder of the unexpired term by
5 a representative of the same organization for whose position
6 has become vacant.

7 d. The committee shall meet annually to review the report
8 submitted by the department pursuant to subsection 5. The
9 committee shall submit any recommendations, based on that
10 review, to the senate standing committee on natural resources
11 and environment and the house standing committee on natural
12 resources.>

DAVID JOHNSON

S-5196

1 Amend Senate File 2389 as follows:

2 1. By striking page 1, line 31, through page 2, line 7, and
3 inserting <The report shall be submitted to the senate standing
4 committee on natural resources and environment and the house
5 standing committee on natural resources by December 31 of each
6 year.>

DAN DAWSON

S-5197

HOUSE AMENDMENT TO
SENATE FILE 2155

1 Amend Senate File 2155, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 12B.10A, subsection 1, paragraph c,
5 Code 2018, is amended to read as follows:

6 c.(1) Operating funds may only be invested in investments
7 which mature within three hundred ninety-seven days or less and
8 which are authorized by law for the investing public entity.

- 9 (2) Notwithstanding subparagraph (1), a political
 10 subdivision which has or expects to accrue in the current
 11 budget year an amount of public funds that exceeds operating
 12 funds by at least thirty-three percent may invest amounts
 13 exceeding thirty-three percent of operating funds in
 14 certificates of deposit at federally insured depository
 15 institutions approved pursuant to chapter 12C which mature
 16 within sixty-three months or less provided that the political
 17 subdivision invests an amount reasonably expected to be
 18 expended during the current budget year or within fifteen
 19 months of receipt in investments pursuant to subparagraph (1).>
 20 2. By renumbering as necessary.

S-5198

HOUSE AMENDMENT TO
SENATE FILE 2235

- 1 Amend Senate File 2235, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1. **NEW SECTION. 716.11 Critical infrastructure**
 6 **sabotage — definitions.**
 7 Solely for purposes of this section and section 716.12,
 8 unless the context otherwise requires:
 9 1. “*Critical infrastructure*” means any of the following:
 10 a. An electrical power generating, transmission, or delivery
 11 system.
 12 b. A gas, oil, petroleum, refined petroleum product,
 13 renewable fuel, or chemical critical generation, storage
 14 transportation, or delivery system.
 15 c. A telecommunications or broadband generation,
 16 transmission, or delivery system.
 17 d. A wastewater treatment, collection, or delivery system.
 18 e. A water supply treatment, collection, storage, or
 19 delivery system.
 20 f. Any land, building, conveyance, or other temporary or
 21 permanent structure whether publicly or privately owned, that
 22 contains, houses, supports, or is appurtenant to any critical
 23 infrastructure as described in paragraphs “a” through “e” of
 24 this subsection.
 25 2. “*Critical infrastructure sabotage*” means an unauthorized
 26 and overt act intended to cause and having the means to cause,
 27 and in substantial furtherance of causing, a substantial
 28 and widespread interruption or impairment of a fundamental
 29 service rendered by the critical infrastructure. However,
 30 “*critical infrastructure sabotage*” does not include an
 31 accidental interruption or impairment of service to the
 32 critical infrastructure caused by a person in the performance
 33 of the person’s work duties or caused by a person’s lawful
 34 activity. In addition, “*critical infrastructure sabotage*” does

35 not include any condition or activity related to the production

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1 of farm products as defined in section 554.9102, including
 2 but not limited to the discharge of agricultural stormwater;
 3 the construction or use of soil or water quality conservation
 4 practices or structures; the preparation of agricultural land
 5 and the raising, harvesting, drying, or storage of agricultural
 6 crops; the application of fertilizer as defined in section
 7 200.3, pesticides as defined in section 206.2, or manure
 8 as defined in section 459.102; the installation and use of
 9 agricultural drainage tile and systems; the construction,
 10 operation, or management of an animal feeding operation as
 11 defined in section 459.102; and the care, feeding, or watering
 12 of livestock.

13 3. "System" means a set of connected or interdependent real,
 14 physical, personal, or electronic or computer-based property
 15 that operates as a whole to provide a service. "System" also
 16 includes any real, physical, electronic, or computer implement
 17 that may control or monitor any component of the system.

18 Sec. 2. **NEW SECTION. 716.12 Critical infrastructure**
 19 **sabotage — penalties.**

20 A person who commits critical infrastructure sabotage is
 21 guilty of a class "B" felony, and in addition to the provisions
 22 of section 902.9, subsection 1, paragraph "b", shall be punished
 23 by a fine of not less than eighty-five thousand dollars nor
 24 more than one hundred thousand dollars.>

25 2. By renumbering as necessary.

S-5199

HOUSE AMENDMENT TO
 SENATE FILE 2318

1 Amend Senate File 2318, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <Section 1. Section 256.7, subsection 26, paragraph a,
 5 subparagraph (1), Code 2018, is amended to read as follows:

6 (1) The rules establishing high school graduation
 7 requirements shall ~~authorize a school district or accredited~~
 8 ~~nonpublic school to consider~~ provide that any student, at any
 9 grade level, who satisfactorily completes a high school-level
 10 unit of instruction at a school accredited under section
 11 256.11 has satisfactorily completed a unit of the high school
 12 graduation requirements for that area of instruction; and
 13 ~~shall authorize~~ the school district or accredited nonpublic
 14 school ~~to~~ of enrollment shall issue high school credit for
 15 the unit to the student unless the student is unable to
 16 demonstrate proficiency or the school district or accredited
 17 nonpublic school determines that the course unit completed by

18 the student does not meet the school district's or accredited
 19 nonpublic school's standards, as appropriate. If a student is
 20 denied credit under this subparagraph, the school district or
 21 accredited nonpublic school denying credit shall provide to
 22 the student's parent or guardian in writing the reason for the
 23 denial.>

S-5200

1 Amend the House amendment, S-5142, to Senate File 2099, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 14, by striking <does> and inserting <does
 4 do>
 5 2. Page 2, by striking lines 7 through 17 and inserting:
 6 <Sec. __. EFFECTIVE DATE. The following take effect July
 7 1, 2018:
 8 1. The sections of this Act amending sections 633.3, 635.2,
 9 635.7, and 635.8.
 10 Sec. __. EFFECTIVE DATE. The following takes effect July
 11 1, 2020:
 12 1. The section of this Act amending section 635.1.
 13 Sec. __. APPLICABILITY. The following apply July 1, 2018,
 14 to estates of decedents dying on or after July 1, 2018, and
 15 other estates opened previously and for which administration
 16 has not been completed as of July 1, 2018:
 17 The sections of this Act amending sections 633.3, 635.2, and
 18 635.8.
 19 Sec. __. APPLICABILITY. The following applies July 1,
 20 2018, to estates of decedents dying on or after July 1, 2018:
 21 The section of this Act amending section 635.7.
 22 Sec. __. APPLICABILITY. The following applies July 1,
 23 2020, to estates of decedents dying on or after July 1, 2020:
 24 The section of this Act amending section 635.1.>
 25 3. By renumbering as necessary.

JASON SCHULTZ

S-5201

1 Amend House File 2277, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 18 through 32 and inserting:
 4 <3. a. However, the The following vital statistics records
 5 in the custody of a county registrar may be inspected and
 6 copied as of right under chapter 22 when they are in the
 7 custody of a county registrar or when they are in the custody
 8 of the state archivist and are at least seventy five years old:
 9 ~~e-~~ (1) A record of birth.
 10 ~~b-~~ (2) A record of marriage.
 11 ~~e-~~ (3) A record of divorce, dissolution of marriage, or
 12 annulment of marriage.
 13 ~~d-~~ (4) A record of death if that death was not a fetal

14 death.

15 b. The following vital statistics records in the custody
 16 of the state archivist may be inspected and copied as of right
 17 under chapter 22:

18 (1) A record of birth that is at least seventy-five years
 19 old.

20 (2) A record of marriage that is at least seventy-five years
 21 old.

22 (3) A record of divorce, dissolution of marriage, or
 23 annulment of marriage that is at least seventy-five years old.

24 (4) A record of death or fetal death, either of which is at
 25 least fifty years old.>

JIM CARLIN

S-5202

HOUSE AMENDMENT TO
 SENATE FILE 449

1 Amend Senate File 449, as passed by the Senate, as follows:

2 1. Page 1, after line 5 by inserting:

3 <a. The street or highway is classified as area service "B"
 4 or area service "C" as described in section 309.57.>

5 2. Page 1, line 6, by striking <a.> and inserting <b.>

6 3. Page 1, line 9, by striking <b.> and inserting <c.>

7 4. Page 1, line 10, by striking <that terminates in a dead
 8 end>

9 5. Page 1, line 11, by striking <c.> and inserting <d.>

10 6. Page 1, line 14, by striking <d.> and inserting <e.>

11 7. Page 1, line 17, by striking <described in paragraph "a">
 12 and inserting <to which the street or highway exits>

13 8. Page 1, line 19, after <installed> by inserting <on the
 14 street or highway>

15 9. Page 1, lines 20 and 21, by striking <described in
 16 subsection 1> and inserting <to which the street or highway
 17 exits>

18 10. Page 1, line 23, after <landowner> by inserting <and
 19 each successive landowner>

20 11. Page 1, by striking lines 24 through 26 and inserting
 21 <or maintain a fence along the street or highway between the
 22 point at which the cattle guard is installed and the point at
 23 which the street or highway terminates in a dead end. All of>

24 12. Page 1, line 31, by striking <"c"> and inserting <"c",>

25 13. Page 2, after line 2 by inserting:

26 <4. a. A landowner who installs a cattle guard pursuant to
 27 this section and each successive landowner shall be liable for
 28 injury to any person, for damage to any vehicle or equipment,
 29 and for damage to the contents of any vehicle or equipment,
 30 which occurs proximately as a result of the construction,
 31 installation, or maintenance of the cattle guard or as a result
 32 of livestock straying on to the street or highway between the

33 point at which the cattle guard is installed and the point at
 34 which the street or highway terminates in a dead end.
 35 b. Upon the installation of a cattle guard pursuant to

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1 this section, and before July 1 of each year thereafter, the
 2 landowner who installed the cattle guard or a successive
 3 landowner shall submit to the appropriate county office of
 4 the county having jurisdiction over the street or highway on
 5 which the cattle guard is installed, as designated by the
 6 county, proof of liability coverage in effect for the following
 7 one-year period which covers any injury or loss arising from
 8 the landowner's liability as set forth in paragraph "a".

9 c. This section shall not be construed to alter, limit, or
 10 nullify the maintenance requirements assigned to a county, and
 11 a county's liability relating to such maintenance requirements,
 12 pursuant to section 309.57 for the street or highway on which
 13 the cattle guard is installed.>

14 14. Page 2, line 3, by striking <4.> and inserting <5.>

15 15. Page 2, after line 11 by inserting:

16 <Sec. __. Section 321.285, Code 2018, is amended by adding
 17 the following new subsection:

18 NEW SUBSECTION. 6A. Notwithstanding any other speed
 19 restrictions, the speed limit for all vehicular traffic on a
 20 street or highway on which a cattle guard is installed pursuant
 21 to section 314.30 is fifteen miles per hour between the point
 22 at which the cattle guard is installed and the point at which
 23 the street or highway terminates in a dead end.>

24 16. By renumbering as necessary.

S-5203

1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:

3 1. Page 1, by striking lines 9 through 11 and inserting
 4 <special election as provided in section 331.207. However,
 5 notwithstanding any provision of law to the contrary, counties
 6 shall use plan "three" for>

7 2. Page 1, by striking lines 14 through 16 and inserting
 8 <provision of law to the contrary, a county that does not use
 9 plan "three" for the>

ROBERT M. HOGG

S-5204

1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:

3 1. Page 1, after line 12 by inserting:

4 <Sec. __. Section 331.306, subsection 1, Code 2018, is
 5 amended to read as follows:

6 1. a. ~~If~~ Except as provided in paragraph "b" or otherwise

- 7 provided by state law, if a petition of the voters is
8 authorized by this chapter, the petition is valid if signed by
9 eligible electors of the county equal in number to at least
10 ten percent of the votes cast in the county for the office of
11 president of the United States or governor at the preceding
12 general election, ~~unless otherwise provided by state law.~~
13 b. A petition to call a special election to be held for the
14 purpose of selecting one of the supervisor representation plans
15 pursuant to section 331.207 is valid if signed by eligible
16 electors of the county within a period of time not exceeding
17 one hundred twenty days and equal in number to at least five
18 percent of the votes cast in the county for the office of
19 president of the United States or governor at the preceding
20 general election.
21 c. The petition shall include the signatures of the
22 petitioners, a statement of their place of residence, and the
23 date on which they signed the petition.>
24 2. By renumbering as necessary.

ROBERT M. HOGG

S-5205

- 1 Amend House File 2372, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 3, after line 25 by inserting:
4 <Sec. ___. Section 331.210A, subsection 2, paragraph f,
5 subparagraph (3), Code 2018, is amended to read as follows:
6 (3)(a) After the requirements of paragraphs "a" through
7 "c" have been met, the governing body shall review the plan
8 submitted by the legislative services agency and shall approve
9 or reject the plan. If the plan is rejected, the governing
10 body shall give written reasons for the rejection and shall
11 direct the legislative services agency to prepare a second
12 plan, as provided in paragraph "d". The second plan may be
13 amended by the governing body in accordance with the provisions
14 of paragraph "d". After receiving the second plan, the
15 governing body shall approve either the first plan or the
16 second plan.
17 (b) Notwithstanding any provisions of sections 49.7,
18 331.209, and 331.210 to the contrary, a county board of
19 supervisors or the temporary county redistricting commission
20 of a qualifying county shall complete any necessary changes
21 in supervisor district boundaries not later than sixty days
22 after the date the state commissioner of elections approves
23 the precinct plan of the qualifying county, or November 15 of
24 the year immediately following each year in which the federal
25 decennial census is taken, whichever is later.
26 (c) For purposes of the expedient drawing of supervisor
27 representation plans under this subparagraph (3), the state
28 commissioner of elections shall review, and approve or reject,
29 the precinct plan of a qualifying county within thirty days of

- 30 receipt of the precinct plan from the qualifying county.>
 31 2. By renumbering as necessary.

ROBERT M. HOGG

S-5206

HOUSE AMENDMENT TO
 SENATE FILE 2360

- 1 Amend Senate File 2360, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, after line 19 by inserting:
 4 <__. A representative of an institution of higher education
 5 in Iowa with documented expertise in dyslexia and reading
 6 instruction.>
 7 2. By renumbering, redesignating, and correcting internal
 8 references as necessary.

S-5207

- 1 Amend Senate File 2291 as follows:
 2 1. Page 1, by striking lines 16 through 19 and inserting:
 3 <Sec. __. Section 144.43, subsection 3, Code 2018, is
 4 amended to read as follows:
 5 3. However, the following vital statistics records may be
 6 inspected and copied as of right under chapter 22 when they are
 7 in the custody of a county registrar or when they are in the
 8 custody of the state archivist ~~and are at least seventy-five~~
 9 ~~years old:~~
 10 a. A record of birth that is at least seventy-five years
 11 old.
 12 b. A record of marriage that is at least seventy-five years
 13 old.
 14 c. A record of divorce, dissolution of marriage, or
 15 annulment of marriage that is at least seventy-five years old.
 16 d. A record of death if that death was not a fetal death
 17 that is at least fifty years old.
 18 e. A record of death that was a fetal death in the custody
 19 of the state archivist that is at least fifty years old.>
 20 2. Title page, line 2, after <archivist> by inserting <or a
 21 county registrar>
 22 3. By renumbering as necessary.

JIM CARLIN

S-5208

- 1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:

- 5 <Section 1. Section 331.210A, subsection 2, paragraph e,
 6 subparagraph (2), Code 2018, is amended to read as follows:
 7 (2) For purposes of determining whether the standards
 8 of section 42.4 have been met, an eligible elector may file
 9 a complaint with the state commissioner of elections within
 10 ~~fourteen~~ fifteen days after a plan is approved by the board
 11 of supervisors of the county in which the eligible elector
 12 resides, on a form prescribed by the commissioner, alleging
 13 that the plan was drawn for improper political reasons as
 14 described in section 42.4, subsection 5. If a complaint is
 15 filed with the state commissioner of elections, the state
 16 commissioner shall forward the complaint to the Iowa ethics and
 17 campaign disclosure board established in section 68B.32 for
 18 resolution.>
 19 2. Title page, line 1, by striking <representation and>

ROBERT M. HOGG

S-5209

HOUSE AMENDMENT TO
 SENATE FILE 2169

- 1 Amend Senate File 2169, as passed by the Senate, as follows:
 2 1. Page 1, line 1, by striking <2017> and inserting <2018>
 3 2. Page 1, line 3, by striking <innocent third party> and
 4 inserting <third party who is not the intoxicated person who
 5 caused the injury at issue and>
 6 3. Page 1, line 7, by striking <or "d">
 7 4. Page 1, by striking lines 22 through 30 and inserting:
 8 <c. The total amount recoverable by each plaintiff in any
 9 civil action for noneconomic damages for personal injury,
 10 whether in tort, contract, or otherwise, against a licensee
 11 or permittee, shall be limited to two hundred fifty thousand
 12 dollars for any injury or death of a person, unless the jury
 13 determines that there is a substantial or permanent loss or
 14 impairment of a bodily function, substantial disfigurement,
 15 or death, which warrants a finding that imposition of such a
 16 limitation would deprive the plaintiff of just compensation for
 17 the injuries sustained.>
 18 5. Page 1, before line 31 by inserting:
 19 <Sec. ___. Section 123.92, Code 2018, is amended by adding
 20 the following new subsection:
 21 NEW SUBSECTION. 4. The division shall biennially conduct
 22 an evaluation concerning minimum coverage requirements of
 23 dramshop liability insurance. In conducting the evaluation,
 24 the division shall include a comparison of other states'
 25 minimum dramshop liability insurance coverage and any other
 26 relevant issues the division identifies. By January 31, 2019,
 27 and every two years thereafter, the division shall submit a
 28 report, including any findings and recommendations, to the

- 29 general assembly as provided in chapter 7A.>
 30 6. By renumbering as necessary.

S-5210

- 1 Amend House File 2467, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 4 through 7 and inserting
 4 <payable to a school district for school meals and the school
 5 district has made reasonable efforts to collect the debt,
 6 setoff>
 7 2. Page 1, by striking lines 25 through 27 and inserting:
 8 <3. If a student owes money for five or more meals, school
 9 personnel may contact the student's parent or guardian to>
 10 3. Page 2, by striking lines 5 through 7.
 11 4. By striking page 2, line 34, through page 3, line 3.
 12 5. Page 3, after line 20 by inserting:
 13 <Sec. __. RETROACTIVE APPLICABILITY. The following
 14 applies retroactively to July 1, 2017, for a school district
 15 seeking to use setoff for school meal debt collection under
 16 section 8A.504, subsection 2, paragraph "I", as enacted by this
 17 Act:
 18 The section of this Act enacting section 8A.504, subsection
 19 2, paragraph "I".>
 20 6. Title page, line 5, after <funds> by inserting <, and
 21 including retroactive applicability provisions>
 22 7. By renumbering as necessary.

KEN ROZENBOOM
 JEFF EDLER

S-5211

- 1 Amend House File 2280, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1. Section 256.7, subsection 3, Code 2018, is
 6 amended to read as follows:
 7 3. Prescribe standards and procedures for the approval of
 8 practitioner preparation programs and professional development
 9 programs offered in this state by practitioner preparation
 10 institutions located within or outside this state and by
 11 area education agencies. Procedures provided for approval
 12 of programs shall include procedures for enforcement of
 13 the prescribed standards and, except as provided in section
 14 256.16, subsection 1, paragraph "a", subparagraph (2),
 15 subparagraph division (b), shall not include a procedure for
 16 the waiving of any of the standards prescribed. The board may
 17 establish by rule and collect from practitioner preparation
 18 institutions located outside this state an amount equivalent
 19 to the department's necessary travel and actual expenses

20 incurred while engaged in the program approval process for the
21 institution located outside this state. Amounts collected
22 under this subsection shall be deposited in the general fund
23 of the state.

24 Sec. 2. Section 256.16, subsection 1, paragraph a,
25 subparagraph (2), Code 2018, is amended to read as follows:
26 (2) (a) Administer, prior to a student's completion of the
27 practitioner preparation program and subject to the director's
28 approval, subject assessments designed by a nationally
29 recognized testing service that measure pedagogy and knowledge
30 of at least one subject area; or, a valid and reliable
31 subject-area-specific, performance-based assessment for
32 preservice teacher candidates, centered on student learning.
33 A student shall not successfully complete the program unless
34 the scores achieved by the student achieves scores on the
35 assessments administered under this subparagraph are at or

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1 above the twenty-fifth percentile nationally on the assessments
2 administered pursuant to this subparagraph minimum passing
3 scores set by the department. To determine the minimum passing
4 scores for purposes of this subparagraph, the department
5 shall use the recommended scores which are determined by the
6 assessment provider through a validated standard setting
7 process.

8 (b) The state board shall adopt rules to provide that
9 the director shall waive the assessment requirements of
10 subparagraph division (a) for one year for a person who has
11 completed the course requirements for an approved practitioner
12 preparation program but attained an assessment score below the
13 minimum scores set by the department for successful completion
14 of the program under subparagraph division (a).

15 (c) The board of educational examiners shall adopt rules
16 under chapter 17A to create an initial one-year license for
17 an applicant who obtains a waiver issued by the director in
18 accordance with subparagraph division (b) and presents the
19 waiver within thirty days of issuance to the board or who
20 attended and successfully completed a practitioner preparation
21 program outside of this state and has met all other application
22 requirements with the exception of the assessment score
23 achievement requirements of subparagraph division (a). Such an
24 applicant must provide an affidavit from the administrator of
25 a school district or an accredited nonpublic school verifying
26 that an offer of a teaching contract has been made and the
27 school district or accredited nonpublic school has made every
28 reasonable and good-faith effort to employ a teacher licensed
29 under chapter 272 for the specified subject and is unable to
30 employ such a teacher.

31 Sec. 3. Section 256.16, subsection 2, Code 2018, is amended
32 to read as follows:

33 2. A person initially applying for a license shall

- 34 successfully complete a professional education program
 35 containing the subject matter specified in this section, before

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- 1 the initial action by the board of educational examiners takes
 2 place. However, this subsection shall not apply to a person
 3 who meets the requirements for an initial one-year license in
 4 accordance with subsection 1, paragraph "a", subparagraph (2),
 5 subparagraph division (c).
 6 Sec. 4. Section 272.2, subsection 14, paragraph b,
 7 subparagraph (5), Code 2018, is amended to read as follows:
 8 (5) The applicant fails to meet board standards for
 9 application for an initial or renewed license. However, this
 10 subparagraph shall not apply to a person who applies for an
 11 initial one-year license and submits to the board a waiver
 12 issued by the director of the department in accordance with
 13 section 256.16.>
 14 2. Title page, by striking lines 1 through 3 and inserting
 15 <An Act relating to assessment scores set by the department
 16 of education for successful completion of a practitioner
 17 preparation program and for initial teacher licensure and
 18 providing for related matters.>

MARK CHELGREN

S-5212

- 1 Amend the House amendment, S-5198, to Senate File 2235, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 2, line 12, after <livestock.> by inserting <The
 4 term "*substantial and widespread interruption or impairment of*
 5 *a fundamental service*", as used in this definition, shall not
 6 be construed to prohibit picketing, public demonstrations, and
 7 similar forms of expressing ideas or views regarding legitimate
 8 matters of public interest protected by the United States and
 9 Iowa Constitutions.>

ROBERT M. HOGG

S-5213

- 1 Amend the House amendment, S-5198, to Senate File 2235, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, line 29, after <rendered> by inserting <to
 4 Iowans>

MATT McCOY

S-5214

- 1 Amend the amendment, S-5211, to House File 2280, as amended,
- 2 passed, and reprinted by the House, as follows:
- 3 1. Page 1, line 28, after <approval,> by inserting <untimed>
- 4 2. Page 1, line 31, after <subject-area-specific,> by
- 5 inserting <untimed>

RITA HART

S-5215

- 1 Amend Senate File 2398 as follows:
- 2 1. Page 4, by striking lines 27 through 29.
- 3 2. By renumbering as necessary.

TOM SHIPLEY

S-5216HOUSE AMENDMENT TO
SENATE FILE 481

- 1 Amend Senate File 481, as amended, passed, and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 1, by striking lines 2 through 6 and inserting:
- 4 <__. "Immigration detainer request" means a written federal
- 5 government request to a local entity to maintain temporary
- 6 custody of an alien, including a United States department
- 7 of homeland security form I-247 or a similar or successor
- 8 form. "Immigration detainer request" includes only written
- 9 federal government requests that are accompanied by any of the
- 10 following properly completed forms or similar or successor
- 11 forms, if such forms or similar or successor forms are signed
- 12 by an authorized United States immigration and customs
- 13 enforcement officer:
- 14 a. United States department of homeland security form I-200.
- 15 b. United States department of homeland security form
- 16 I-205.>
- 17 2. Page 3, line 21, by striking <2018,> and inserting
- 18 <2019,>
- 19 3. Page 4, line 16, by striking <or a county attorney>
- 20 4. Page 4, lines 21 and 22, by striking <or county attorney>
- 21 5. Page 4, lines 24 and 25, by striking <or county attorney>
- 22 6. Page 4, line 27, by striking <or county attorney>
- 23 7. Page 4, line 30, by striking <or county attorney>
- 24 8. Page 4, line 32, by striking <or county attorney>
- 25 9. Page 5, line 4, by striking <or county attorney>
- 26 10. Page 5, line 6, by striking <or county attorney>
- 27 11. Page 5, lines 19 and 20, by striking <or county
- 28 attorney>
- 29 12. Page 5, line 33, by striking <or county attorney>

- 30 13. Page 6, line 24, by striking <twelve months> and
 31 inserting <ninety days>
 32 14. Page 6, line 33, by striking <or county attorney>
 33 15. By renumbering, redesignating, and correcting internal
 34 references as necessary.

S-5217

- 1 Amend House File 2442, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, by striking lines 2 through 8 and inserting
 4 <recovered.>
 5 2. Page 2, after line 15 by inserting:
 6 <0c. "Emergency medical care provider" means the same as
 7 defined in section 147A.1.>
 8 3. Page 2, line 16, after <any> by inserting <dance or
 9 cheerleading activity or>
 10 4. Page 2, lines 17 and 18, by striking <practice, including
 11 sports, dance, or cheerleading> and inserting <practice
 12 governed by the Iowa high school athletic association or the
 13 Iowa girls high school athletic union that is a contact or
 14 limited contact activity as identified by the American academy
 15 of pediatrics>
 16 5. By striking page 2, line 34, through page 3, line 1, and
 17 inserting <Iowa high school athletic association or the Iowa
 18 girls high school athletic union, as applicable.>
 19 6. Page 3, line 14, by striking <Annually,> and inserting
 20 <For school years beginning on or after July 1, 2018,>
 21 7. Page 3, line 15, after <student> by inserting <in grades
 22 seven through twelve>
 23 8. Page 3, line 25, after <provider> by inserting <or an
 24 emergency medical care provider>
 25 9. Page 3, line 34, by striking <the> and inserting <a>
 26 10. By striking page 3, line 35, through page 4, line 15,
 27 and inserting:
 28 <6. *Return-to-play protocol and return-to-learn plans.*
 29 a. The department of public health, in cooperation with the
 30 Iowa high school athletic association and the Iowa girls high
 31 school athletic union, shall develop a return-to-play protocol
 32 based on peer-reviewed scientific evidence consistent with the
 33 guidelines of the centers for disease control and prevention
 34 of the United States department of health and human services,
 35 for a student's return to participation in an extracurricular

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- 1 interscholastic activity after showing signs, symptoms, or
 2 behaviors consistent with a concussion or brain injury. The
 3 department of public health shall adopt the return-to-play
 4 protocol by rule pursuant to chapter 17A. The board of
 5 directors of each school district and the authorities in charge
 6 of each accredited nonpublic school with enrolled students who

- 7 participate in an extracurricular interscholastic activity
 8 which is a contest in grades seven through twelve shall adopt
 9 such protocol by July 1, 2019.
- 10 b. Personnel of a school district or accredited nonpublic
 11 school with enrolled students who participate in an
 12 extracurricular interscholastic activity which is a contest in
 13 grades seven through twelve shall develop a return-to-learn
 14 plan based on guidance developed by the brain injury
 15 association of America in cooperation with a student removed
 16 from participation in an extracurricular interscholastic
 17 activity and diagnosed with a concussion or brain injury, the
 18 student's parent or guardian, and the student's licensed health
 19 care provider to accommodate the student as the student returns
 20 to the classroom.>
- 21 11. Page 4, line 32, by striking <fully implements the
 22 protocols> and inserting <adopts and follows the protocol>
- 23 12. Page 4, line 33, after <provides> by inserting <an
 24 emergency medical care provider or>
- 25 13. Page 4, line 33, after <contest> by inserting <that
 26 is a contact or limited contact activity as identified by the
 27 American academy of pediatrics>
- 28 14. Page 4, line 35, after <of> by inserting <the emergency
 29 medical care provider or>
- 30 15. Page 5, line 2, after <as> by inserting <the emergency
 31 medical care provider or>
- 32 16. Page 5, line 7, after <school.> by inserting <A school
 33 district or accredited nonpublic school shall not be liable for
 34 any claim for injuries or damages if an emergency medical care
 35 provider or a licensed health care provider who was scheduled

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- 1 to be present and available at a contest is not able to be
 2 present and available due to unforeseen circumstances and
 3 the school district or accredited nonpublic school otherwise
 4 followed the protocol.>
- 5 17. Page 5, line 8, by striking <A> and inserting <An
 6 emergency medical care provider or a>
- 7 18. Page 5, line 11, after <as> by inserting <the emergency
 8 medical care provider or>
- 9 19. Page 5, by striking lines 17 through 26.
- 10 20. Page 5, before line 27 by inserting:
 11 <Sec. __. IMPLEMENTATION OF RULES. If the rules required
 12 to be adopted by the department of public health pursuant to
 13 section 280.13C, subsection 6, as enacted by this Act, have not
 14 become effective as of July 1, 2019, the board of directors
 15 of each school district and the authorities in charge of
 16 each accredited nonpublic school with enrolled students who
 17 participate in an extracurricular interscholastic activity
 18 which is a contest in grades seven through twelve shall adopt
 19 the return-to-play protocol as soon as practicable after such
 20 rules become effective.>

21 21. By renumbering, redesignating, and correcting internal
22 references as necessary.

AMY SINCLAIR

S-5218

1 Amend Senate File 2320 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 SELECTION OF COUNTY SUPERVISOR REPRESENTATION PLANS

6 Section 1. Section 331.206, subsection 2, paragraph a, Code
7 2018, is amended to read as follows:

8 a. The plan used under subsection 1 shall be selected by the
9 board or by a special election as provided in section 331.207.

10 A plan selected by the board shall remain in effect for at
11 least six years ~~unless it is~~ and shall only be changed by a
12 special election as provided in section 331.207. However, a
13 county with a population of sixty thousand or more based on the
14 most recent federal decennial census shall use plan "three" for
15 the election of supervisors.

16 Sec. 2. TRANSITION PROVISION. Notwithstanding any
17 provision of law to the contrary, a county with a population
18 of sixty thousand or more based on the most recent federal
19 decennial census that does not use plan "three" for the
20 election of supervisors, as defined in section 331.206, as
21 of the effective date of this Act shall not be required to
22 elect supervisors using plan "three" until the election for
23 supervisors following the adoption of a representation plan
24 drawn pursuant to section 331.210A, subsection 2, paragraph
25 "f", after the redistricting of congressional and legislative
26 districts becomes law following the federal decennial census
27 taken in the year 2020.

28 DIVISION II

29 COUNTY SUPERVISOR REPRESENTATION DISTRICTING PLANS

30 Sec. 3. Section 68B.32A, subsection 16, Code 2018, is
31 amended to read as follows:

32 16. Establish an expedited procedure for reviewing
33 complaints forwarded by the state commissioner of elections
34 to the board for a determination as to whether a supervisor
35 district plan adopted pursuant to section 331.210A that differs

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1 from a supervisor district plan prepared by the legislative
2 services agency was drawn for improper political reasons
3 as described in section 42.4, subsection 5. The expedited
4 procedure shall be substantially similar to the process used
5 for other complaints filed with the board except that the
6 provisions of section 68B.32D shall not apply.

7 Sec. 4. Section 331.209, subsection 4, Code 2018, is amended

8 to read as follows:

9 4. Each temporary county redistricting commission shall
 10 notify the state commissioner of elections when the boundaries
 11 of supervisor districts are changed, shall provide a map
 12 delineating the new boundary lines, and shall certify to
 13 the state commissioner of elections the populations of the
 14 new supervisor districts as determined under the latest
 15 federal decennial census. Upon failure of a temporary county
 16 redistricting commission to make the required changes by
 17 the dates specified by this section and sections 331.203
 18 and 331.204 as determined by the state commissioner of
 19 elections, the state commissioner of elections shall make or
 20 cause to be made the necessary changes as soon as possible,
 21 and shall assess to the county the expenses incurred in so
 22 doing. ~~The~~ Except for a representation plan drawn pursuant
 23 to section 331.210A, subsection 2, paragraph "f", the state
 24 commissioner of elections may request the services of personnel
 25 and materials available to the legislative services agency
 26 to assist the state commissioner in making required changes
 27 in supervisor district boundaries which become the state
 28 commissioner's responsibility.

29 Sec. 5. Section 331.210A, subsection 2, paragraph f,
 30 subparagraph (1), Code 2018, is amended to read as follows:

31 (1) ~~(a) Notwithstanding the provisions of this section~~
 32 ~~to the contrary, for~~ For purposes of this paragraph "f",
 33 "qualifying county" means a county that elects supervisors
 34 under plan "three" as defined in section 331.206, or a county
 35 with a population of one hundred eighty thousand or more that

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1 has adopted a charter for a city-county consolidated form of
 2 government or a community commonwealth form of government and
 3 which charter provides for representation by districts;

4 ~~(b) Notwithstanding any provision of this section to the~~
 5 ~~contrary, for a qualifying county,~~ the legislative services
 6 agency, and not the temporary county redistricting commission,
 7 shall draw a representation plan as provided by paragraph "a"
 8 pursuant to a contract executed with the county.

9 ~~(c) A county subject to the requirements of this paragraph~~
 10 ~~"f" shall notify the state commissioner of elections that a~~
 11 ~~representation plan to be drawn pursuant to this paragraph~~
 12 ~~"f" is required and shall submit to the state commissioner~~
 13 ~~of elections the precinct plan to be used to draw the~~
 14 ~~representation plan. Upon notification and submission of a~~
 15 ~~precinct plan, the state commissioner of elections shall review~~
 16 ~~and approve the precinct plan to be used. Following approval~~
 17 ~~of the precinct plan to be used, the state commissioner~~
 18 ~~of elections shall notify the legislative council which~~
 19 ~~shall direct the legislative services agency to prepare a~~
 20 ~~representation plan for the county.~~

21 ~~(d) The plan drawn by the legislative services agency~~

22 shall be based upon the precinct plan adopted and approved
 23 for use by the county and shall be drawn in accordance with
 24 section 42.4, to the extent applicable. After the legislative
 25 services agency has drawn the plan, the legislative services
 26 agency shall at the earliest feasible time make available to
 27 the public all of the information required to be made public
 28 by paragraph "b".>
 29 2. Title page, by striking lines 1 and 2 and inserting <An
 30 Act concerning county supervisor representation and districting
 31 plans.>

MARK CHELGREN

S-5219

1 Amend Senate File 2394 as follows:
 2 1. Page 2, line 18, by striking <~~sixty-seven~~> and inserting
 3 <fifty-nine>
 4 2. Page 2, line 21, by striking <~~thirty-three~~> and inserting
 5 <forty-one>
 6 3. Page 7, line 13, by striking <~~twenty-five~~> and inserting
 7 <twenty>
 8 4. Page 7, line 15, by striking <~~seventy-five~~> and inserting
 9 <eighty>
 10 5. Page 9, after line 14 by inserting:
 11 <Sec. __. STUDY ON PRO HAC VICE ATTORNEY FEE. The judicial
 12 branch shall conduct a study to determine whether the amount of
 13 the current fee to appear pro hac vice is appropriate. If the
 14 judicial branch determines that the fee the appear pro hac vice
 15 is not appropriate, the judicial branch shall adjust the fee
 16 accordingly.>
 17 6. Page 9, by striking lines 22 through 26.
 18 7. Page 11, by striking lines 8 through 23.
 19 8. By striking page 11, line 34, through page 12, line 6.
 20 9. Page 12, line 16, after <exceeds> by inserting <the limit
 21 of>
 22 10. Page 15, line 20, by striking <~~, subparagraph (2)>~~ and
 23 inserting <, subparagraph (2)>
 24 11. Page 15, line 32, by striking <sections> and inserting
 25 <~~sections~~ section>
 26 12. Page 15, line 33, by striking <~~321.383, and~~> and
 27 inserting <section 321.383, subsection 5, and section>
 28 13. Page 18, line 25, by striking <a.>
 29 14. By striking page 18, line 31, through page 19, line 1,
 30 and inserting:
 31 <11. a. Emergency vehicle *and equipment-related*
 32 violations. For ~~emergency vehicle~~ violations *relating to*
 33 authorized emergency vehicles, fire apparatus and equipment,
 34 and police bicycles under the following sections, the scheduled
 35 fine is as follows:>

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- 1 15. Page 19, line 2, by striking <a.> and inserting <~~a.~~
2 (1)>
3 16. Page 19, line 3, by striking <b.> and inserting <~~b.~~
4 (2)>
5 17. Page 19, line 3, by striking <321.323A> and inserting
6 <321.323A, subsection 1>
7 18. Page 19, line 4, by striking <c.> and inserting <~~c.~~
8 (3)>
9 19. Page 19, line 5, by striking <d.> and inserting <~~d.~~
10 (4)>
11 20. Page 19, line 6, by striking <e.> and inserting <~~e.~~
12 (5)>
13 21. Page 19, after line 6 by inserting:
14 <b. Violations relating to stationary nonemergency
15 vehicles. For violations relating to the approach of certain
16 stationary nonemergency vehicles under section 321.323A,
17 subsections 2 and 2A, the scheduled fine is one hundred thirty
18 dollars.>
19 22. Page 20, by striking lines 15 and 16 and inserting:
20 <b. For a violation under section 321.449, ~~or~~ 321.449A, or
21 321.449B, the scheduled fine is fifty-sixty-five dollars.>
22 23. Page 22, by striking lines 29 and 30.
23 24. Page 22, line 31, by striking <q.> and inserting <q.>
24 25. Page 34, after line 10 by inserting:
25 <DIVISION __
26 CRIMINALISTICS LABORATORY FUND
27 Sec. __. Section 691.9, Code 2018, is amended to read as
28 follows:
29 **691.9 Criminalistics laboratory fund.**
30 A criminalistics laboratory fund is created as a separate
31 fund in the state treasury under the control of the department
32 of public safety. The fund shall consist of appropriations
33 made to the fund and transfers of interest, moneys collected
34 from the crime services surcharge established in section 911.1,
35 and earnings. All moneys in the fund are appropriated to

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- 1 the department of public safety for use by the department in
2 criminalistics laboratory equipment and supply purchasing,
3 maintenance, depreciation, the department of administrative
4 services utility service fee for the criminalistics laboratory
5 facility in Ankeny, and training. Any balance in the fund on
6 June 30 of any fiscal year shall not revert to any other fund of
7 the state but shall remain available for the purposes described
8 in this section.>
9 26. By renumbering, redesignating, and correcting internal
10 references as necessary.

S-5220

- 1 Amend Senate File 2398 as follows:
 2 1. Page 11, after line 19 by inserting:
 3 <___. A licensee must regularly test the industrial hemp
 4 to ensure that the industrial hemp does not exceed the maximum
 5 concentration of delta-9 tetrahydrocannabinol as provided in
 6 section 188.8.>
 7 2. Page 21, line 9, by striking <destruction> and inserting
 8 <destruction, including any accompanying disposal.>
 9 3. Page 21, by striking line 30 and inserting <shall be
 10 accomplished in a manner that complies with requirements of the
 11 department and shall be in accordance with applicable federal
 12 law.>
 13 4. By renumbering, redesignating, and correcting internal
 14 references as necessary.

TOM SHIPLEY

S-5221

- 1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 9 through 24 and inserting
 4 <special election as provided in section 331.207.
 5 Sec. ___. Section 331.207, Code 2018, is amended by adding
 6 the following new subsection:
 7 **NEW SUBSECTION. 5A.** Notwithstanding any provision of this
 8 section to the contrary, a county with a population of sixty
 9 thousand or more based on the most recent federal decennial
 10 census that elects supervisors under plan “three” shall not
 11 change from plan “three” to plan “one” or plan “two” pursuant
 12 to a special election under this section unless a plan “one” or
 13 plan “two” representation plan is adopted by a two-thirds vote
 14 of the ballots cast in the special election.>
 15 2. By renumbering as necessary.

MARK CHELGREN

S-5222

- 1 Amend House File 2280, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1. Section 256.7, subsection 3, Code 2018, is
 6 amended to read as follows:
 7 3. Prescribe standards and procedures for the approval of
 8 practitioner preparation programs and professional development
 9 programs offered in this state by practitioner preparation
 10 institutions located within or outside this state and by
 11 area education agencies. Procedures provided for approval

12 of programs shall include procedures for enforcement of
13 the prescribed standards and, except as provided in section
14 256.16, subsection 1, paragraph “a”, subparagraph (2),
15 subparagraph division (b), shall not include a procedure for
16 the waiving of any of the standards prescribed. The board may
17 establish by rule and collect from practitioner preparation
18 institutions located outside this state an amount equivalent
19 to the department’s necessary travel and actual expenses
20 incurred while engaged in the program approval process for the
21 institution located outside this state. Amounts collected
22 under this subsection shall be deposited in the general fund
23 of the state.

24 Sec. 2. Section 256.16, subsection 1, paragraph a,
25 subparagraph (2), Code 2018, is amended to read as follows:

26 (2) (a) Administer, prior to a student’s completion of the
27 practitioner preparation program and subject to the director’s
28 approval, subject assessments designed by a nationally
29 recognized testing service that measure pedagogy and knowledge
30 of at least one subject area; or, a valid and reliable
31 subject-area-specific, performance-based assessment for
32 preservice teacher candidates, centered on student learning.
33 A student shall not successfully complete the program unless
34 the scores achieved by the student achieves scores on the
35 assessments administered under this subparagraph are at or

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1 ~~above the twenty-fifth percentile nationally on the assessments~~
2 ~~administered pursuant to this subparagraph minimum passing~~
3 ~~scores set by the department. To determine the minimum passing~~
4 ~~scores for purposes of this subparagraph, the department~~
5 ~~shall use the recommended scores which are determined by the~~
6 ~~assessment provider through a validated standard setting~~
7 ~~process.~~

8 (b) The state board shall adopt rules to provide that
9 the director shall waive the assessment requirements of
10 subparagraph division (a) for one year for a person who has
11 completed the course requirements for an approved practitioner
12 preparation program but attained an assessment score below the
13 minimum scores set by the department for successful completion
14 of the program under subparagraph division (a).

15 (c) The board of educational examiners shall adopt rules
16 under chapter 17A to create an initial one-year license for
17 an applicant who obtains a waiver issued by the director in
18 accordance with subparagraph division (b) and presents the
19 waiver within thirty days of issuance to the board or who
20 attended and successfully completed a practitioner preparation
21 program outside of this state and has met all other application
22 requirements with the exception of the assessment score
23 achievement requirements of subparagraph division (a). Such an
24 applicant must provide an affidavit from the administrator of
25 a school district or an accredited nonpublic school verifying

26 that an offer of a teaching contract has been made and the
 27 school district or accredited nonpublic school has made every
 28 reasonable and good-faith effort to employ a teacher licensed
 29 under chapter 272 for the specified subject and is unable to
 30 employ such a teacher.
 31 Sec. 3. Section 256.16, subsection 2, Code 2018, is amended
 32 to read as follows:
 33 2. A person initially applying for a license shall
 34 successfully complete a professional education program
 35 containing the subject matter specified in this section, before

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1 the initial action by the board of educational examiners takes
 2 place. However, this subsection shall not apply to a person
 3 who meets the requirements for an initial one-year license in
 4 accordance with subsection 1, paragraph "a", subparagraph (2),
 5 subparagraph division (c).
 6 Sec. 4. Section 272.2, subsection 14, paragraph b,
 7 subparagraph (5), Code 2018, is amended to read as follows:
 8 (5) The applicant fails to meet board standards for
 9 application for an initial or renewed license. However, this
 10 subparagraph shall not apply to a person who applies for an
 11 initial one-year license and submits to the board a waiver
 12 issued by the director of the department in accordance with
 13 section 256.16.>
 14 2. Title page, by striking lines 1 through 3 and inserting
 15 <An Act relating to assessment scores set by the department
 16 of education for successful completion of a practitioner
 17 preparation program and for initial teacher licensure and
 18 providing for related matters.>

TOD R. BOWMAN

S-5223

1 Amend Senate File 2394 as follows:
 2 1. Page 8, lines 4 and 5, by striking <one two hundred
 3 ~~eighty five five~~> and inserting <one hundred eighty-five>

ROBERT M. HOGG

S-5224

1 Amend Senate File 2394 as follows:
 2 1. Page 7, line 31, by striking <twenty>

ROBERT M. HOGG

S-5225

- 1 Amend the amendment, S-5219, to Senate File 2394 as follows:
 2 1. Page 1, by striking lines 6 through 9 and inserting:
 3 <__. Page 7, by striking lines 10 through 17 and inserting:
 4 <b. For filing and docketing a petition for dissolution of
 5 marriage, one hundred eighty-five dollars.>
 6 __. Page 7, line 20, by striking <twenty>
 7 __. Page 7, line 25, by striking <twenty>
 8 __. Page 7, by striking lines 26 through 29 and inserting:
 9 <d. For entering a final decree of dissolution of marriage,
 10 fifty dollars. It is the intent of the general assembly that
 11 the funds generated from the dissolution fees be appropriated
 12 and used for sexual assault and domestic violence centers.>>
 13 2. By renumbering as necessary.

ROBERT M. HOGG

S-5226

- 1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 9 through 24 and inserting
 4 <special election as provided in section 331.207.
 5 Sec. __. Section 331.207, Code 2018, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. 5A. Notwithstanding any provision of this
 8 section to the contrary, a county with a population of sixty
 9 thousand or more based on the most recent federal decennial
 10 census that elects supervisors under plan “three” shall not
 11 change from plan “three” to plan “one” or plan “two” pursuant
 12 to a special election under this section unless a plan “one” or
 13 plan “two” representation plan is adopted by a two-thirds vote
 14 of the ballots cast in the special election.>
 15 2. Page 3, after line 25 by inserting:
 16 <DIVISION __
 17 EFFECTIVE DATE
 18 Sec. __. EFFECTIVE DATE. This Act, being deemed of
 19 immediate importance, takes effect upon enactment.>
 20 3. Title page, line 2, after <plans> by inserting <and
 21 including effective date provisions>
 22 4. By renumbering as necessary.

MARK CHELGREN

S-5227

- 1 Amend the House amendment, S-5216, to Senate File 481, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 32 by inserting:
 4 <__. Page 7, after line 18 by inserting:
 5 <Sec. __. NEW SECTION. **825.12 Local enforcement of federal**

6 **immigration law.**

7 1. Notwithstanding any other provision of this chapter,
8 a county, a city, or any agency or employee thereof shall
9 engage in an action to enforce federal immigration law
10 only if, pursuant to statute, regulation, or memorandum of
11 understanding, all of the following conditions have been met:

12 a. A federal agency has agreed to fully reimburse a county
13 or city for any expenditures, including legal costs, incurred
14 through enforcement of federal immigration law by the county
15 or city.

16 b. A federal agency has agreed to defend a county or city in
17 the event of any legal action taken against the county or city
18 as a result of enforcement of any federal immigration law, and
19 to fully indemnify the county or city for any liability imposed
20 in the course of such a legal action.

21 2. Subsection 1 does not apply to an action by a county, a
22 city, or any agency or employee thereof to comply with a court
23 order or federal arrest warrant.

24 3. A county or city may submit a claim for reimbursement
25 of any expenditures, including legal costs, incurred through
26 enforcement of federal immigration law to the department of
27 management. The department of management shall adopt rules
28 pursuant to chapter 17A relating to the reimbursement of
29 counties and cities pursuant to this section, including but not
30 limited to rules for all of the following:

31 a. Procedures for submission, verification, and payment of
32 claims by counties and cities for reimbursement pursuant to
33 this section.

34 b. Acceptable documentation of expenditures, including legal
35 costs, incurred through enforcement of federal immigration law.

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1 c. Appeal procedures for determinations made by the
2 department pursuant to this section.>>

3 2. By renumbering, redesignating, and correcting internal
4 references as necessary.

DAVID JOHNSON

S-5228

1 Amend the House amendment, S-5216, to Senate File 481, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 34 and inserting:

4 <__. By striking everything after the enacting clause and
5 inserting:

6 <Section 1. IMMIGRATION ENFORCEMENT WORK GROUP AND REPORT.

7 1. An immigration enforcement work group is created to make
8 recommendations regarding the enforcement of immigration laws
9 in this state. Such recommendations shall specifically address
10 the following objectives:

- 11 a. Ensuring the public safety of all Iowa communities.
- 12 b. Enforcing immigration laws in this state, consistent
13 with the Constitution of the United States and the Constitution
14 of the state of Iowa and all applicable federal and state laws.
- 15 c. Identifying opportunities to educate communities in
16 this state in order to balance the goals of complying with
17 immigration laws in this state and ensuring that the rights of
18 all immigrants who reside in this state are respected.
- 19 2. a. The work group shall consist of the following voting
20 members:
- 21 (1) The director of the department of public safety, or the
22 director's designee.
- 23 (2) The attorney general, or the attorney general's
24 designee.
- 25 (3) A representative of the Iowa county attorneys
26 association.
- 27 (4) A representative of the Iowa state police association.
- 28 (5) A representative of the Iowa police chiefs association.
- 29 (6) A representative of the Iowa state sheriffs' and
30 deputies' association.
- 31 (7) The administrator of the division of criminal and
32 juvenile justice planning of the department of human rights, or
33 the administrator's designee.
- 34 b. The membership of the work group shall also include
35 four members of the general assembly. The legislative members

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- 1 shall serve as ex officio, nonvoting members of the work group,
2 with one member to be appointed by each of the following: the
3 majority leader of the senate, the minority leader of the
4 senate, the speaker of the house of representatives, and the
5 minority leader of the house of representatives.
- 6 c. The work group shall elect a chairperson from among its
7 voting members.
- 8 3. The work group shall submit its recommendations in a
9 report to the governor and the general assembly no later than
10 January 4, 2019.
- 11 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
12 importance, takes effect upon enactment.>
- 13 _____. Title page, by striking lines 1 through 3 and inserting
14 <An Act providing for an immigration enforcement work group and
15 report and including effective date provisions.>>
- 16 2. By renumbering, redesignating, and correcting internal
17 references as necessary.

DAVID JOHNSON

S-5229

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 2234

- 1 Amend the Senate amendment, H-8264, to House File 2234, as
2 passed by the House, as follows:
- 3 1. Page 1, after line 1 by inserting:
4 <__. Page 1, after line 32 by inserting:
5 <Sec. __. Section 615.1A, Code 2018, is amended to read as
6 follows:
- 7 **615.1A Execution on judgment — claim for rent.**
8 After the expiration of a period of ~~five ten~~ years from the
9 date of entry of judgment of a court not of record, or twenty
10 years from the date of entry of judgment of a court of record,
11 in an action on a claim for rent, exclusive of any time during
12 which execution on the judgment was stayed pending a bankruptcy
13 action or order of court, such judgment shall be null and void,
14 all liens shall be extinguished, and no execution shall be
15 issued. However, in the event that the judgment or the right
16 to collect thereon is sold or otherwise assigned for value to
17 a third party other than a state or federally chartered bank
18 or credit union, such judgment shall be null and void, all
19 liens shall be extinguished, and no execution shall be issued
20 after the expiration of two years from the date of entry of
21 the judgment, exclusive of any time during which execution on
22 the judgment was stayed pending a bankruptcy action or order
23 of court.>>
- 24 2. Page 1, after line 15 by inserting:
25 <__. Title page, line 3, after <property> by inserting <and
26 relating to the statute of limitations period for executing
27 judgments on claims for rent>>
- 28 3. By renumbering as necessary.

S-5230

- 1 Amend Senate File 2399 as follows:
- 2 1. Page 1, by striking line 4 and inserting <the amount of
3 income resulting from any of the following:
- 4 (1) The value of any medal>
- 5 2. Page 1, after line 7 by inserting:
6 <(2) The value of any medal or prize money received as a
7 result of being awarded a Nobel prize in physics, chemistry,
8 economic sciences, physiology or medicine, or literature, or a
9 Nobel peace prize.>
- 10 3. Title page, line 1, by striking <exempting from> and
11 inserting <relating to>
- 12 4. Title page, line 1, after <tax> by inserting <by
13 exempting>

14 5. Title page, line 3, after <from> by inserting <a Nobel
15 prize or from>

HERMAN C. QUIRMBACH

S-5231

1 Amend Senate File 2399 as follows:
2 1. Page 1, by striking line 4 and inserting <the amount of
3 income resulting from any of the following:
4 (1) The value of any medal>
5 2. Page 1, after line 7 by inserting:
6 <(2) The value of any medal or prize money received as a
7 result of being awarded a Nobel prize in physics, chemistry,
8 economic sciences, physiology or medicine, or literature, or a
9 Nobel peace prize.
10 (3) The value of any award or prize money received as a
11 result of being awarded a Pulitzer prize.
12 (4) The value of any award or prize money received as
13 a result of being awarded the world food prize, the Norman
14 Borlaug field award, or the Norman Borlaug medallion.>
15 3. Title page, line 1, by striking <exempting from> and
16 inserting <relating to>
17 4. Title page, line 1, after <tax> by inserting <by
18 exempting>
19 5. Title page, line 3, after <from> by inserting <a Nobel
20 prize, Pulitzer prize, world food prize, or from>

HERMAN C. QUIRMBACH

S-5232

1 Amend House File 633, as passed by the House, as follows:
2 1. Page 1, line 2, by striking <2017> and inserting <2018>
3 2. Page 1, by striking line 4 and inserting <opportunities
4 — budget years beginning in 2014 through ~~2019~~ 2024.>
5 3. By striking page 1, line 5, through page 2, line 1, and
6 inserting:
7 <Sec. __. Section 257.11, subsection 5, paragraphs c, d,
8 and e, Code 2018, are amended to read as follows:
9 c. Supplementary weighting pursuant to this subsection
10 shall be available to a school district ~~for a maximum of~~
11 ~~five years~~ during the period commencing with the budget year
12 beginning July 1, 2014, through the budget year beginning July
13 1, ~~2019~~ 2024. The maximum amount of additional weighting for
14 which a school district shall be eligible in a budget year
15 is twenty-one additional pupils. Criteria for determining
16 the qualification of operational functions for supplementary
17 weighting shall be determined by the department by rule,
18 through consideration of increased student opportunities.
19 d. Supplementary weighting pursuant to this subsection
20 shall be available to an area education agency ~~for a maximum of~~

21 ~~five years~~ during the period commencing with the budget year
 22 beginning July 1, 2014, through the budget year beginning July
 23 1, ~~2019~~ 2024. The minimum amount of additional funding for
 24 which an area education agency shall be eligible in a budget
 25 year is thirty thousand dollars, and the maximum amount of
 26 additional funding for which an area education agency shall
 27 be eligible is two hundred thousand dollars. The department
 28 of management shall annually set a weighting for each area
 29 education agency to generate the approved operational sharing
 30 expense using the area education agency's special education
 31 cost per pupil amount and foundation level. Criteria for
 32 determining the qualification of operational functions
 33 for supplementary weighting shall be determined by the
 34 department by rule, through consideration of increased student
 35 opportunities.

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- 1 e. This subsection is repealed effective July 1, ~~2020~~ 2025.>
 2 4. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
 CHARLES SCHNEIDER, Chair

S-5233

1 Amend House File 2377, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 23, after line 29 by inserting:
 4 <DIVISION ____
 5 MEDICAL CANNABIDIOL
 6 Sec. ____ Section 124E.2, subsection 2, Code 2018, is
 7 amended by adding the following new paragraphs:
 8 NEW PARAGRAPH. j. Glaucoma.
 9 NEW PARAGRAPH. k. Ehlers-Danlos syndrome.
 10 NEW PARAGRAPH. l. Post-traumatic stress disorder.
 11 NEW PARAGRAPH. m. Tourette's syndrome.
 12 NEW PARAGRAPH. n. Muscular dystrophy.
 13 NEW PARAGRAPH. o. Huntington's disease.
 14 NEW PARAGRAPH. p. Alzheimer's disease.
 15 NEW PARAGRAPH. q. Complex regional pain syndrome, types I
 16 and II.
 17 NEW PARAGRAPH. r. Rheumatoid arthritis.
 18 NEW PARAGRAPH. s. Polyarteritis nodosa.
 19 NEW PARAGRAPH. t. Hepatitis C.
 20 NEW PARAGRAPH. u. Any other chronic or debilitating disease
 21 or medical condition or its medical treatment approved by the
 22 department pursuant to rule.
 23 Sec. ____ Section 124E.2, subsection 6, Code 2018, is
 24 amended to read as follows:
 25 6. "*Medical cannabidiol*" means any pharmaceutical
 26 grade cannabinoid found in the plant *Cannabis sativa* L. or

27 Cannabis indica or any other preparation thereof ~~that has~~
 28 ~~a tetrahydrocannabinol level of no more than three percent~~
 29 ~~and~~ that is delivered in a form recommended by the medical
 30 cannabidiol board, approved by the board of medicine, and
 31 adopted by the department pursuant to rule.
 32 Sec. ___. Section 124E.5, subsection 6, Code 2018, is
 33 amended by striking the subsection.>
 34 2. By renumbering as necessary.

THOMAS A. GREENE

S-5234

1 Amend the Senate amendment, S-5141, to House File 2377, as
 2 amended, passed, and reprinted by the House, as follows:
 3 1. Page 1, before line 3 by inserting:
 4 <__. Page 1, line 5, by striking <3.> and inserting <4.>
 5 ___. Page 1, line 9, by striking <a.> and inserting <u.>>
 6 2. Page 1, after line 10 by inserting:
 7 <__. Page 13, line 24, by striking <g.> and inserting <h.>
 8 ___. Page 16, line 4, by striking <j.> and inserting <k.>>

THOMAS A. GREENE

S-5235

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 2442

1 Amend the Senate amendment, H-8363, to House File 2442, as
 2 amended, passed, and reprinted by the House, as follows:
 3 1. Page 1, after line 24 by inserting:
 4 <__. Page 3, line 30, after <participation> by inserting
 5 <or participate in any dance or cheerleading activity or
 6 activity, contest, or practice governed by the Iowa high school
 7 athletic association or the Iowa girls high school athletic
 8 union>
 9 ___. Page 3, line 34, after <to> by inserting <or commence>>
 10 2. Page 1, line 35, by striking <an> and inserting <any>
 11 3. Page 2, line 35, by striking <scheduled> and inserting
 12 <in accordance with a prearranged agreement with the school
 13 district or accredited nonpublic school>
 14 4. Page 3, line 2, before <unforeseen> by inserting
 15 <documentable,>
 16 5. By renumbering as necessary.

S-5236

1 Amend House File 2377, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, line 3, before <practitioner> by inserting

- 4 <prescribing>
 5 2. Page 2, line 6, before <practitioner> by inserting
 6 <prescribing>
 7 3. Page 2, line 9, by striking <rule> and inserting <rules
 8 adopted by the prescribing practitioner's licensing board>
 9 4. Page 16, line 22, after <nursing,> by inserting
 10 <podiatry,>
 11 5. Page 16, line 23, after <nursing,> by inserting <board
 12 of podiatry,>
 13 6. Page 16, line 25, after <148.3> by inserting <, 149.3,>

MARK COSTELLO

S-5237

- 1 Amend House File 2342, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1. Section 481A.1, Code 2018, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. 33A. "*Trophy*" means any fish, bird, or
 8 animal or any part of a fish, bird, or animal that a person
 9 intends to display.
 10 Sec. 2. Section 481A.11, Code 2018, is amended to read as
 11 follows:
 12 **481A.11 Confiscated or accidentally killed game.**
 13 Except as provided in section 481A.13 ~~or 481A.13A~~, any game
 14 or fish seized by the commission under section 481A.12 or any
 15 game accidentally killed by a motor vehicle on a public highway
 16 shall, when salvageable, be disposed of as determined by the
 17 commission or its designee.
 18 Sec. 3. Section 481A.12, Code 2018, is amended to read as
 19 follows:
 20 **481A.12 Seizure of wildlife taken or handled illegally.**
 21 The director or any peace officer shall seize with or
 22 without warrant and take possession of, or direct the disposal
 23 of, any fish, furs, birds, or animals, or mussels, clams, or
 24 frogs, which have been caught, taken, or killed at a time,
 25 in a manner, or for a purpose, or had in possession or under
 26 control, or offered for shipment, or illegally transported in
 27 the state or to a point beyond its borders, contrary to the
 28 Code. All fish, furs, birds, or animals, or mussels, clams,
 29 or frogs seized under this section ~~may shall~~ be relinquished
 30 to a representative of the commission ~~or disposed of.~~ Upon
 31 seizure, the person from whom the property is seized shall
 32 declare whether any fish, bird, or animal or any part of a
 33 fish, bird, or animal is a trophy. The commission may only
 34 rebut such declaration upon a showing beyond a reasonable doubt
 35 that the seized item is not a trophy. The commission shall

Page 2

1 establish by rule the process by which the commission shall
2 meet its burden of proof and the criteria that the commission
3 shall use in determining whether the seized item is a trophy.
4 If the property seized is not a trophy, the commission shall
5 dispose of the property as provided in section 481A.11. If
6 the property seized is a trophy, the commission shall keep the
7 property in the manner described in section 481A.13.

8 Sec. 4. Section 481A.13, Code 2018, is amended to read as
9 follows:

10 **481A.13 Search warrants.**

11 Any court having jurisdiction of the offense, upon receiving
12 proof of probable cause for believing that any fish, mussels,
13 clams, frogs, birds, furs, or animals caught, taken, killed,
14 had in possession, under control, or shipped, contrary to the
15 Code, or hidden or concealed in any place, shall issue a search
16 warrant and cause a search to be made in any place therefor.
17 The property so seized under warrant shall be safely kept under
18 the direction of the court so long as necessary for the purpose
19 of being used as evidence in any trial, and if a trial results
20 in a conviction the property seized shall be confiscated by
21 the director or the director's officers. If the trial does
22 not result in a conviction, the property shall be returned to
23 the person pursuant to section 481A.13A unless the property is
24 illegal to possess.

25 Sec. 5. **NEW SECTION. 481A.13A Conviction required for**
26 **property confiscation — return of property.**

27 1. The state shall not confiscate property seized under
28 section 481A.12 or 481A.13 unless the person from whom the
29 property was seized is convicted of the violation for which the
30 property was seized or the property is illegal to possess.

31 2. If the person from whom the property was seized is not
32 convicted of the violation for which the property was seized,
33 the department, law enforcement agency, or other governmental
34 agency in possession of the seized property shall return
35 the seized property, except for property that is illegal

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1 to possess, to the person within thirty days of any of the
2 following:

- 3 a. The date the person is found not guilty of the violation.
- 4 b. The date the action involving the violation is dismissed.
- 5 c. The date the statute of limitations expires for the
6 alleged violation for which the property was seized.

7 3. Any game or fish that is not a trophy and any mussel,
8 clam, or frog shall be disposed of as determined by the
9 commission or its designee. The commission shall develop and
10 maintain a schedule for reimbursement based on reasonable
11 market value of the meat of any game or fish that is not a
12 trophy, mussel, clam, or frog. If the person from whom the

13 property was seized is not convicted of the violation for which
 14 the property was seized, the commission shall reimburse that
 15 person within thirty days of the dates provided in subsection
 16 2.

17 4. For purposes of this section, “*convicted*” includes
 18 a finding of guilt, payment of a scheduled fine, a plea of
 19 guilty, deferred judgment, deferred or suspended sentence,
 20 adjudication of delinquency, or circumstance where a person is
 21 not charged with a criminal offense related to the violation
 22 based in whole or in part on the person’s agreement to provide
 23 information regarding the criminal activity of another person.

24 Sec. 6. Section 483A.32, Code 2018, is amended to read as
 25 follows:

26 **483A.32 Public nuisance.**

27 1. Any Subject to subsection 2, any device, contrivance,
 28 or material used to violate a rule adopted by the commission,
 29 or any other provision of this chapter or chapter 481A, 481B,
 30 482, 484A, or 484B, is a public nuisance and may be condemned
 31 by the state. The director, the director’s officers, or
 32 any peace officer, shall seize the devices, contrivances,
 33 or materials used as a public nuisance, without warrant or
 34 process, and deliver them to a magistrate having jurisdiction.
 35 An automobile shall not be construed to be a public nuisance

Page 4

1 under this section.

2 2. The state may only condemn property seized as a public
 3 nuisance if the person from whom the property was seized is
 4 convicted of the violation for which the property was seized as
 5 a public nuisance.

6 3. If the person from whom the property was seized is not
 7 convicted of the violation for which the property was seized,
 8 the department, law enforcement agency, or other governmental
 9 agency in possession of the seized property shall return
 10 the seized property, except for property that is illegal
 11 to possess, to the person within thirty days of any of the
 12 following:

13 a. The date the person is found not guilty of the violation.

14 b. The date the action involving the violation is dismissed.

15 c. The date the statute of limitations expires for the
 16 alleged violation for which the property was seized.

17 4. For purposes of this section, “convicted” means the same
 18 as in section 481A.13A, subsection 3.

19 Sec. 7. Section 483A.33, subsection 3, paragraph a, Code
 20 2018, is amended to read as follows:

21 a. The person from whom the property was seized may make
 22 application for its return in the office of the clerk of the
 23 district court for the county in which the property was seized.
 24 The application shall be filed within thirty days after
 25 the receipt of the notice of condemnation or the person is
 26 convicted of the violation for which the property was seized,

27 whichever occurs later. Failure to file the application within
 28 this time period terminates the interest of the person and the
 29 ownership of the property shall be transferred to the state,
 30 except that a person who is not convicted of the violation
 31 for which the property was seized is not required to file an
 32 application and is entitled to the return of the property in
 33 accordance with section 483A.32 unless the property is illegal
 34 to possess.

35 Sec. 8. Section 483A.33, subsection 4, Code 2018, is amended

Page 5

1 to read as follows:

2 4. If an application for return of condemnable property
 3 is timely and of sufficient grounds, the claim shall be set
 4 for hearing. The hearing shall be held not less than ten nor
 5 more than thirty days after the ~~filing of the claim~~ claim is
 6 filed or the person is convicted for the violation for which
 7 the property was seized as a public nuisance, whichever occurs
 8 later. The proceeding shall be conducted by a magistrate or
 9 a district associate judge. All claims to the same property
 10 shall be heard in one proceeding, unless it is shown that the
 11 proceeding would result in prejudice to one or more of the
 12 parties.

13 Sec. 9. Section 483A.33, subsection 5, Code 2018, is amended
 14 by adding the following new paragraphs:

15 NEW PARAGRAPH. c. On or before December 31, 2018, and
 16 on or before December 1 each year thereafter, the department
 17 shall report to the general assembly's standing committees
 18 on government oversight regarding the amount of the proceeds
 19 deposited to the state fish and game protection fund pursuant
 20 to this subsection. The report shall also contain all
 21 information recorded pursuant to paragraph "d".

22 NEW PARAGRAPH. d. A seizing public agency that has custody
 23 of any property that is seized pursuant to a provision of this
 24 subchapter shall adopt and comply with a written internal
 25 control policy that does all of the following:

26 (1) Provides for keeping detailed records as to the amount
 27 of property acquired by the agency and the date property was
 28 acquired.

29 (2) Provides for keeping detailed records of the
 30 disposition of the property, which shall include the manner
 31 in which the property was disposed, the date of disposition,
 32 and detailed financial records concerning any property sold.
 33 The records shall not identify or enable identification of the
 34 individual officer who seized any item of property or the name
 35 of any person or entity who received any item of property.

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1 NEW PARAGRAPH. e. The records kept under the internal
 2 control policy shall be open to public inspection during the

3 agency's regular business hours. The policy adopted under this
 4 section is a public record open for inspection under chapter
 5 22.

6 Sec. 10. Section 483A.33, Code 2018, is amended by adding
 7 the following new subsections:

8 NEW SUBSECTION. 6. *a.* An employee of the seizing public
 9 agency or a member of the immediate family of the employee
 10 shall not purchase a fish, fur, bird, animal, mussel, clam, or
 11 frog seized pursuant to section 481A.12, a device, contrivance,
 12 or material condemned pursuant to section 483A.32, or a weapon
 13 seized pursuant to section 483A.32 and disposed of pursuant
 14 to this section or section 809.21. For purposes of this
 15 subsection, "*member of the immediate family*" means a spouse,
 16 child, stepchild, brother, brother-in-law, stepbrother, sister,
 17 sister-in-law, stepsister, parent, parent-in-law, or stepparent
 18 of an employee of the seizing public agency who resides in the
 19 same household in the same principal residence of the employee
 20 of the seizing public agency.

21 *b.* The department shall provide a form on which a person
 22 purchasing property seized pursuant to section 481A.12 or
 23 483A.32 shall declare that the person is not an employee of the
 24 seizing public agency or a member of the immediate family of an
 25 employee of the seizing public agency.

26 NEW SUBSECTION. 7. For purposes of this section,
 27 "*convicted*" means the same as in section 481A.13A, subsection
 28 3.>

JULIAN B. GARRETT

S-5238

1 Amend House File 2480, as passed by the House, as follows:

2 1. Page 1, line 12, after <land.> by inserting <The program
 3 shall provide that an individual financing a manufactured
 4 home pursuant to this section shall not be evicted from a
 5 manufactured home sited on leased land without just cause and a
 6 violation of this provision shall authorize the individual to
 7 seek damages pursuant to chapter 562B.>

8 2. Page 1, by striking lines 20 through 30 and inserting:
 9 <*b.* Notwithstanding any provision of section 16.46, 16.47,
 10 16.48, or 16.49 to the contrary, the authority may transfer
 11 for any fiscal year, subject to the requirements of this
 12 paragraph, any unobligated and unencumbered moneys in the funds
 13 created in sections 16.46, 16.47, 16.48, and 16.49 from the
 14 prior fiscal year in an amount not to exceed the lesser of two
 15 million dollars or an amount equal to the total amount of any
 16 unobligated and unencumbered moneys in the funds available
 17 for transfer from the previous fiscal year reduced by two
 18 million dollars. Of the moneys transferred in any fiscal
 19 year, the authority may only expend the first million dollars
 20 transferred for purposes of the home ownership assistance
 21 program for military members established in section 16.54, with

22 the remainder of the moneys transferred for deposit in the
 23 manufactured housing program fund.>
 24 3. Page 3, line 2, after <Iowa.> by inserting <An eligible
 25 member of the armed forces of the United States financing a
 26 manufactured home on leased land pursuant to this section shall
 27 not be evicted from the manufactured home without just cause
 28 and a violation of this provision shall authorize the eligible
 29 member to seek damages pursuant to chapter 562B.>

LIZ MATHIS

S-5239

HOUSE AMENDMENT TO
 SENATE JOINT RESOLUTION 2006

1 Amend Senate Joint Resolution 2006, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the resolving clause and
 4 inserting:
 5 <Section 1. The following amendment to the Constitution of
 6 the State of Iowa is proposed:
 7 Section 4 of Article IV of the Constitution of the State of
 8 Iowa, as amended by amendment number 1 of the Amendments of
 9 1952 and by amendment number 1 of the Amendments of 1988, is
 10 repealed and the following adopted in lieu thereof:
 11 **Election by general assembly in case of tie — inability of**
 12 **governor-elect to qualify — succession by lieutenant governor —**
 13 **inauguration of governor and lieutenant governor upon removal of**
 14 **inability of governor-elect to qualify.** SEC. 4. The nominees
 15 for governor and lieutenant governor jointly having the highest
 16 number of votes cast for them shall be declared duly elected.
 17 If two or more sets of nominees for governor and lieutenant
 18 governor have an equal and the highest number of votes for
 19 the offices jointly, the general assembly shall by joint vote
 20 proceed, as soon as is possible, to elect one set of nominees
 21 for governor and lieutenant governor.
 22 If after the final canvass of votes but before inauguration
 23 the governor-elect has since died, does not qualify, or
 24 is permanently unable to become governor, the lieutenant
 25 governor-elect shall become the governor upon inauguration, to
 26 the exclusion of any other office, for the residue of the term.
 27 In the event of a temporary inability of the governor-elect
 28 to assume office, the lieutenant governor-elect shall become
 29 governor upon inauguration, until the inability is removed, at
 30 which time, the governor-elect and lieutenant governor-elect
 31 shall become governor and lieutenant governor, respectively,
 32 upon inauguration.
 33 Section 10 of Article IV of the Constitution of the State of
 34 Iowa is amended to read as follows:
 35 **Vacancies — lieutenant governor vacancy.** SEC. 10. When

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1 any office, excluding the office of lieutenant governor,
 2 shall, from any cause, become vacant, and no mode is provided
 3 by the constitution and laws for filling such vacancy, the
 4 governor shall have power to fill such vacancy, by granting a
 5 commission, which shall expire at the end of the next session
 6 of the general assembly, or at the next election by the people.

7 When the office of lieutenant governor shall, from any
 8 cause, become vacant, and no mode is otherwise provided by the
 9 constitution for filling such vacancy, the governor shall have
 10 power to fill such vacancy for the residue of the term, by
 11 granting a commission, which shall expire as provided in the
 12 constitution.

13 Section 17 of Article IV of the Constitution of the State of
 14 Iowa is repealed and the following adopted in lieu thereof:

15 **Lieutenant governor to become governor — filling of**
 16 **lieutenant governor vacancy.** SEC. 17. In case of death,
 17 impeachment, resignation, removal from office, or other
 18 inability to serve of the governor, the lieutenant governor
 19 shall succeed and become the governor, to the exclusion of any
 20 other office. If the preceding governor thereafter becomes
 21 able to serve, the preceding governor shall become governor and
 22 the succeeding governor shall resume the office of lieutenant
 23 governor, to the exclusion of any other office, each for the
 24 residue of the term, respectively. If the succeeding governor
 25 has filled a vacancy in the office of lieutenant governor
 26 by granting a commission, that commission shall expire upon
 27 the resumption of the office of lieutenant governor by the
 28 preceding lieutenant governor.

29 Section 19 of Article IV of the Constitution of the State
 30 of Iowa, as amended by amendment number 2 of the Amendments of
 31 1952 and by amendment number 2 of the Amendments of 1988, is
 32 repealed and the following adopted in lieu thereof:

33 **Succession to office of governor and lieutenant governor —**
 34 **simultaneous inability to serve — qualification of successor**
 35 **governor to office.** SEC. 19. If the governor and lieutenant

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1 governor are simultaneously unable to serve, the president of
 2 the senate shall become governor, followed by the speaker of
 3 the house of representatives if the president of the senate
 4 is unable or unwilling to serve, followed by the president
 5 pro tempore of the senate if the speaker of the house of
 6 representatives is unable or unwilling to serve, followed
 7 by the speaker pro tempore of the house of representatives
 8 if the president pro tempore of the senate is unable or
 9 unwilling to serve, each succeeding, to the exclusion of any
 10 other office. If none of the above are able or willing to
 11 serve as governor and the general assembly is not in session,
 12 the justices of the supreme court shall convene the general

13 assembly by proclamation and the general assembly shall
 14 organize by the election of a president of the senate and a
 15 speaker of the house of representatives. The president-elect
 16 of the senate shall then become governor. If at that time the
 17 president-elect of the senate is unable or unwilling to serve,
 18 the speaker-elect of the house of representatives shall become
 19 governor.

20 If the governor so succeeded becomes able to serve, the
 21 governor so succeeded shall resume the office of governor. If
 22 the lieutenant governor so succeeded becomes able to serve
 23 while the governor so succeeded remains unable to serve, the
 24 lieutenant governor so succeeded shall assume the office of
 25 governor.

26 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
 27 amendment to the Constitution of the State of Iowa is referred
 28 to the general assembly to be chosen at the next general
 29 election for members of the general assembly, and the secretary
 30 of state is directed to cause the proposed amendment to be
 31 published for three consecutive months previous to the date of
 32 that election as provided by law.>

S-5240

1 Amend the House amendment, S-5157, to Senate File 220, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 8, line 16, and
 4 inserting:

5 <Amend Senate File 220, as amended, passed, and reprinted by
 6 the Senate, as follows:

7 _____. By striking everything after the enacting clause and
 8 inserting:

9 <Section 1. **NEW SECTION. 321.492C Use of automated or**
 10 **remote systems for traffic law enforcement prohibited.**

11 The state or a political subdivision of the state shall not
 12 place or cause to be placed on or adjacent to a highway, or
 13 maintain or employ the use of, any automated or remote system
 14 for traffic law enforcement. For the purposes of this section,
 15 "*automated or remote system for traffic law enforcement*" means a
 16 camera or other optical device designed to work in conjunction
 17 with an official traffic control signal or speed measuring
 18 device to identify motor vehicles operating in violation of
 19 traffic laws, the use of which results in the issuance of
 20 citations sent through the mail or by electronic means.

21 Sec. 2. **REMOVAL OF AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC**
 22 **LAW ENFORCEMENT — VALIDITY OF PRIOR CITATIONS.** Prior to July
 23 1, 2018, a local authority using an automated or remote system
 24 for traffic law enforcement shall discontinue using the system
 25 and remove the system equipment. Effective July 1, 2018, all
 26 local ordinances authorizing the use of automated or remote
 27 systems for traffic law enforcement are void. However, any
 28 citation issued or mailed pursuant to such an ordinance prior
 29 to July 1, 2018, shall not be invalidated by the enactment of

30 this Act and shall be processed according to the provisions of
 31 law under which the citation was authorized.
 32 Sec. 3. EFFECTIVE DATE. The section of this Act relating
 33 to the removal of automated or remote systems for traffic law
 34 enforcement and the validity of prior citations, being deemed
 35 of immediate importance, takes effect upon enactment.>

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1 _____. Title page, by striking lines 1 and 2 and inserting
 2 <An Act prohibiting the use of automated or remote systems for
 3 traffic law enforcement, requiring the removal of existing
 4 systems, and including effective date provisions.>>
 5 2. By renumbering as necessary.

BRAD ZAUN

S-5241

1 Amend House File 648, as passed by the House, as follows:
 2 1. Page 1, line 1, by striking <2017> and inserting <2018>
 3 2. Page 1, line 10, by striking <2017> and inserting <2018>
 4 3. Page 2, line 1, by striking <2017> and inserting <2018>
 5 4. Page 2, after line 17 by inserting:
 6 <Sec. _____. NEW SECTION. 260C.41 High-demand occupation tax
 7 credit — agreement.
 8 1. A high-demand occupation tax credit is allowed under this
 9 section. The tax credit is allowed against the taxes imposed
 10 in chapter 422, division II, as provided in section 422.11K,
 11 to facilitate an increase in the number of Iowans prepared to
 12 enter high-demand occupational fields.
 13 2. In order to qualify for the tax credit, the taxpayer
 14 must meet qualifications established by the board of directors
 15 of the community college in which the taxpayer enrolled and
 16 attended a course of study in accordance with this subsection.
 17 At a minimum, the taxpayer must comply with all of the
 18 following:
 19 a. Be a resident of Iowa who enrolls in a community
 20 college in a course of study which results in the community
 21 college conferring a credential that qualifies the taxpayer
 22 for a high-demand occupation. For purposes of this section,
 23 “*credential*” means a postsecondary certificate, diploma, or
 24 degree, but not more than an associate degree. For purposes
 25 of this section, “*high-demand occupation*” means an occupation
 26 in the fields of science, technology, engineering, and
 27 mathematics, and occupations aligned with the six career and
 28 technical education service areas as defined in section 256.11,
 29 subsection 5, paragraph “h”.
 30 b. Execute an agreement with the community college under
 31 which the taxpayer maintains a grade point average of at least
 32 two-point-five on a four-point grade scale, or the equivalent
 33 if another grade scale is used, until the taxpayer is issued a

34 credential by the community college for successful completion
35 of a course of study that meets the requirements of paragraph

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1 "a". The agreement shall be for at least two years, but not
2 more than five years.
3 3. a. If the taxpayer meets the terms of the agreement
4 entered into under subsection 2, the community college shall
5 submit to the department of revenue the total amount of tuition
6 and mandatory fees paid by the taxpayer in earning a credential
7 under this section.
8 b. The department of revenue shall issue the tax credit
9 certificate to the taxpayer upon receipt of information
10 submitted to the department of revenue by a community college
11 in accordance with this subsection.
12 4. The tax credit shall equal the gross amount paid to the
13 community college for tuition and mandatory fees paid by the
14 taxpayer under the agreement.
15 5. a. To claim a tax credit under this section, a taxpayer
16 shall include one or more tax credit certificates with the
17 taxpayer's tax return.
18 b. The tax credit certificate shall contain the taxpayer's
19 name, address, tax identification number, the amount of the
20 credit, and any other information required by the department
21 of revenue.
22 c. The tax credit certificate, unless rescinded by the
23 department of revenue, shall be accepted by the department
24 of revenue as payment for taxes imposed in chapter 422,
25 division II, subject to any conditions or restrictions placed
26 by the department of revenue upon the face of the tax credit
27 certificate and subject to the limitations of this tax credit.
28 6. A tax credit in excess of the taxpayer's liability for
29 the tax year is not refundable but may be credited to the tax
30 liability for the following five tax years or until depleted,
31 whichever is earlier. However, if the taxpayer enters into
32 active military service as a member of the Iowa army national
33 guard, the Iowa air national guard, the active military forces
34 of the United States, the army national guard of the United
35 States, or the air national guard of the United States, or

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1 enrolls in an accredited private institution as defined in
2 section 261.9 or in an institution of higher learning governed
3 by the state board of regents, the tax credit may be credited
4 to the tax liability for an additional two years or until
5 depleted, whichever is earlier. A tax credit shall not be
6 carried back to a tax year prior to the tax year in which the
7 taxpayer redeems the tax credit. A tax credit shall not be
8 transferable to any other person.
9 Sec. __. NEW SECTION. **422.11K High-demand occupation tax**

10 **credit.**

11 The taxes imposed under this division, less the credits
 12 allowed under section 422.12, shall be reduced by a high-demand
 13 occupation tax credit allowed under section 260C.41.>

14 5. Page 2, after line 19 by inserting:

15 <Sec. __. APPLICABILITY. The sections of this Act enacting
 16 sections 260C.41 and 422.11K apply to tax years beginning on or
 17 after January 1, 2019.>

18 6. Title page, line 1, after <to> by inserting
 19 <strengthening Iowa's workforce,>

20 7. Title page, line 2, after <partnerships> by inserting
 21 <, a tax credit for community college students pursuing a
 22 credential leading to a high-demand occupation,>

23 8. Title page, line 2, after <date> by inserting <and
 24 applicability>

25 9. By renumbering as necessary.

MARK CHELGREN

S-5242

1 Amend House File 2397, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <Section 1. **NEW SECTION. 671A.1 Limitation on liability**
 5 **for negligently hiring or failing to supervise an employee,**
 6 **agent, or independent contractor convicted of a public offense.**

7 1. A cause of action shall not be brought against a private
 8 employer, general contractor, or premises owner solely for
 9 negligently hiring or failing to adequately supervise an
 10 employee, agent, or independent contractor, based on evidence
 11 that the employee, agent, or independent contractor has been
 12 convicted of a public offense as defined in section 701.2.

13 2. This chapter does not create a cause of action or expand
 14 an existing cause of action.

15 3. This chapter does not apply to employment of prisoners
 16 at prisons.

17 4. This chapter does not alter any statutory provision
 18 allowing an employer to conduct a criminal history background
 19 investigation or consider criminal history records in the
 20 employment process for particular types of employment.

21 Sec. 2. **NEW SECTION. 671A.2 Liability protection not**
 22 **applicable.**

23 1. This chapter does not preclude a cause of action for
 24 negligent hiring by or the failure of a private employer,
 25 general contractor, or premises owner to provide adequate
 26 supervision of an employee, agent, or independent contractor,
 27 based on evidence that the employee, agent, or independent
 28 contractor has been convicted of a public offense as defined in
 29 section 701.2, if all of the following criteria are met:

30 a. The private employer, general contractor, or premises
 31 owner knew or should have known of the conviction.

32 b. The employee, agent, or independent contractor was
33 convicted of any of the following:
34 (1) A public offense that was committed while performing
35 duties substantially similar to those reasonably expected to

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1 be performed in the employment or under the relationship or
2 contract, or under conditions substantially similar to those
3 reasonably expected to be encountered in the employment or
4 under the relationship or contract, taking into consideration
5 all of the following factors:
6 (a) The nature and seriousness of the public offense.
7 (b) The relationship of the public offense to the ability,
8 capacity, or fitness required to perform the duties and
9 discharge the responsibilities of the employment or the
10 relationship or contract.
11 (c) The extent and nature of the employee, agent, or
12 independent contractor's past criminal activity.
13 (d) The age of the employee, agent, or independent
14 contractor when the public offense was committed.
15 (e) The amount of time that has elapsed since the employee,
16 agent, or independent contractor's last criminal activity.
17 (f) The conduct and work activity of an employee, agent, or
18 independent contractor before and after the criminal activity.
19 (g) Evidence of the employee, agent, or independent
20 contractor's rehabilitation or rehabilitative effort while
21 incarcerated or after release.
22 (h) Other evidence of the employee, agent, or independent
23 contractor's fitness, including letters of recommendation from
24 any of the following:
25 (i) Prosecutors, law enforcement, or correctional officers
26 who prosecuted, arrested, or had custodial responsibility for
27 the employee, agent, or independent contractor.
28 (ii) The sheriff or chief of police in the community where
29 the employee, agent, or independent contractor resides.
30 (iii) Any other person in contact with the convicted
31 employee, agent, or independent contractor.
32 (2) A sexually violent offense as defined in section 229A.2.
33 (3) The offense of murder in the first degree under section
34 707.2.
35 (4) The offense of murder in the second degree under section

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1 707.3.
2 (5) The offense of kidnapping in the first degree under
3 section 710.2.
4 (6) The offense of robbery in the first degree under section
5 711.2.
6 (7) An offense committed on certain real property for which
7 an enhanced penalty was received under section 124.401A or

8 124.401B.

9 (8) A felony offense where the employee, agent, or
10 independent contractor used or exhibited a dangerous weapon as
11 defined in section 702.7 during the commission of or during
12 immediate flight from the scene of the felony offense, or
13 where the employee, agent, or independent contractor used or
14 exhibited the dangerous weapon or was a party to the felony
15 offense and knew that a dangerous weapon would be used or
16 exhibited.

17 2. The protections provided to a private employer, general
18 contractor, or premises owner under this chapter do not apply
19 in a suit concerning the misuse of funds or property of a
20 person other than the employer, general contractor, or premises
21 owner, by an employee, agent, or independent contractor if, on
22 the date the employee, agent, or independent contractor was
23 hired, the employee, agent, or independent contractor had been
24 convicted of a public offense that included fraud or the misuse
25 of funds or property as an element of the public offense, and
26 it was foreseeable that the position for which the employee,
27 agent, or independent contractor was hired would involve
28 discharging a fiduciary responsibility in the management of
29 funds or property.>

30 2. Title page, by striking lines 1 and 2 and inserting <An
31 Act relating to the liability of private employers, general
32 contractors, and premises owners for negligently hiring
33 or failing to supervise employees, agents, or independent
34 contractors convicted of a public offense.>

DAN DAWSON

S-5243

1 Amend House File 2342, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, lines 13 and 14, by striking <of, or direct the
4 disposal of;> and inserting <of, or direct the disposal of,>

5 2. Page 1, line 21, by striking <commission or disposed of
6 and> and inserting <commission, or disposed of, or>

7 3. Page 2, line 3, after <481.13A> by inserting <unless
8 the property is fish or wildlife that is illegal to possess,
9 including fish or wildlife that was taken, possessed, or
10 transported unlawfully>

11 4. Page 2, line 9, after <seized.> by inserting <However,
12 the state shall not return any fish or wildlife that is
13 illegal to possess, including fish or wildlife that was taken,
14 possessed, or transported unlawfully.>

15 5. Page 5, line 9, after <6.> by inserting <a.>

16 6. Page 5, after line 21 by inserting:

17 <b. The department shall provide a form on which a person
18 purchasing property seized pursuant to section 481A.12 or
19 483A.32 shall declare that the person is not an employee of the

20 seizing public agency or a member of the immediate family of an
21 employee of the seizing public agency.>

JULIAN B. GARRETT

S-5244

1 Amend House File 2466, as passed by the House, as follows:
2 1. Page 1, line 24, by striking <may include but are not>
3 and inserting <are>
4 2. Page 1, line 27, by striking <and> and inserting <and, as
5 determined by an agreement between the landowner or occupant
6 and the commission.>
7 3. Page 1, line 28, after <animals.> by inserting <Absent an
8 agreement between the landowner or occupant and the commission,
9 the commission shall not limit the unnatural congregation of
10 animals on the landowner's or occupant's property.>
11 4. Page 2, after line 24 by inserting:
12 <f. In administering paragraph "b", an employee or agent
13 of the department shall not enter private property without the
14 consent of the owner or occupant.>

KEN ROZENBOOM

S-5245

1 Amend Senate File 2397 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 124E.2, subsection 2, paragraph b, Code
4 2018, is amended to read as follows:
5 b. Multiple sclerosis ~~with severe and persistent muscle~~
6 ~~spasms.~~
7 Sec. ___. Section 124E.2, subsection 2, Code 2018, is
8 amended by adding the following new paragraphs:
9 NEW PARAGRAPH. j. Glaucoma.
10 NEW PARAGRAPH. k. Ehlers-Danlos syndrome.
11 NEW PARAGRAPH. l. Post-traumatic stress disorder.
12 NEW PARAGRAPH. m. Tourette's syndrome.
13 NEW PARAGRAPH. n. Muscular dystrophy.
14 NEW PARAGRAPH. o. Huntington's disease.
15 NEW PARAGRAPH. p. Alzheimer's disease.
16 NEW PARAGRAPH. q. Complex regional pain syndrome, types I
17 and II.
18 NEW PARAGRAPH. r. Rheumatoid arthritis.
19 NEW PARAGRAPH. s. Polyarteritis nodosa.
20 NEW PARAGRAPH. t. Any other chronic or debilitating disease
21 or medical condition or its medical treatment approved by the
22 department pursuant to rule.
23 Sec. ___. Section 124E.2, subsection 6, Code 2018, is
24 amended by striking the subsection and inserting in lieu
25 thereof the following:
26 6. "Medical cannabidiol" means any pharmaceutical grade

27 cannabinoid used for medicinal purposes pursuant to rules of
 28 the board, including tetrahydrocannabinols naturally contained
 29 in a plant of the genus Cannabis (Cannabis plant) as well
 30 as synthetic equivalents of the substances contained in the
 31 Cannabis plant, or in the resinous extractives of such plant,
 32 and synthetic substances, derivatives, and their isomers with
 33 similar chemical structure and pharmacological activity to
 34 those substances contained in the plant, such as the following:
 35 a. 1 cis or trans tetrahydrocannabinol, and their optical

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1 isomers.
 2 b. 6 cis or trans tetrahydrocannabinol, and their optical
 3 isomers.
 4 c. 3,4 cis or trans tetrahydrocannabinol, and their optical
 5 isomers. (Since nomenclature of these substances is not
 6 internationally standardized, compounds of these structures,
 7 regardless of numerical designation of atomic positions
 8 covered.)
 9 d. Nabilone [another name for nabilone: (+) -
 10 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy
 11 -6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one].
 12 Sec. ____ Section 124E.5, subsection 4, Code 2018, is
 13 amended to read as follows:
 14 4. Recommendations made by the medical cannabidiol board
 15 pursuant to subsection 3, paragraphs "b" and "e", shall be made
 16 to the ~~board of medicine department~~ for consideration, and if
 17 approved, shall be adopted by the ~~board of medicine department~~
 18 by rule.>
 19 2. Page 1, before line 16 by inserting:
 20 Sec. ____ Section 124E.8, subsection 1, paragraph a, Code
 21 2018, is amended to read as follows:
 22 a. The department shall issue a request for proposals
 23 to select and license by April 1, ~~2018~~ 2019, ~~up to five~~
 24 twelve medical cannabidiol dispensaries to dispense medical
 25 cannabidiol within this state consistent with the provisions
 26 of this chapter. The department shall license new medical
 27 cannabidiol dispensaries or relicense the existing medical
 28 cannabidiol dispensaries by December 1 of each year.>
 29 3. Page 2, before line 11 by inserting:
 30 <Sec. ____ Section 124E.11, subsection 2, paragraph c, Code
 31 2018, is amended to read as follows:
 32 c. Establish the form and quantity of medical cannabidiol
 33 allowed to be dispensed to a patient or primary caregiver
 34 pursuant to this chapter as appropriate to serve the medical
 35 needs of patients with debilitating medical conditions, subject

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1 to recommendation by the medical cannabidiol board ~~and approval~~
 2 ~~by the board of medicine.>~~

- 3 4. Title page, by striking lines 1 through 3 and inserting
4 <An Act relating to the medical cannabidiol Act, including
5 provisions relating to the definition of a debilitating medical
6 condition and the definition of medical cannabidiol, the form
7 and quantity in which medical cannabidiol may be dispensed,
8 the collection of fees, the performance of background
9 investigations, and the issuance of permits, and including
10 effective date provisions.>
11 5. By renumbering as necessary.

JOE BOLKCOM

S-5246

- 1 Amend House File 2443, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 8, after line 35 by inserting:
4 <Sec. ____ DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES —
5 JUVENILE DETENTION FACILITY. The department of human services
6 shall amend its administrative rules pursuant to chapter
7 17A to permit the administrator in charge of any secure or
8 nonsecure facility for the detention or custody of juveniles
9 the authority to lock a door within the facility provided that
10 any juvenile locked within the facility is not a juvenile who
11 has been placed in the facility pursuant to any child in need
12 of assistance proceeding.
13 Sec. ____ CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
14 IN THE DEPARTMENT OF HUMAN RIGHTS — SECURE JUVENILE DETENTION
15 FACILITY WORKGROUP.
16 1. The division of criminal and juvenile justice planning
17 in the department of human rights shall convene a study by a
18 workgroup of stakeholders to study the need for and purpose
19 of secured juvenile detention facilities to serve juveniles
20 adjudicated to have committed a delinquent act. The workgroup
21 shall evaluate the current juvenile justice system and the role
22 and need for secure facilities for high-risk juvenile offenders
23 and public safety, including alternatives to secure facilities;
24 identify best practices in graduated sanctions, gaps in the
25 current juvenile justice system, and the need for additional
26 locked detention facilities or alternatives to locked detention
27 facilities, define the population eligible for and the
28 anticipated outcome or benefits of developing additional locked
29 detention facilities; identify assessment methods to identify
30 eligible juvenile offenders; research and report on national
31 trends and evidence-based practices that serve high-risk
32 juvenile offenders; and describe how newly secured juvenile
33 detention facilities including licensing, location, and funding
34 implications.
35 2. The workgroup shall be composed of all of the following

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- 1 members:
- 2 a. Four members of the general assembly appointed to serve
- 3 in an ex officio, nonvoting capacity. The legislative members
- 4 shall be selected, one member each, by the majority leader of
- 5 the senate, the minority leader of the senate, the speaker of
- 6 the house of representatives, and the minority leader of the
- 7 house of representatives.
- 8 b. Voting members to include all of the following:
- 9 (1) One representative from each of the following:
- 10 (a) The department of human services.
- 11 (b) The department of education.
- 12 (c) The department of public health.
- 13 (d) The department of public safety.
- 14 (e) The disproportionate minority contact committee of the
- 15 Iowa juvenile justice advisory council.
- 16 (2) Two chief juvenile court officers.
- 17 (3) Other experts that the division of criminal and juvenile
- 18 justice planning in the department of human rights deems
- 19 necessary.
- 20 c. Workgroup members and workgroup member organizations
- 21 shall pay any costs incurred by members in attending workgroup
- 22 meetings.
- 23 3. The workgroup shall submit a report on the study with
- 24 recommendations to the governor and the general assembly on or
- 25 before December 21, 2018.>
- 26 2. By renumbering as necessary.

DAN DAWSON

S-5247

- 1 Amend House File 2397, as passed by the House, as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
- 4 <Section 1. NEW SECTION. 671A.1 **Limitation on liability**
- 5 **for negligently hiring or failing to supervise an employee,**
- 6 **agent, or independent contractor convicted of a public offense.**
- 7 1. A cause of action shall not be brought against a private
- 8 employer, general contractor, or premises owner solely for
- 9 negligently hiring or failing to adequately supervise an
- 10 employee, agent, or independent contractor, based on evidence
- 11 that the employee, agent, or independent contractor has been
- 12 convicted of a public offense as defined in section 701.2.
- 13 2. This chapter does not create a cause of action, expand
- 14 an existing cause of action, or apply to the cause of action of
- 15 negligent retention.
- 16 3. This chapter does not apply to employment of prisoners
- 17 at prisons.
- 18 4. This chapter does not alter any statutory provision
- 19 allowing an employer to conduct a criminal history background

20 investigation or consider criminal history records in the
21 employment process for particular types of employment.
22 Sec. 2. NEW SECTION. 671A.2 Liability protection not
23 applicable.
24 1. This chapter does not preclude a cause of action for
25 negligent hiring by or the failure of a private employer,
26 general contractor, or premises owner to provide adequate
27 supervision of an employee, agent, or independent contractor,
28 based on evidence that the employee, agent, or independent
29 contractor has been convicted of a public offense as defined in
30 section 701.2, if all of the following criteria are met:
31 a. The private employer, general contractor, or premises
32 owner knew or should have known of the conviction.
33 b. The employee, agent, or independent contractor was
34 convicted of any of the following:
35 (1) A public offense that was committed while performing

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1 duties substantially similar to those reasonably expected to
2 be performed in the employment or under the relationship or
3 contract, or under conditions substantially similar to those
4 reasonably expected to be encountered in the employment or
5 under the relationship or contract, taking into consideration
6 all of the following factors:
7 (a) The nature and seriousness of the public offense.
8 (b) The relationship of the public offense to the ability,
9 capacity, or fitness required to perform the duties and
10 discharge the responsibilities of the employment or the
11 relationship or contract.
12 (c) The extent and nature of the employee, agent, or
13 independent contractor's past criminal activity.
14 (d) The age of the employee, agent, or independent
15 contractor when the public offense was committed.
16 (e) The amount of time that has elapsed since the employee,
17 agent, or independent contractor's last criminal activity.
18 (f) The conduct and work activity of an employee, agent, or
19 independent contractor before and after the criminal activity.
20 (g) Evidence of the employee, agent, or independent
21 contractor's rehabilitation or rehabilitative effort while
22 incarcerated or after release.
23 (h) Other evidence of the employee, agent, or independent
24 contractor's fitness, including letters of recommendation from
25 any of the following:
26 (i) Prosecutors, law enforcement, or correctional officers
27 who prosecuted, arrested, or had custodial responsibility for
28 the employee, agent, or independent contractor.
29 (ii) The sheriff or chief of police in the community where
30 the employee, agent, or independent contractor resides.
31 (iii) Any other person in contact with the convicted
32 employee, agent, or independent contractor.
33 (2) A sexually violent offense as defined in section 229A.2.

34 (3) The offense of murder in the first degree under section
35 707.2.

Page 3

1 (4) The offense of murder in the second degree under section
2 707.3.

3 (5) The offense of kidnapping in the first degree under
4 section 710.2.

5 (6) The offense of robbery in the first degree under section
6 711.2.

7 (7) An offense committed on certain real property for which
8 an enhanced penalty was received under section 124.401A or
9 124.401B.

10 (8) A felony offense where the employee, agent, or
11 independent contractor used or exhibited a dangerous weapon as
12 defined in section 702.7 during the commission of or during
13 immediate flight from the scene of the felony offense, or
14 where the employee, agent, or independent contractor used or
15 exhibited the dangerous weapon or was a party to the felony
16 offense and knew that a dangerous weapon would be used or
17 exhibited.

18 2. The protections provided to a private employer, general
19 contractor, or premises owner under this chapter do not apply
20 in a suit concerning the misuse of funds or property of a
21 person other than the employer, general contractor, or premises
22 owner, by an employee, agent, or independent contractor if, on
23 the date the employee, agent, or independent contractor was
24 hired, the employee, agent, or independent contractor had been
25 convicted of a public offense that included fraud or the misuse
26 of funds or property as an element of the public offense, and
27 it was foreseeable that the position for which the employee,
28 agent, or independent contractor was hired would involve
29 discharging a fiduciary responsibility in the management of
30 funds or property.>

31 2. Title page, by striking lines 1 and 2 and inserting <An
32 Act relating to the liability of private employers, general
33 contractors, and premises owners for negligently hiring
34 or failing to supervise employees, agents, or independent
35 contractors convicted of a public offense.>

DAN DAWSON

S-5248

1 Amend House File 2466, as passed by the House, as follows:

2 1. Page 1, line 24, by striking <may include but are not>
3 and inserting <are>

4 2. Page 1, line 27, by striking <and> and inserting <and, as
5 determined by an agreement between the landowner or occupant
6 and the commission.>

7 3. Page 1, line 28, after <animals.> by inserting <Absent
8 a written agreement between the landowner or occupant and

9 the commission, the commission shall not limit the unnatural
 10 congregation of wild animals on the landowner's or occupant's
 11 property.>
 12 4. Page 2, after line 24 by inserting:
 13 <f. In administering paragraph "b", an employee or agent
 14 of the department shall not enter private property without the
 15 consent of the owner or occupant.>

KEN ROZENBOOM

S-5249

1 Amend the amendment, S-5247, to House File 2397, as passed by
 2 the House as follows:
 3 1. Page 2, line 1, by striking <duties> and inserting <acts>

NATE BOULTON

S-5250

1 Amend House File 2466, as passed by the House, as follows:
 2 1. Page 1, line 24, by striking <may include but are not>
 3 and inserting <are>
 4 2. Page 1, line 27, by striking <and> and inserting <and,
 5 as determined by written agreement between the landowner or
 6 occupant and the commission.>
 7 3. Page 2, after line 24 by inserting:
 8 <f. In administering paragraph "b", all of the following
 9 shall apply:
 10 (1) An employee or agent of the department shall not enter
 11 private property without the consent of the owner or occupant.
 12 (2) Absent a written agreement between the landowner or
 13 occupant and the commission, the commission shall not limit the
 14 unnatural congregation of wild animals on the landowner's or
 15 occupant's property.>

KEN ROZENBOOM

S-5251

HOUSE AMENDMENT TO
 SENATE FILE 2227

1 Amend Senate File 2227, as passed by the Senate, as follows:
 2 1. Page 1, line 6, after <law;> by inserting <the complete
 3 text of any questions or propositions submitted to the
 4 registered voters of the county by the board of supervisors,
 5 which shall be published with the required notice of a general
 6 or special election.>

S-5252HOUSE AMENDMENT TO
SENATE FILE 2353

- 1 Amend Senate File 2353, as passed by the Senate, as follows:
 2 1. Page 26, line 25, before <workforce> by inserting
 3 <education, in collaboration with the department of>
 4 2. Page 26, line 26, by striking <development> and inserting
 5 <development,>

S-5253

- 1 Amend Senate File 2390 as follows:
 2 1. Page 5, line 23, by striking <more> and inserting <fewer>
 3 2. Page 8, by striking lines 7 through 12.
 4 3. Page 8, line 13, by striking <l> and inserting <i>
 5 4. Page 8, line 16, by striking <k> and inserting <j>
 6 5. Page 8, line 22, by striking <l> and inserting <k>
 7 6. By renumbering as necessary.

RANDY FEENSTRA

S-5254

- 1 Amend House File 2377, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, line 5, by striking <3.> and inserting <4.>
 4 2. Page 1, line 9, by striking <a.> and inserting <a.>
 5 3. Page 13, line 24, by striking <g.> and inserting <h.>
 6 4. Page 16, line 4, by striking <j.> and inserting <k.>

THOMAS A. GREENE

S-5255

- 1 Amend Senate File 2390 as follows:
 2 1. Page 2, line 19, by striking <educational,>
 3 2. Page 5, line 23, by striking <more> and inserting <fewer>
 4 3. Page 8, by striking lines 7 through 12.
 5 4. Page 8, line 13, by striking <l> and inserting <i>
 6 5. Page 8, line 16, by striking <k> and inserting <j>
 7 6. Page 8, line 22, by striking <l> and inserting <k>
 8 7. By renumbering as necessary.

RANDY FEENSTRA

S-5256

HOUSE AMENDMENT TO
SENATE FILE 2311

1 Amend Senate File 2311, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. Section 28F.1, subsection 1, Code 2018, is
6 amended to read as follows:

7 1. This chapter provides a means for the joint financing
8 by public agencies of works or facilities useful and necessary
9 for the collection, treatment, purification, and disposal
10 in a sanitary manner of liquid and solid waste, sewage,
11 and industrial waste, facilities used for the conversion of
12 solid waste to energy, gasworks and facilities useful for
13 the delivery of natural gas service, and also electric power
14 facilities constructed within the state of Iowa, except that
15 hydroelectric power facilities may also be located in the
16 waters and on the dams of or on land adjacent to either side
17 of the Mississippi or Missouri river bordering the state of
18 Iowa, water supply systems, swimming pools or golf courses.
19 This chapter applies to the acquisition, construction,
20 reconstruction, ownership, operation, repair, extension,
21 or improvement of such works or facilities, by a separate
22 administrative or legal entity created pursuant to chapter
23 28E or chapter 389. When the legal entity created under
24 this chapter is comprised solely of cities, counties, and
25 sanitary districts established under chapter 358, or any
26 combination thereof or any combination of the foregoing with
27 other public agencies, the entity shall be both a corporation
28 and a political subdivision with the name under which it was
29 organized. The legal entity may sue and be sued, contract,
30 acquire and hold real and personal property necessary for
31 corporate purposes, adopt a corporate seal and alter the seal
32 at pleasure, and execute all the powers conferred in this
33 chapter.

34 Sec. 2. Section 28F.11, Code 2018, is amended to read as
35 follows:

Page 2

1 **28F.11 Eminent domain.**

2 Any public agency participating in an agreement authorizing
3 the joint exercise of governmental powers pursuant to this
4 chapter may exercise its power of eminent domain to acquire
5 interests in property, under provisions of law then in effect
6 and applicable to the public agency, for the use of the entity
7 created to carry out the agreement, provided that the power of
8 eminent domain is not used to acquire interests in property
9 which is part of a system of facilities in existence, under

10 construction, or planned, for the generation, transmission
 11 or sale of electric power, ~~or for the transmission,~~
 12 ~~transportation, or sale of natural gas.~~ In the exercise
 13 of the power of eminent domain, the public agency shall
 14 proceed in the manner provided by chapter 6B. Any interests
 15 in property acquired are acquired for a public purpose, as
 16 defined in chapter 6A, of the condemning public agency, and the
 17 payment of the costs of the acquisition may be made pursuant
 18 to the agreement or to any separate agreement between the
 19 public agency and the entity or the other public agencies
 20 participating in the entity or any of them. Upon payment of
 21 costs, any property acquired is the property of the entity.

22 Sec. 3. Section 476.1, subsection 7, Code 2018, is amended
 23 to read as follows:

24 7. The jurisdiction of the board under this chapter
 25 shall include efforts designed to promote the use of energy
 26 efficiency strategies by ~~rate or service regulated~~ gas and
 27 electric utilities required to be rate-regulated.

28 Sec. 4. Section 476.1A, subsections 1, 2, and 4, Code 2018,
 29 are amended to read as follows:

30 1. Electric public utilities having fewer than ten
 31 thousand customers and electric cooperative corporations
 32 and associations are not subject to the ~~rate~~ regulation
 33 authority of the board. ~~Such utilities are subject to all~~
 34 ~~other regulation and enforcement activities of the board,~~
 35 ~~including, except for regulatory action pertaining to all of~~

Page 3

1 the following:

2 a. Assessment of fees for the support of the division and
 3 the office of consumer advocate, pursuant to section 476.10.

4 b. Safety and engineering standards for equipment,
 5 operations, and procedures.

6 c. Assigned area of service.

7 d. Pilot projects of the board.

8 e. Assessment of fees for the support of the Iowa energy
 9 center created in section 15.120 and the center for global and
 10 regional environmental research established by the state board
 11 of regents. This paragraph "e" is repealed July 1, 2022.

12 f. Filing alternate energy purchase program plans with the
 13 board, and offering such programs to customers, pursuant to
 14 section 476.47.

15 ~~g. Filing energy efficiency plans and energy efficiency~~
 16 ~~results with the board. The energy efficiency plans as a~~
 17 ~~whole shall be cost effective. The board may permit these~~
 18 ~~utilities to file joint plans. The board shall periodically~~
 19 ~~report the energy efficiency results including energy savings~~
 20 ~~of each of these utilities to the general assembly. The board~~
 21 ~~may waive all or part of the energy efficiency filing and~~
 22 ~~review requirements for electric cooperative corporations and~~
 23 ~~associations and electric public utilities which demonstrate~~

24 ~~superior results with existing energy efficiency efforts.~~

25 2. However, sections 476.20, subsections 1 through 4,
26 476.21, ~~476.41 through 476.44,~~ 476.51, 476.56, 476.62, and
27 476.66 and chapters 476A and 478, to the extent applicable,
28 apply to such electric utilities.

29 4. The board of directors or the membership of an electric
30 cooperative corporation or association otherwise exempt
31 from rate regulation may elect to have the cooperative's
32 rates regulated by the board. The board shall adopt rules
33 prescribing the manner in which the board of directors or the
34 membership of an electric cooperative may so elect. If the
35 board of directors or the membership of an electric cooperative

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1 has elected to have the cooperative's rates regulated by the
2 board, after two years have elapsed from the effective date of
3 such election the board of directors or the membership of the
4 electric cooperative may elect to exempt the cooperative from
5 the rate regulation authority of the board, provided, however,
6 that if the membership elected to have the cooperative's rates
7 regulated by the board, only the membership may elect to exempt
8 the cooperative from the rate regulation authority of the
9 board.

10 Sec. 5. Section 476.1B, subsection 1, paragraphs f and l,
11 Code 2018, are amended by striking the paragraphs.

12 Sec. 6. Section 476.2, subsection 6, Code 2018, is amended
13 by striking the subsection.

14 Sec. 7. Section 476.4, subsection 1, Code 2018, is amended
15 to read as follows:

16 1. Every public utility shall file with the board tariffs
17 showing the rates and charges for its public utility services
18 and the rules and regulations under which such services were
19 furnished, on April 1, 1963, which rates and charges shall be
20 subject to investigation by the board as provided in section
21 476.3, and upon such investigation the burden of establishing
22 the reasonableness of such rates and charges shall be upon the
23 public utility filing the same. These filings shall be made
24 under such rules as the board may prescribe within such time
25 and in such form as the board may designate. In prescribing
26 rules and regulations with respect to the form of tariffs
27 and any other regulations, the board shall, in the case of
28 public utilities subject to regulation by any federal agency,
29 give due regard to any corresponding rules and regulations of
30 such federal agency, to the end that unnecessary duplication
31 of effort and expense may be avoided so far as reasonably
32 possible. Each public utility shall keep copies of its tariffs
33 open to public inspection under such rules as the board may
34 prescribe.

35 Sec. 8. Section 476.6, subsections 8 and 13, Code 2018, are

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1 amended to read as follows:

2 8. *Automatic adjustments* ~~permitted~~.

3 a. This chapter does not prohibit a public utility from
4 making provision for the automatic adjustment of rates and
5 charges for public utility service provided that a schedule
6 showing the automatic adjustment of rates and charges is first
7 filed with and approved by the board.

8 b. A public utility may automatically adjust rates and
9 charges to recover costs related to transmission incurred by
10 or charged to the public utility consistent with a tariff
11 or agreement that is subject to the jurisdiction of the
12 federal energy regulatory commission, provided that a schedule
13 showing the automatic adjustment of rates and charges is first
14 filed with and approved by the board. The board shall adopt
15 rules regarding the reporting of transmission expenses and
16 transmission-related activity pursuant to this paragraph.

17 13. *Energy efficiency plans.* Electric and gas public
18 utilities shall offer energy efficiency programs to their
19 customers through energy efficiency plans. An energy
20 efficiency plan as a whole shall be cost-effective. In
21 determining the cost-effectiveness of an energy efficiency
22 plan, the board shall apply the societal test, total resource
23 cost test, utility cost test, rate-payer impact test, and
24 participant test. Energy efficiency programs for qualified
25 low-income persons and for tree planting programs, educational
26 programs, and assessments of consumers' needs for information
27 to make effective choices regarding energy use and energy
28 efficiency need not be cost-effective and shall not be
29 considered in determining cost-effectiveness of plans as a
30 whole. The energy efficiency programs in the plans may be
31 provided by the utility or by a contractor or agent of the
32 utility. Programs offered pursuant to this subsection by gas
33 and electric utilities that are required to be rate-regulated
34 shall require board approval.

35 Sec. 9. Section 476.6, subsection 15, paragraph a, Code

Page 6

1 2018, is amended to read as follows:

2 a. (1) (a) Gas and electric ~~Electric~~ utilities required
3 to be rate-regulated under this chapter shall file five-year
4 energy efficiency plans and demand response plans with the
5 board. Gas utilities required to be rate-regulated under
6 this chapter shall file five-year energy efficiency plans
7 with the board. An energy efficiency plan and budget or a
8 demand response plan and budget shall include a range of energy
9 efficiency or demand response programs, tailored to the needs
10 of all customer classes, including residential, commercial,
11 and industrial customers, for energy efficiency opportunities.
12 The plans shall include programs for qualified low-income

13 persons including a cooperative program with any community
 14 action agency within the utility's service area to implement
 15 countywide or communitywide energy efficiency programs for
 16 qualified low-income persons. Rate-regulated gas and electric
 17 utilities shall utilize Iowa agencies and Iowa contractors to
 18 the maximum extent cost-effective in their energy efficiency
 19 plans or demand response plans filed with the board.
 20 (b) The board shall allow a customer of an electric utility
 21 that is required to be rate-regulated to request an exemption
 22 from participation in any five-year energy efficiency plan
 23 offered by an electric utility if the energy efficiency plan
 24 and demand response plan, at the time of approval by the board,
 25 have a cumulative rate-payer impact test result of less than
 26 one. Upon receipt of a request for exemption submitted by
 27 a customer, the electric utility shall grant the exemption
 28 and, beginning January 1 of the following year, the customer
 29 shall no longer be assessed the costs of the plan and shall be
 30 prohibited from participating in any program included in such
 31 plan until the exemption no longer applies, as determined by
 32 the board.
 33 (2) Gas and electric utilities required to be
 34 rate-regulated under this chapter may request an energy
 35 efficiency plan or demand response plan modification during the

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1 course of a five-year plan. A modification may be requested
 2 due to changes in funding as a result of public utility
 3 customers requesting exemptions from the plan or for any other
 4 reason identified by the gas or electric utility. The board
 5 shall take action on a modification request made by a gas or
 6 electric utility within ninety days after the modification
 7 request is filed. If the board fails to take action within
 8 ninety days after a modification request is filed, the
 9 modification request shall be deemed approved.
 10 (3) The board shall adopt rules pursuant to chapter 17A
 11 establishing reasonable processes and procedures for utility
 12 customers from any customer class to request exemptions
 13 from energy efficiency plans that meet the requirements of
 14 subparagraph (1), subparagraph division (b). The rules adopted
 15 by the board shall only apply to electric utilities that are
 16 required to be rate-regulated.
 17 Sec. 10. Section 476.6, subsection 15, paragraphs c and d,
 18 Code 2018, are amended by striking the paragraphs.
 19 Sec. 11. Section 476.6, subsection 15, paragraphs e, f, and
 20 g, Code 2018, are amended to read as follows:
 21 e. (1) The board shall conduct contested case proceedings
 22 for review of energy efficiency plans, demand response plans,
 23 and budgets filed by gas and electric utilities required to be
 24 rate-regulated under this chapter.
 25 (2) Notwithstanding the goals developed pursuant to
 26 paragraph "b", the board shall not require a gas utility to

27 adopt an energy efficiency plan that results in projected
 28 cumulative average annual costs that exceed one and one-half
 29 percent of the gas utility's expected annual Iowa retail rate
 30 revenue from retail customers in the state, shall not require
 31 an electric utility to adopt an energy efficiency plan that
 32 results in projected cumulative average annual costs that
 33 exceed two percent of the electric utility's expected annual
 34 Iowa retail rate revenue from retail customers in the state,
 35 and shall not require an electric utility to adopt a demand

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1 response plan that results in projected cumulative average
 2 annual costs that exceed two percent of the electric utility's
 3 expected annual Iowa retail rate revenue from retail customers
 4 in the state. For purposes of determining the two percent
 5 threshold amount, the board shall exclude from an electric
 6 utility's expected annual Iowa retail rate revenue the revenues
 7 expected from customers that have received exemptions from
 8 energy efficiency plans pursuant to paragraph "a". This
 9 subparagraph shall apply to energy efficiency plans and demand
 10 response plans that are effective on or after January 1, 2019.

11 (3) The board may approve, reject, or modify the plans and
 12 budgets. Notwithstanding the provisions of section 17A.19,
 13 subsection 5, in an application for judicial review of the
 14 board's decision concerning a utility's ~~energy efficiency~~ plan
 15 or budget, the reviewing court shall not order a stay.

16 (4) The board shall approve, reject, or modify a plan filed
 17 pursuant to this subsection no later than March 31, 2019. If
 18 the board fails to approve, reject, or modify a plan filed by a
 19 gas or electric utility on or before such date, any plan filed
 20 by the gas or electric utility that was approved by the board
 21 prior to the effective date of this Act shall be terminated.

22 The board shall not require a gas or electric utility to
 23 implement an energy efficiency plan or demand response plan
 24 that does not meet the requirements of this subsection.

25 (5) Whenever a request to modify an approved plan or budget
 26 is filed subsequently by ~~the office of consumer advocate~~ or a
 27 gas or electric utility required to be rate-regulated under
 28 this chapter, the board shall promptly initiate a formal
 29 proceeding if the board determines that any reasonable ground
 30 exists for investigating the request. The formal proceeding
 31 may be initiated at any time by the board on its own motion.
 32 Implementation of board-approved plans or budgets shall
 33 be considered continuous in nature and shall be subject to
 34 investigation at any time by the board or the office of the
 35 consumer advocate.

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1 *f.* Notice to customers of a contested case proceeding for
 2 review of energy efficiency plans, demand response plans, and

3 budgets shall be in a manner prescribed by the board.

4 *g. (1)* A gas or electric utility required to be
5 rate-regulated under this chapter may recover, through an
6 automatic adjustment mechanism filed pursuant to subsection 8,
7 over a period not to exceed the term of the plan, the costs of
8 an energy efficiency plan or demand response plan approved by
9 the board, ~~including amounts for a plan approved prior to July~~
10 ~~1, 1996~~, in a contested case proceeding conducted pursuant to
11 paragraph “e”. Customers that have been granted exemptions from
12 energy efficiency plans pursuant to paragraph “a”, shall not
13 be charged for recovery of energy efficiency costs beginning
14 January 1 of the year following the year in which the customer
15 was granted the exemption.

16 *(2)* The board shall periodically conduct a contested case
17 proceeding to evaluate the reasonableness and prudence of the
18 utility’s implementation of an approved energy efficiency
19 or demand response plan and budget. If a utility is not
20 taking all reasonable actions to cost-effectively implement
21 an approved ~~energy efficiency~~ plan, the board shall not allow
22 the utility to recover from customers costs in excess of those
23 costs that would be incurred under reasonable and prudent
24 implementation and shall not allow the utility to recover
25 future costs at a level other than what the board determines
26 to be reasonable and prudent. If the result of a contested
27 case proceeding is a judgment against a utility, that utility’s
28 future level of cost recovery shall be reduced by the amount
29 by which the programs were found to be imprudently conducted.
30 ~~The Beginning January 1, 2019, a gas or electric utility~~
31 shall ~~not~~ represent energy efficiency and demand response in
32 customer billings as a separate cost or expense ~~unless the~~
33 ~~board otherwise approves.~~

34 Sec. 12. Section 476.6, subsection 17, Code 2018, is amended
35 by striking the subsection.

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1 Sec. 13. Section 476.6, Code 2018, is amended by adding the
2 following new subsection:
3 **NEW SUBSECTION. 22. Preapproval of cost recovery for natural**
4 *gas extensions — rules.* The board may adopt rules which
5 provide for a preapproval process for cost recovery for natural
6 gas extensions.

7 Sec. 14. Section 476.6, Code 2018, is amended by adding the
8 following new subsection:
9 **NEW SUBSECTION. 23. Federal tax reduction — customer**
10 *benefits.* Customers of gas and electric utilities subject to
11 rate regulation by the board shall receive the full benefits
12 of the utilities’ reduced federal corporate income taxes as
13 provided in the federal Tax Cuts and Jobs Act of 2017, Pub.
14 L. No. 115-97, 131 Stat. 2054. Notwithstanding any other
15 provision of law or rule to the contrary, the board shall,
16 no later than June 1, 2018, approve any proposal filed by a

17 rate-regulated gas or electric utility to pass such benefits
 18 on to customers. The board may approve rates with provision
 19 for adjustments to ensure that the rates are accurate and that
 20 customers receive the full benefits.

21 Sec. 15. Section 476.20, subsection 5, paragraph a,
 22 unnumbered paragraph 1, Code 2018, is amended to read as
 23 follows:

24 The board shall establish rules which shall be uniform with
 25 respect to all public utilities furnishing gas or electricity
 26 relating to deposits which may be required by the public
 27 utility for the initiation or reinstatement of service. This
 28 subsection shall not apply to municipally owned utilities,
 29 which shall be governed by the provisions of section 384.84
 30 with respect to deposits and payment plans for delinquent
 31 amounts owed. Municipally owned utilities and electric
 32 utilities that are not required to be rate-regulated shall not
 33 be subject to the board's rules in regards to deposits and
 34 payment plans for delinquent amounts owed and repayment of past
 35 due debt. Municipally owned utilities and electric utilities

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1 that are not required to be rate-regulated shall be subject to
 2 the board's rules in regards to payment plans made prior to the
 3 disconnection of services.

4 Sec. 16. Section 476.21, Code 2018, is amended to read as
 5 follows:

6 **476.21 Discrimination prohibited.**

7 A ~~municipality~~, corporation or cooperative association
 8 providing electrical or gas service shall not consider the
 9 use of renewable energy sources by a customer as a basis for
 10 establishing discriminatory rates or charges for any service
 11 or commodity sold to the customer or discontinue services or
 12 subject the customer to any other prejudice or disadvantage
 13 based on the customer's use or intended use of renewable energy
 14 sources. As used in this section, "*renewable energy sources*"
 15 includes but is not limited to solar heating, wind power and
 16 the conversion of urban and agricultural organic wastes into
 17 methane gas and liquid fuels.

18 Sec. 17. Section 476.33, subsection 4, Code 2018, is amended
 19 to read as follows:

20 4. The board shall adopt rules that require the board, in
 21 rate regulatory proceedings under sections 476.3 and 476.6, to
 22 utilize either a historic test year or a future test year at
 23 the rate-regulated public utility's discretion.

24 a. For a rate regulatory proceeding utilizing a historic
 25 test year, the rules shall require the board to consider the
 26 use of the most current test period possible in determining
 27 reasonable and just rates, subject only to the availability of
 28 existing and verifiable data respecting costs and revenues, and
 29 in addition, to consider verifiable data that exists within
 30 nine months after the conclusion of the test year, respecting

31 known and measurable changes in costs not associated with a
 32 different level of revenue, and known and measurable revenues
 33 not associated with a different level of costs, that are to
 34 occur at any time within twelve months after the date of
 35 commencement of the proceedings. Parties proposing adjustments

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1 that are not verifiable at the commencement of the proceedings
 2 shall include projected data related to the adjustments in
 3 their initial substantive filing with the board. For purposes
 4 of this ~~subsection~~ paragraph, a proceeding commences under
 5 section 476.6 upon the filing date of new or changed rates,
 6 charges, schedules, or regulations. ~~This subsection does not~~
 7 ~~limit the authority of the board to consider other evidence in~~
 8 ~~proceedings under sections 476.3 and 476.6.~~

9 b. For a rate regulatory proceeding utilizing a future test
 10 year, the rules shall require the board to consider the use
 11 of any twelve-month period beginning no later than the date
 12 on which a proposed rate change is expected to take effect
 13 in determining just and reasonable rates. The rules shall
 14 also require the board to conduct a proceeding subsequent to
 15 the effective date of a rate resulting from a rate regulatory
 16 proceeding utilizing a future test year to determine whether
 17 the actual costs and revenues are reasonably consistent with
 18 those approved by the board. If the actual costs and revenues
 19 are not reasonably consistent with those approved by the
 20 board, the board shall adjust the rates accordingly. For a
 21 rate regulatory proceeding utilizing a future test year, the
 22 board may adopt rules regarding evidence required, information
 23 to support forecasts, and any reporting obligations. The
 24 board may also adopt rules regarding the conditions under
 25 which a public utility that utilizes a future test year may
 26 subsequently utilize a historic test year. A public utility
 27 shall not be precluded from filing a rate regulatory proceeding
 28 utilizing a future test year prior to the adoption of any rules
 29 pursuant to this subsection.

30 c. This subsection does not limit the authority of the board
 31 to consider other evidence in proceedings under sections 476.3
 32 and 476.6.

33 Sec. 18. Section 476.53, subsection 3, paragraph a,
 34 subparagraph (1), subparagraph division (a), Code 2018, is
 35 amended by adding the following new subparagraph subdivision:

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1 NEW SUBPARAGRAPH SUBDIVISION. (v) Repowering of an
 2 alternate energy production facility. For purposes of this
 3 subparagraph subdivision, “*repowering*” shall mean either the
 4 complete dismantling and replacement of generation equipment at
 5 an existing project site, or the installation of new parts and
 6 equipment to an existing alternate energy production facility

7 in order to increase energy production, reduce load, increase
 8 service capacity, improve project reliability, or extend the
 9 useful life of the facility.

10 Sec. 19. STUDY OF ELECTRIC VEHICLE INFRASTRUCTURE
 11 SUPPORT. The economic development authority, in collaboration
 12 with the department of transportation and the Iowa utility
 13 industry, shall conduct a study of electric vehicle
 14 infrastructure support for both commercial and noncommercial
 15 vehicles and make recommendations to the general assembly
 16 regarding electric vehicle charging infrastructure. The study
 17 shall evaluate the relative costs and benefits associated with
 18 various options for electric vehicle infrastructure support.
 19 The economic development authority shall submit a report to the
 20 general assembly containing the results of the study no later
 21 than June 30, 2019.

22 Sec. 20. EFFECTIVE DATE. The following, being deemed of
 23 immediate importance, takes effect upon enactment:

24 1. The section of this Act amending section 476.6,
 25 subsection 15, paragraphs “e”, “f”, and “g”.
 26 2. The section of this Act enacting section 476.6,
 27 subsection 23.>

28 2. Title page, line 2, by striking <utilities> and
 29 inserting <utilities, providing for a study of electric
 30 vehicle infrastructure support, and including effective date
 31 provisions>

S-5257

1 Amend Senate File 2413 as follows:
 2 1. By striking page 6, line 17, through page 10, line 18.
 3 2. By renumbering as necessary.

CRAIG JOHNSON

S-5258

1 Amend House File 2494, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 6, after line 25 by inserting:
 4 <DIVISION ____
 5 SPECIAL MINOR'S LICENSES
 6 Sec. ____ Section 321.194, subsection 1, Code 2018, is
 7 amended to read as follows:
 8 1. *Persons eligible.* ~~Upon certification of a special need~~
 9 ~~by the school board, superintendent of the applicant's school,~~
 10 ~~or principal, if authorized by the superintendent, the~~ The
 11 department may issue a class C or M driver's license to a
 12 person between the ages of fourteen and eighteen years if all
 13 of the following apply:
 14 a. The person's driving privileges have not been suspended,
 15 revoked, or barred under this chapter or chapter 321J during,
 16 and the person has not been convicted of a moving traffic

17 violation or involved in a motor vehicle accident for, the
 18 six-month period immediately preceding the application for the
 19 special minor's license.

20 *b.* The person has successfully completed an approved driver
 21 education course. However, the completion of a course is not
 22 required if the applicant demonstrates to the satisfaction
 23 of the department that completion of the course would impose
 24 a hardship upon the applicant. The department shall adopt
 25 rules defining the term "*hardship*" and establish procedures for
 26 the demonstration and determination of when completion of the
 27 course would impose a hardship upon an applicant.

28 *c.* The person's school has certified to the department
 29 that the person has a special need for the license pursuant to
 30 subsection 3.

31 Sec. _____. Section 321.194, subsection 2, paragraph a, Code
 32 2018, is amended to read as follows:

33 *a. Permitted operations.* The driver's license entitles
 34 the ~~holder~~ licensee, while having the license in immediate
 35 possession, to operate a motor vehicle, other than a commercial

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1 motor vehicle or as a chauffeur, during the times and for the
 2 purposes set forth in this paragraph.

3 (1) If the licensee attends a public school, the licensee
 4 may operate a motor vehicle during the hours of 5:00 a.m. to
 5 10:00 p.m. as follows:

6 ~~(a) During the hours of 5:00 a.m. to 10:00 p.m. over~~ Over
 7 the most direct and accessible route between the licensee's
 8 residence and schools of enrollment or the closest school bus
 9 stop or public transportation service, and between schools of
 10 enrollment, for the purpose of attending duly scheduled courses
 11 of instruction and extracurricular activities within the school
 12 district of enrollment.

13 ~~(2) (b) During the hours of 5:00 a.m. to 10:00 p.m.~~
 14 ~~over~~ Over the most direct and accessible route between the
 15 licensee's residence or school of enrollment and a site,
 16 facility, or school that is not the licensee's school of
 17 enrollment, for the purpose of participating in extracurricular
 18 activities conducted under a sharing agreement with the
 19 licensee's school of enrollment or conducted at a site,
 20 ~~or facility, or school~~ designated by the licensee's school
 21 district for the accommodation of the school's extracurricular
 22 activities, provided the site, facility, or school is within
 23 the licensee's school district of enrollment or is within a
 24 school district contiguous to the licensee's school district
 25 of enrollment.

26 (2) If the licensee attends an accredited nonpublic school,
 27 the licensee may operate a motor vehicle during the hours of
 28 5:00 a.m. to 10:00 p.m. as follows:

29 (a) Over the most direct and accessible route between
 30 the licensee's residence and schools of enrollment or the

31 closest school bus stop or public transportation service, and
 32 between schools of enrollment, for the purpose of attending
 33 duly scheduled courses of instruction and extracurricular
 34 activities, provided the driving distance between the point of
 35 origin and the destination is no more than twenty-five miles.

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1 (b) Over the most direct and accessible route between
 2 the licensee's residence or school of enrollment and a site,
 3 facility, or school that is not the licensee's school of
 4 enrollment, for the purpose of participating in extracurricular
 5 activities conducted at a site, facility, or school designated
 6 by the licensee's school of enrollment for the accommodation of
 7 the school's extracurricular activities, provided the driving
 8 distance between the point of origin and the destination is no
 9 more than twenty-five miles.

10 (3) To a service station for the purpose of refueling, so
 11 long as the service station is the station closest to the route
 12 on which the licensee is traveling ~~on~~ under subparagraph (1)
 13 or (2).

14 (4) At any time when the licensee is accompanied in
 15 accordance with section 321.180B, subsection 1.

16 Sec. ____ Section 321.194, subsection 3, Code 2018, is
 17 amended to read as follows:

18 3. *Certification of need and issuance of license.*

19 a. Each application shall be accompanied by a statement from
 20 ~~the school board, superintendent, or principal, if authorized~~
 21 ~~by the superintendent, of the applicant's school of enrollment.~~
 22 The statement shall be upon a form provided by the department.
 23 ~~The school board, superintendent, or principal, if authorized~~
 24 ~~by the superintendent, and shall certify that a need exists for~~
 25 the license and that the ~~board, superintendent, or principal~~
 26 ~~authorized by the superintendent~~ person signing the statement
 27 is not responsible for actions of the applicant which pertain
 28 to the use of the driver's license.

29 (1) If the applicant attends a public school, the
 30 certification shall be made by the school board, superintendent
 31 of the applicant's school, or principal, if authorized by the
 32 superintendent.

33 (2) If the applicant attends an accredited nonpublic
 34 school, the certification shall be made by the authorities in
 35 charge of the accredited nonpublic school or a duly authorized

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1 representative of the authorities.

2 b. Upon receipt of a statement of necessity, the department
 3 shall issue the driver's license provided the applicant is
 4 otherwise eligible for issuance of the license. The fact that
 5 the applicant resides at a distance less than one mile from the
 6 applicant's school of enrollment is prima facie evidence of the

7 nonexistence of necessity for the issuance of a license.
 8 c. The school board shall develop and adopt a policy
 9 establishing the criteria that the school shall be used
 10 by a school district administrator use to approve or deny
 11 certification that a need exists for a license. If the school
 12 is a public school, the policy shall be developed and adopted
 13 by the school board. If the school is an accredited nonpublic
 14 school, the policy shall be developed and adopted according
 15 to procedures determined by the authorities in charge of the
 16 accredited nonpublic school.
 17 d. The A student enrolled in a public school may appeal
 18 to the school board the decision of a school district
 19 administrator to deny certification. A student enrolled in an
 20 accredited nonpublic school may appeal the school's decision to
 21 deny certification as permitted by the authorities in charge of
 22 the accredited nonpublic school. The decision of the school
 23 board or authorities in charge of the accredited nonpublic
 24 school is final.
 25 e. The driver's license shall not be issued for purposes
 26 of attending a public school in a school district other than
 27 either of the following:
 28 ~~a. (1)~~ The district of residence of the parent or guardian
 29 of the student.
 30 ~~b. (2)~~ A district which is contiguous to the district of
 31 residence of the parent or guardian of the student, if the
 32 student is enrolled in the public school which is not the
 33 school district of residence because of open enrollment under
 34 section 282.18 or as a result of an election by the student's
 35 district of residence to enter into one or more sharing

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1 agreements pursuant to the procedures in chapter 282.
 2 f. The driver's license shall not be issued for purposes
 3 of attending an accredited nonpublic school if the driving
 4 distance between the school and the residence of the parent or
 5 guardian of the student is more than twenty-five miles.>
 6 2. By renumbering as necessary.

CRAIG JOHNSON

S-5259

1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 10, line 18, after <customers> by inserting <if
 4 the board determines that the amount and distribution of such
 5 benefits is fair and reasonable to residential customers>

ROBERT M. HOGG

S-5260

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 4, lines 10 and 11, by striking <paragraphs f and
 4 l, Code 2018, are amended by striking the paragraphs> and
 5 inserting <paragraph 1, Code 2018, is amended by striking the
 6 paragraph>
 7 2. Page 11, by striking lines 4 through 17.
 8 3. By renumbering as necessary.

ROBERT M. HOGG

S-5261

- 1 Amend House File 2491, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 19, line 7, by striking <For> and inserting <a.
 4 For>
 5 2. Page 19, after line 10 by inserting:
 6 <b. As a condition of receiving the appropriation in this
 7 subsection, the department of natural resources shall establish
 8 a master matrix advisory committee to evaluate the use and
 9 value of the master matrix adopted by the department pursuant
 10 to section 459.305 and the extent to which the process of
 11 evaluating and approving or disapproving the construction of a
 12 confinement feeding operation structure as provided in sections
 13 459.304 and 459.305 may be improved.
 14 (1) The advisory committee shall be composed of the director
 15 of the department of natural resources or a designee of the
 16 director, the secretary of agriculture or a designee of the
 17 secretary, and stakeholders appointed by the director of the
 18 department of natural resources in consultation with the
 19 secretary of agriculture and the Iowa state association of
 20 counties.
 21 (2) The members of the advisory committee, other than a
 22 state employee, shall be reimbursed for actual and necessary
 23 travel and related expenses incurred in the discharge of
 24 official duties. However, a member is not eligible to receive
 25 compensation as provided in section 7E.6.
 26 (3) The advisory committee shall prepare and submit a
 27 report to the governor and general assembly not later than
 28 December 14, 2018. The report shall include the findings
 29 and recommendations of the advisory committee. The advisory
 30 committee shall discontinue its functions on that date.>
 31 3. By renumbering as necessary.

ROBERT M. HOGG

S-5262

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 6, line 2, by striking <(a)>
 4 2. Page 6, by striking lines 20 through 32.
 5 3. Page 7, by striking lines 1 through 4 and inserting
 6 <course of a five-year plan. The board>
 7 4. Page 7, by striking lines 10 through 16.
 8 5. Page 8, by striking lines 4 through 8 and inserting <in
 9 the state. This>
 10 6. Page 9, by striking lines 11 through 15 and inserting
 11 <paragraph "e">

ROBERT M. HOGG

S-5263

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 6, line 25, by striking <cumulative rate-payer
 4 impact> and inserting <societal>

ROBERT M. HOGG

S-5264

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 7, line 25, through page 8, line 10.
 4 2. Page 8, line 11, by striking <(3)> and inserting <(2)>
 5 3. Page 8, by striking lines 16 through 25 and inserting:
 6 <(3) Whenever a request to modify an approved plan or
 7 budget>

ROBERT M. HOGG

S-5265

- 1 Amend House File 2377, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 14, after line 32 by inserting:
 4 <Sec. __. Section 124.414, subsection 1, paragraph b, Code
 5 2018, is amended to read as follows:
 6 b. "Drug paraphernalia" does not include hypodermic needles
 7 or syringes if manufactured, delivered, sold, or possessed for
 8 a lawful purpose. "Lawful purpose" includes hypodermic needles
 9 or syringes delivered, sold, or possessed through an approved
 10 needle exchange program established pursuant to rules adopted
 11 by the department of public health.>
 12 2. Title page, line 1, after <regulation> by inserting <and

13 use>
14 3. By renumbering as necessary.

PAM JOCHUM

S-5266

1 Amend Senate File 2410 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 FY 2018-2019
6 Section 1. 2017 Iowa Acts, chapter 169, section 18, is
7 amended to read as follows:
8 SEC. 18. DEPARTMENT OF CULTURAL AFFAIRS.
9 1. There is appropriated from the general fund of the state
10 to the department of cultural affairs for the fiscal year
11 beginning July 1, 2018, and ending June 30, 2019, the following
12 amounts, or so much thereof as is necessary, to be used for the
13 purposes designated:

14	a. ADMINISTRATION	
15	For salaries, support, maintenance, and miscellaneous	
16	purposes, and for not more than the following full-time	
17	equivalent positions for the department:	
18	.....	\$ 84,318
19		<u>168,637</u>
20	..... FTEs	56.50
21		<u>52.30</u>

22 The department of cultural affairs shall coordinate
23 activities with the tourism office of the economic development
24 authority to promote attendance at the state historical
25 building and at this state's historic sites.

26 Full-time equivalent positions authorized under this
27 paragraph are funded, in full or in part, using moneys
28 appropriated under this paragraph and paragraphs "c" through
29 "g".

30	b. COMMUNITY CULTURAL GRANTS	
31	For planning and programming for the community cultural	
32	grants program established under section 303.3:	
33	\$ 86,045
34		<u>172,090</u>

35 c. HISTORICAL DIVISION

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1	For the support of the historical division:	
2	\$ 1,488,898
3		<u>3,027,797</u>
4	d. HISTORIC SITES	
5	For the administration and support of historic sites:	
6	.....	\$ 213,199
7		<u>426,398</u>

8	e. ARTS DIVISION	
9	For the support of the arts division:	
10	.....	\$ 596,094
11		<u>1,217,188</u>
12	Of the moneys appropriated in this paragraph, the department	
13	shall allocate \$150,000 <u>\$300,000</u> for purposes of the film	
14	office.	
15	f. IOWA GREAT PLACES	
16	For the Iowa great places program established under section	
17	303.3C:	
18	.....	\$ 75,000
19		<u>150,000</u>
20	g. RECORDS CENTER RENT	
21	For payment of rent for the state records center:	
22	.....	\$ 113,621
23		<u>227,243</u>
24	h. CULTURAL TRUST GRANTS	
25	For grant programs administered by the Iowa arts council	
26	including but not limited to those programs supporting the	
27	long-term financial stability and sustainability of nonprofit	
28	cultural organizations:	
29	.....	\$ 12,500
30		<u>75,000</u>
31	2. Notwithstanding section 8.33, moneys appropriated in	
32	this section that remain unencumbered or unobligated at the	
33	close of the fiscal year shall not revert but shall remain	
34	available for expenditure for the purposes designated until the	
35	close of the succeeding fiscal year.	

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1	Sec. 2. 2017 Iowa Acts, chapter 169, section 20, is amended	
2	to read as follows:	
3	SEC. 20. ECONOMIC DEVELOPMENT AUTHORITY.	
4	1. APPROPRIATION	
5	a. There is appropriated from the general fund of the state	
6	to the economic development authority for the fiscal year	
7	beginning July 1, 2018, and ending June 30, 2019, the following	
8	amount, or so much thereof as is necessary, to be used for the	
9	purposes designated in this subsection, and for not more than	
10	the following full-time equivalent positions:	
11	.....	\$ 6,700,000
12		<u>13,413,379</u>
13	..... FTEs	147.45
14		<u>126.15</u>
15	b. (1) For salaries, support, miscellaneous purposes,	
16	programs, marketing, and the maintenance of an administration	
17	division, a business development division, a community	
18	development division, a small business development division,	
19	and other divisions the authority may organize.	
20	(2) The full-time equivalent positions authorized under	
21	this section are funded, in whole or in part, by the moneys	

22 appropriated under this subsection or by other moneys received
23 by the authority, including certain federal moneys.

24 (3) For business development operations and programs,
25 international trade, export assistance, workforce recruitment,
26 and the partner state program.

27 (4) For transfer to a fund created pursuant to section
28 15.313 for purposes of financing strategic infrastructure
29 projects.

30 (5) For community economic development programs, tourism
31 operations, community assistance, plans for Iowa green corps
32 and summer youth programs, the mainstreet and rural mainstreet
33 programs, the school-to-career program, the community
34 development block grant, and housing and shelter-related
35 programs.

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1 (6) For achieving the goals and accountability, and
2 fulfilling the requirements and duties required under this Act.
3 c. Notwithstanding section 8.33, moneys appropriated in
4 this subsection that remain unencumbered or unobligated at the
5 close of the fiscal year shall not revert but shall remain
6 available for expenditure for the purposes designated in this
7 subsection until the close of the succeeding fiscal year.

8 2. FINANCIAL ASSISTANCE RESTRICTIONS

9 a. A business creating jobs through moneys appropriated in
10 subsection 1 shall be subject to contract provisions requiring
11 new and retained jobs to be filled by individuals who are
12 citizens of the United States who reside within the United
13 States or any person authorized to work in the United States
14 pursuant to federal law, including legal resident aliens in the
15 United States.

16 b. Any vendor who receives moneys appropriated in
17 subsection 1 shall adhere to such contract provisions and
18 provide periodic assurances as the state shall require that the
19 jobs are filled solely by citizens of the United States who
20 reside within the United States or any person authorized to
21 work in the United States pursuant to federal law, including
22 legal resident aliens in the United States.

23 c. A business that receives financial assistance from
24 the authority from moneys appropriated in subsection 1 shall
25 only employ individuals legally authorized to work in this
26 state. In addition to all other applicable penalties provided
27 by current law, all or a portion of the assistance received
28 by a business which is found to knowingly employ individuals
29 not legally authorized to work in this state is subject to
30 recapture by the authority.

31 3. USES OF APPROPRIATIONS

32 a. From the moneys appropriated in subsection 1, the
33 authority may provide financial assistance in the form of a
34 grant to a community economic development entity for conducting
35 a local workforce recruitment effort designed to recruit former

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1 citizens of the state and former students at colleges and
 2 universities in the state to meet the needs of local employers.
 3 b. From the moneys appropriated in subsection 1, the
 4 authority may provide financial assistance to early stage
 5 industry companies being established by women entrepreneurs.
 6 c. From the moneys appropriated in subsection 1, the
 7 authority may provide financial assistance in the form of
 8 grants, loans, or forgivable loans for advanced research and
 9 commercialization projects involving value-added agriculture,
 10 advanced technology, or biotechnology.
 11 d. The authority shall not use any moneys appropriated in
 12 subsection 1 for purposes of providing financial assistance for
 13 the Iowa green streets pilot project or for any other program
 14 or project that involves the installation of geothermal systems
 15 for melting snow and ice from streets or sidewalks.

16 4. WORLD FOOD PRIZE

17 There is appropriated from the general fund of the state
 18 to the economic development authority for the fiscal year
 19 beginning July 1, 2018, and ending June 30, 2019, the following
 20 amount for the world food prize and in lieu of the standing
 21 appropriation in section 15.368:

22	\$	<u>200,000</u>
23		<u>400,000</u>

24 5. IOWA COMMISSION ON VOLUNTEER SERVICE

25 There is appropriated from the general fund of the state
 26 to the economic development authority for the fiscal year
 27 beginning July 1, 2018, and ending June 30, 2019, the following
 28 amount for allocation to the Iowa commission on volunteer
 29 service for purposes of the Iowa state commission grant
 30 program, the Iowa's promise and Iowa mentoring partnership
 31 programs, and for not more than the following full-time
 32 equivalent positions:

33	\$	<u>84,100</u>
34		<u>168,201</u>
35	FTEs	7.00

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1 Of the moneys appropriated in this subsection, the authority
 2 shall allocate ~~\$37,500~~ \$75,000 for purposes of the Iowa state
 3 commission grant program and ~~\$46,600~~ \$93,201 for purposes of
 4 the Iowa's promise and Iowa mentoring partnership programs.
 5 Notwithstanding section 8.33, moneys appropriated in this
 6 subsection that remain unencumbered or unobligated at the close
 7 of the fiscal year shall not revert but shall remain available
 8 for expenditure for the purposes designated until the close of
 9 the succeeding fiscal year.

10 6. COUNCILS OF GOVERNMENTS — ASSISTANCE

11 There is appropriated from the general fund of the state
 12 to the economic development authority for the fiscal year

13 beginning July 1, 2018, and ending June 30, 2019, the following
 14 amount to be used for the purposes of providing financial
 15 assistance to Iowa’s councils of governments:
 16 \$ 87,500
 17 200,000

18 6A. REGISTERED APPRENTICESHIP PROGRAM

19 There is appropriated from the general fund of the
 20 state to the economic development authority for the fiscal
 21 year beginning July 1, 2018, and ending June 30, 2019, the
 22 following amount to be used for the funding of a registered
 23 apprenticeship development program designed to encourage
 24 small to midsize businesses to start or grow registered
 25 apprenticeships:
 26 \$ 1,000,000

27 7. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
 28 INTERNSHIPS

29 a. There is appropriated from the Iowa skilled worker and
 30 job creation fund created in section 8.75 to the Iowa economic
 31 development authority for the fiscal year beginning July 1,
 32 2018, and ending June 30, 2019, the following amount, or so
 33 much thereof as is necessary, for the purposes designated:

34 For the funding of internships for students studying in the
 35 fields of science, technology, engineering, and mathematics

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1 with eligible Iowa employers as provided in section 15.411,
 2 subsection 3, paragraph “c”:
 3 \$ 500,000
 4 1,000,000

5 b. No more than 3 percent of the moneys appropriated in this
 6 subsection may be used by the authority for costs associated
 7 with administration of the internship program.

8 c. Notwithstanding section 8.33, moneys appropriated in
 9 this subsection which remain unencumbered or unobligated at
 10 the end of the fiscal year shall not revert but shall remain
 11 available for expenditure for the purposes designated in
 12 subsequent fiscal years.

13 Sec. 3. 2017 Iowa Acts, chapter 169, section 21, is amended
 14 to read as follows:

15 SEC. 21. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 16 2018–2019. Notwithstanding the standing appropriations
 17 in the following designated sections for the fiscal year
 18 beginning July 1, 2018, and ending June 30, 2019, the amounts
 19 appropriated from the general fund of the state pursuant to
 20 these sections for the following purposes shall not exceed the
 21 following amounts:

22 1. For operational support grants and community cultural
 23 grants under section 99F.11, subsection 3, paragraph “d”,
 24 subparagraph (1):
 25 \$ 208,351
 26 448,403

27 2. For the purposes of regional tourism marketing under
 28 section 99F.11, subsection 3, paragraph “d”, subparagraph (2):
 29 \$ 450,000
 30 900,000
 31 Sec. 4. 2017 Iowa Acts, chapter 169, is amended by adding
 32 the following new section:
 33 NEW SECTION. SEC. 21A. FINANCIAL ASSISTANCE REPORTING
 34 — ECONOMIC DEVELOPMENT AUTHORITY. The economic development
 35 authority and the department of revenue shall submit a joint

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1 annual report to the general assembly no later than November
 2 1 of each year that details the amount of every direct loan,
 3 forgivable loan, tax credit, tax exemption, tax refund, grant,
 4 or any other financial assistance awarded to a person during
 5 the prior fiscal year by the authority under an economic
 6 development program administered by the authority. The report
 7 shall identify the county where the project associated with
 8 each such award is located.
 9 Sec. 5. 2017 Iowa Acts, chapter 169, section 22, is amended
 10 to read as follows:
 11 SEC. 22. INSURANCE ECONOMIC DEVELOPMENT. From the moneys
 12 collected by the division of insurance in excess of the
 13 anticipated gross revenues under section 505.7, subsection 3,
 14 during the fiscal year beginning July 1, 2018, ~~\$50,000~~ \$100,000
 15 shall be transferred to the economic development authority for
 16 insurance economic development and international insurance
 17 economic development.
 18 Sec. 6. 2017 Iowa Acts, chapter 169, section 23, is amended
 19 to read as follows:
 20 SEC. 23. IOWA FINANCE AUTHORITY.
 21 1. There is appropriated from the general fund of the state
 22 to the Iowa finance authority for the fiscal year beginning
 23 July 1, 2018, and ending June 30, 2019, the following amount,
 24 or so much thereof as is necessary, to be used to provide
 25 reimbursement for rent expenses to eligible persons under
 26 the home and community-based services rent subsidy program
 27 established in section 16.55:
 28 \$ 329,000
 29 658,000
 30 2. ~~If the Iowa finance authority utilizes a waiting list,~~
 31 ~~the authority shall give priority to a person participating~~
 32 ~~in the state’s money follows the person partnership for~~
 33 ~~community integration project who has been assigned to work~~
 34 ~~with a transition specialist.~~ Of the moneys appropriated in
 35 this section, not more than ~~\$17,500~~ \$35,000 may be used for

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1 administrative costs.
 2 Sec. 7. 2017 Iowa Acts, chapter 169, section 25, is amended

3 to read as follows:

4 SEC. 25. PUBLIC EMPLOYMENT RELATIONS BOARD.

5 1. There is appropriated from the general fund of the state
6 to the public employment relations board for the fiscal year
7 beginning July 1, 2018, and ending June 30, 2019, the following
8 amount, or so much thereof as is necessary, for the purposes
9 designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	<u>671,226</u>
14		<u>1,492,452</u>
15	FTEs	<u>10.00</u>
16		<u>11.00</u>

17 2. Of the moneys appropriated in this section, the board
18 shall allocate ~~\$7,500~~ \$15,000 for maintaining an internet site
19 that allows searchable access to a database of collective
20 bargaining information.

21 Sec. 8. 2017 Iowa Acts, chapter 169, section 26, is amended
22 to read as follows:

23 SEC. 26. DEPARTMENT OF WORKFORCE DEVELOPMENT. There

24 is appropriated from the general fund of the state to the
25 department of workforce development for the fiscal year
26 beginning July 1, 2018, and ending June 30, 2019, the following
27 amounts, or so much thereof as is necessary, for the purposes
28 designated:

29 1. DIVISION OF LABOR SERVICES

30 a. For the division of labor services, including salaries,
31 support, maintenance, and miscellaneous purposes, and for not
32 more than the following full-time equivalent positions:

33	\$	<u>1,745,626</u>
34		<u>3,491,252</u>
35	FTEs	<u>61.12</u>

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1 57.90

2 b. From the contractor registration fees, the division of
3 labor services shall reimburse the department of inspections
4 and appeals for all costs associated with hearings under
5 chapter 91C, relating to contractor registration.

6 2. DIVISION OF WORKERS' COMPENSATION

7 a. For the division of workers' compensation, including
8 salaries, support, maintenance, and miscellaneous purposes, and
9 for not more than the following full-time equivalent positions:

10	\$	<u>1,620,522</u>
11		<u>3,309,044</u>
12	FTEs	<u>27.20</u>
13		<u>27.00</u>

14 b. The division of workers' compensation shall charge a
15 \$100 filing fee for workers' compensation cases. The filing
16 fee shall be paid by the petitioner of a claim. However, the

17 fee can be taxed as a cost and paid by the losing party, except
18 in cases where it would impose an undue hardship or be unjust
19 under the circumstances. The moneys generated by the filing
20 fee allowed under this subsection are appropriated to the
21 department of workforce development to be used for purposes of
22 administering the division of workers' compensation.

23 3. WORKFORCE DEVELOPMENT OPERATIONS

24 a. For the operation of field offices, the workforce
25 development board, and for not more than the following
26 full-time equivalent positions:

27	\$	<u>3,972,825</u>
28		<u>7,925,650</u>
29	FTEs	<u>187.75</u>
30		<u>183.78</u>

31 b. Of the moneys appropriated in paragraph "a" of this
32 subsection, the department shall allocate ~~\$75,000~~ \$150,000
33 to the state library for the purpose of licensing an online
34 resource which prepares persons to succeed in the workplace
35 through programs which improve job skills and vocational

Page 11

1 test-taking abilities.

2 4. OFFENDER REENTRY PROGRAM

3 a. For the development and administration of an offender
4 reentry program to provide offenders with employment skills,
5 and for not more than the following full-time equivalent
6 positions:

7	\$	<u>143,579</u>
8		<u>337,158</u>
9	FTEs	<u>4.00</u>
10		<u>5.00</u>

11 b. The department of workforce development shall partner
12 with the department of corrections to provide staff within the
13 correctional facilities to improve offenders' abilities to find
14 and retain productive employment.

15 5. INTEGRATED INFORMATION FOR IOWA SYSTEM

16 For the payment of services provided by the department of
17 administrative services related to the integrated information
18 for Iowa system:

19	\$	<u>114,411</u>
20		<u>228,822</u>

21 5A. SUMMER YOUTH INTERN PILOT PROGRAM

22 For the funding of a summer youth intern pilot program that
23 will help young people at risk of not graduating from high
24 school to explore and prepare for high-demand careers through
25 summer work experience, including the development of soft
26 skills:

27	\$	<u>250,000</u>
----------	----	----------------

28 5B. FUTURE READY IOWA COORDINATOR

29 For the funding of a future ready Iowa coordinator in the
30 department:

31 \$ 150,000
 32 6. NONREVERSION
 33 Notwithstanding section 8.33, moneys appropriated in this
 34 section that remain unencumbered or unobligated at the close of
 35 the fiscal year shall not revert but shall remain available for

Page 12

1 expenditure for the purposes designated until the close of the
 2 succeeding fiscal year.
 3 Sec. 9. 2017 Iowa Acts, chapter 169, section 27, is amended
 4 to read as follows:
 5 SEC. 27. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
 6 PROGRAM. There is appropriated from the general fund of the
 7 state to the department of workforce development for the fiscal
 8 year beginning July 1, 2018, and ending June 30, 2019, the
 9 following amount, or so much thereof as is necessary, to be
 10 used for the purposes designated:
 11 For enhancing efforts to investigate employers that
 12 misclassify workers and for not more than the following
 13 full-time equivalent positions:
 14 \$ 214,815
 15 379,631
 16 FTEs 5.00
 17 4.50

18 Sec. 10. 2017 Iowa Acts, chapter 169, section 28, is amended
 19 to read as follows:
 20 SEC. 28. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.
 21 1. There is appropriated from the special employment
 22 security contingency fund to the department of workforce
 23 development for the fiscal year beginning July 1, 2018, and
 24 ending June 30, 2019, the following amount, or so much thereof
 25 as is necessary, to be used for field offices:
 26 \$ 883,042
 27 1,766,084

28 2. Any remaining additional penalty and interest revenue
 29 collected by the department of workforce development is
 30 appropriated to the department for the fiscal year beginning
 31 July 1, 2018, and ending June 30, 2019, to accomplish the
 32 mission of the department.

33 Sec. 11. 2017 Iowa Acts, chapter 169, section 29, is amended
 34 to read as follows:
 35 SEC. 29. UNEMPLOYMENT COMPENSATION RESERVE FUND —

Page 13

1 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
 2 paragraph “e”, there is appropriated from interest earned on
 3 the unemployment compensation reserve fund to the department
 4 of workforce development for the fiscal year beginning July 1,
 5 2018, and ending June 30, 2019, the following amount, or so
 6 much thereof as is necessary, for the purposes designated:

7 For the operation of field offices:
8 \$ 530,000
9 1,060,000

10 Sec. 12. 2017 Iowa Acts, chapter 169, section 32, is amended
11 to read as follows:
12 SEC. 32. IOWA SKILLED WORKER AND JOB CREATION FUND.
13 1. There is appropriated from the Iowa skilled worker and
14 job creation fund created in section 8.75 to the following
15 departments, agencies, and institutions for the fiscal year
16 beginning July 1, 2018, and ending June 30, 2019, the following
17 amounts, or so much thereof as is necessary, to be used for the
18 purposes designated:
19 a. ECONOMIC DEVELOPMENT AUTHORITY
20 (1) For the purposes of providing assistance under the high
21 quality jobs program as described in section 15.335B:
22 \$ 7,950,000
23 13,000,000

24 (2) From the moneys appropriated in this lettered paragraph
25 "a", the economic development authority may use not more than
26 ~~\$500,000~~ \$1,000,000 for purposes of providing infrastructure
27 grants to mainstreet communities under the main street Iowa
28 program.
29 (3) As a condition of receiving moneys appropriated in
30 this lettered paragraph "a", an entity shall testify upon the
31 request of the joint appropriations subcommittee on economic
32 development regarding the expenditure of such moneys.
33 b. STATE BOARD OF REGENTS AND REGENTS INSTITUTIONS
34 (1) STATE BOARD OF REGENTS. For capacity building
35 infrastructure in areas related to technology

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1 commercialization, marketing and business development
2 efforts in areas related to technology commercialization,
3 entrepreneurship, and business growth, and infrastructure
4 projects and programs needed to assist in implementation of
5 activities under chapter 262B:
6 \$ 1,500,000
7 3,000,000

8 Of the moneys appropriated pursuant to this subparagraph
9 (1), 35 percent shall be allocated for Iowa state university of
10 science and technology, 35 percent shall be allocated for the
11 state university of Iowa, and 30 percent shall be allocated for
12 the university of northern Iowa.
13 (a) The institutions shall provide a one-to-one match
14 of additional moneys for the activities funded with moneys
15 appropriated under this subparagraph (1).
16 (b) The state board of regents shall annually submit a
17 report by January 15 to the governor, the general assembly,
18 and the legislative services agency regarding the activities,
19 projects, and programs funded with moneys appropriated under
20 this subparagraph (1). The report shall be provided in an

21 electronic format and shall include a list of metrics and
 22 criteria mutually agreed to in advance by the board of regents
 23 and the economic development authority. The metrics and
 24 criteria shall allow the governor's office and the general
 25 assembly to quantify and evaluate the progress of the board of
 26 regents institutions with regard to their activities, projects,
 27 and programs in the areas of technology commercialization,
 28 entrepreneurship, regional development, and market research.

29 (2) IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY. For
 30 small business development centers, the science and technology
 31 research park, and the center for industrial research and
 32 service, and for not more than the following full-time
 33 equivalent positions:

34	\$	<u>1,212,151</u>
35		<u>2,424,302</u>

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1	FTEs	56.63
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2 (a) Of the moneys appropriated in this subparagraph
 3 (2), Iowa state university of science and technology shall
 4 allocate at least ~~\$367,864~~ \$735,728 for purposes of funding
 5 small business development centers. Iowa state university of
 6 science and technology may allocate the appropriated moneys to
 7 the various small business development centers in any manner
 8 necessary to achieve the purposes of this subparagraph.
 9 (b) Iowa state university of science and technology shall
 10 do all of the following:
 11 (i) Direct expenditures for research toward projects that
 12 will provide economic stimulus for Iowa.
 13 (ii) Provide emphasis to providing services to Iowa-based
 14 companies.
 15 (c) It is the intent of the general assembly that the
 16 industrial incentive program focus on Iowa industrial sectors
 17 and seek contributions and in-kind donations from businesses,
 18 industrial foundations, and trade associations, and that moneys
 19 for the center for industrial research and service industrial
 20 incentive program shall be allocated only for projects which
 21 are matched by private sector moneys for directed contract
 22 research or for nondirected research. The match required of
 23 small businesses as defined in section 15.102, subsection 8,
 24 for directed contract research or for nondirected research
 25 shall be \$1 for each \$3 of state funds. The match required
 26 for other businesses for directed contract research or
 27 for nondirected research shall be \$1 for each \$1 of state
 28 funds. The match required of industrial foundations or trade
 29 associations shall be \$1 for each \$1 of state funds.
 30 Iowa state university of science and technology shall
 31 report annually to the joint appropriations subcommittee on
 32 economic development and the legislative services agency the
 33 total amount of private contributions, the proportion of

34 contributions from small businesses and other businesses, and
 35 the proportion for directed contract research and nondirected

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1 research of benefit to Iowa businesses and industrial sectors.
 2 (3) STATE UNIVERSITY OF IOWA. For the state university
 3 of Iowa research park and for the advanced drug development
 4 program at the Oakdale research park, including salaries,
 5 support, maintenance, equipment, and miscellaneous purposes,
 6 and for not more than the following full-time equivalent
 7 positions:
 8 \$ 104,630
 9 209,279
 10 FTEs 6.00
 11 The state university of Iowa shall do all of the following:
 12 (a) Direct expenditures for research toward projects that
 13 will provide economic stimulus for Iowa.
 14 (b) Provide emphasis to providing services to Iowa-based
 15 companies.
 16 (4) STATE UNIVERSITY OF IOWA. For the purpose of
 17 implementing the entrepreneurship and economic growth
 18 initiative, and for not more than the following full-time
 19 equivalent positions:
 20 \$ 1,000,000
 21 2,000,000
 22 FTEs 8.00
 23 (5) UNIVERSITY OF NORTHERN IOWA. For the metal casting
 24 ~~institute center~~, the MyEntreNet internet application, and the
 25 ~~institute of~~ for decision making, including salaries, support,
 26 maintenance, and miscellaneous purposes, and for not more than
 27 the following full-time equivalent positions:
 28 \$ 533,200
 29 1,066,419
 30 FTEs 8.12
 31 (a) Of the moneys appropriated pursuant to this
 32 subparagraph (5), the university of northern Iowa shall
 33 allocate at least ~~\$308,819~~ \$617,638 for purposes of support
 34 of entrepreneurs through the university's center for business
 35 growth and innovation and advance Iowa program.

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1 (b) The university of northern Iowa shall do all of the
 2 following:
 3 (i) Direct expenditures for research toward projects that
 4 will provide economic stimulus for Iowa.
 5 (ii) Provide emphasis to providing services to Iowa-based
 6 companies.
 7 (6) As a condition of receiving moneys appropriated in
 8 this lettered paragraph "b", an entity shall testify upon the
 9 request of the joint appropriations subcommittee on economic

10 development regarding the expenditure of such moneys.

11 c. DEPARTMENT OF WORKFORCE DEVELOPMENT

12 To develop a long-term sustained program to train unemployed

13 and underemployed central Iowans with skills necessary to

14 advance to higher-paying jobs with full benefits:

15 \$ 50,000

16 100,000

17 (1) The department of workforce development shall begin

18 a request for proposals process, issued for purposes of this

19 lettered paragraph “c”, no later than September 1, 2018.

20 (2) As a condition of receiving moneys appropriated under

21 this lettered paragraph “c”, an entity shall testify upon the

22 request of the joint appropriations subcommittee on economic

23 development regarding the expenditure of such moneys.

24 2. Notwithstanding section 8.33, moneys appropriated

25 in this section of this Act that remain unencumbered or

26 unobligated at the close of the fiscal year shall not revert

27 but shall remain available for expenditure for the purposes

28 designated until the close of the succeeding fiscal year.

29 DIVISION II

30 UNEMPLOYMENT INSURANCE SYSTEMS MODERNIZATION

31 Sec. 13. AUTHORIZATION OF USE OF FUNDS — UNEMPLOYMENT

32 INSURANCE SYSTEMS MODERNIZATION. Incentive payment funds made

33 to the state pursuant to the federal Assistance for Unemployed

34 Workers and Struggling Families Act, Pub. L. No. 111-5, enacted

35 February 17, 2009, as a special transfer under section 903

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1 of the Social Security Act, may be used up to \$39,200,000,
2 or so much thereof as may be necessary, by the department
3 of workforce development, for the purpose of unemployment
4 insurance systems modernization and for the acquisition of
5 programming, software, and equipment required to provide an
6 administrative system for the Iowa unemployment insurance
7 program.

8 Sec. 14. REPEAL. 2017 Iowa Acts, chapter 169, section 15,
9 is repealed.

10 Sec. 15. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 Sec. 16. RETROACTIVE APPLICABILITY. The following applies
13 retroactively to July 1, 2017:

14 The section of this division of this Act relating to
15 unemployment insurance systems modernization.>

16 2. Title page, by striking lines 1 through 8 and inserting
17 <An Act making appropriations to the department of cultural
18 affairs, the economic development authority, the Iowa
19 finance authority, the public employment relations board,
20 the department of workforce development, and the state board
21 of regents and certain regents institutions, and properly

22 related matters, and including effective date and retroactive
23 applicability provisions.>

MARK LOFGREN

S-5267

1 Amend House File 2377, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, before line 3 by inserting:

4 <Sec. ___. Section 124.550, subsection 2, Code 2018, is
5 amended to read as follows:

6 2. *"Prescribing practitioner"* means a practitioner who
7 has prescribed or is contemplating the authorization of
8 a prescription for the patient about whom information is
9 requested. *"Prescribing practitioner" does not include a*
10 *licensed veterinarian.*>

11 2. Page 2, line 3, before <practitioner> by inserting
12 <prescribing>

13 3. Page 2, line 6, before <practitioner> by inserting
14 <prescribing>

15 4. Page 2, line 9, by striking <rule> and inserting <rules
16 adopted by the prescribing practitioner's licensing board>

17 5. Page 16, line 22, by striking <**and dentistry**> and
18 inserting **<dentistry, podiatry, and physician assistants>**

19 6. Page 16, by striking lines 23 through 32 and inserting:
20 <1. The board of medicine, board of dentistry, board of
21 physician assistants, board of podiatry, and board of nursing
22 shall establish rules requiring a person licensed pursuant to
23 section 148.3, 148C.3, 149.3, or 152.6 or chapter 153 who has
24 prescribed opioids to a patient during the previous licensure
25 cycle to receive continuing education credits regarding the
26 United States centers for disease control and prevention
27 guideline for prescribing opioids for chronic pain, including
28 recommendations on limitations on dosages and the length of
29 prescriptions, risk factors for abuse, and nonopioid and
30 nonpharmacologic therapy options, as a condition of license
31 renewal. Each licensing board shall have the authority
32 to determine how often a licensee must receive continuing
33 education credits.

34 2. The rules established pursuant to this section shall
35 include the option for a licensee to attest as part of the

Page 2

1 license renewal process that the licensee is not subject to the
2 requirement to receive continuing education credits pursuant
3 to this section, due to the fact that the licensee did not
4 prescribe opioids to a patient during the previous licensure
5 cycle.>

6 7. Page 16, before line 33 by inserting:

7 <Sec. ___. RESCISSION OF ADMINISTRATIVE RULES.

- 8 1. 653 Iowa administrative code, rule 11.4, subrule (1),
 9 paragraph “d”, is rescinded.
 10 2. As soon as practicable, the Iowa administrative code
 11 editor shall remove the language of the Iowa administrative
 12 rule referenced in subsection 1 of this section from the Iowa
 13 administrative code.>
 14 8. By renumbering as necessary.

DAN DAWSON

S-5268

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 7, line 33, by striking <two> and inserting <six>
 4 2. Page 8, line 2, by striking <two> and inserting <six>
 5 3. Page 8, line 4, by striking <two> and inserting <six>

ROBERT M. HOGG

S-5269

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 15 through 24 and inserting:
 4 <g. Filing energy efficiency plans and energy efficiency
 5 results with the board. The energy efficiency plans as a
 6 whole shall be cost-effective. The board may permit these
 7 utilities to file joint plans. The board shall periodically
 8 report the energy efficiency results including energy savings
 9 of each of these utilities to the general assembly. The board
 10 may waive all or part of the energy efficiency filing and
 11 review requirements for electric cooperative corporations and
 12 associations and electric public utilities which demonstrate
 13 superior results with existing energy efficiency efforts.>
 14 2. Page 4, lines 10 and 11, by striking <paragraphs f and
 15 1, Code 2018, are amended by striking the paragraphs> and
 16 inserting <paragraph f, Code 2018, is amended by striking the
 17 paragraph>

ROBERT M. HOGG

S-5270

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 11, line 18, through page 12, line 32.
 4 2. By renumbering as necessary.

ROBERT M. HOGG

S-5271

1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 5, line 14, after ~~<by the board>~~ by inserting <and
 4 the public utility provides evidence to the board that it has
 5 taken all reasonable action with the federal energy regulatory
 6 commission to ensure such rates and charges are the lowest
 7 possible costs, and are just and reasonable>

ROBERT M. HOGG

S-5272

1 Amend the House amendment, S-5256, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 6, line 25, by striking <cumulative rate-payer
 4 impact> and inserting <total resource cost>

ROBERT M. HOGG

S-5273

1 Amend House File 2493, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, line 17, by striking ~~<56.50>~~ and inserting
 4 <56.50>
 5 2. Page 1, line 18, by striking ~~<52.30>~~
 6 3. Page 3, line 10, by striking ~~<147.45>~~ and inserting
 7 <147.45>
 8 4. Page 3, line 11, by striking ~~<126.15>~~
 9 5. Page 9, line 32, by striking ~~<61.12>~~ and inserting
 10 <61.12>
 11 6. Page 9, line 33, by striking ~~<57.90>~~
 12 7. Page 10, line 9, by striking ~~<27.20>~~ and inserting
 13 <27.20>
 14 8. Page 10, line 10, by striking ~~<27.00>~~
 15 9. Page 10, line 26, by striking ~~<187.75>~~ and inserting
 16 <187.75>
 17 10. Page 10, line 27, by striking ~~<183.78>~~
 18 11. Page 11, line 27, after ~~<department>~~ by inserting <, and
 19 for not more than the following full-time equivalent positions>
 20 12. Page 11, after line 28 by inserting:
 21 <..... FTEs 1.00>
 22 13. Page 12, line 13, by striking ~~<5.00>~~ and inserting
 23 <5.00>
 24 14. Page 12, line 14, by striking ~~<4.50>~~
 25 15. Page 13, line 6, by striking ~~<1,060,000>~~ and inserting
 26 <1,600,000>
 27 16. Page 13, line 20, by striking ~~<13,000,000>~~ and inserting
 28 <13,650,000>
 29 17. Page 18, after line 12 by inserting:
 30 <DIVISION ____

31 MISCELLANEOUS

32 Sec. ____ Section 8.57, subsection 5, paragraph f,
33 subparagraph (1), subparagraph division (c), Code 2018, is
34 amended to read as follows:

35 (c) (i) For the fiscal year beginning July 1, 2013, and for

Page 2

1 each fiscal year ~~thereafter~~ through the fiscal year beginning
2 July 1, 2017, of the wagering tax receipts received pursuant to
3 sections 99D.17 and 99F.11, the next sixty-six million dollars
4 shall be deposited in the Iowa skilled worker and job creation
5 fund created in section 8.75.

6 (ii) For the fiscal year beginning July 1, 2018, and for
7 each fiscal year thereafter, of the wagering tax receipts
8 received pursuant to sections 99D.17 and 99F.11, the next
9 sixty-three million seven hundred fifty thousand dollars shall
10 be deposited in the Iowa skilled worker and job creation fund
11 created in section 8.75.

12 Sec. ____ Section 8.57, subsection 5, paragraph f,
13 subparagraph (1), Code 2018, is amended by adding the following
14 new subparagraph division:

15 NEW SUBPARAGRAPH DIVISION. (0d) For the fiscal year
16 beginning July 1, 2018, and for each fiscal year thereafter, of
17 the wagering tax receipts received pursuant to sections 99D.17
18 and 99F.11, the next two million two hundred fifty thousand
19 dollars shall be deposited in the general fund of the state.

20 Sec. ____ Section 8.57, subsection 5, paragraph f,
21 subparagraph (1), subparagraph division (d), Code 2018, is
22 amended to read as follows:

23 (d) For the fiscal year beginning July 1, ~~2013, 2018,~~ and
24 for each fiscal year thereafter, the total moneys in excess of
25 the moneys deposited under this paragraph “f” in the revenue
26 bonds debt service fund, the revenue bonds federal subsidy
27 holdback fund, the vision Iowa fund, and the Iowa skilled
28 worker and job creation fund, and the general fund of the state
29 shall be deposited in the rebuild Iowa infrastructure fund and
30 shall be used as provided in this section, notwithstanding
31 section 8.60.

32 Sec. ____ Section 96.5, Code 2018, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 13. *Overpayment resulting in*
35 *disqualification.* If the department finds that an individual

Page 3

1 has received benefits by reason of misrepresentation pursuant
2 to section 96.16, such individual shall be disqualified for
3 benefits until the balance of the benefits received by the
4 individual due to misrepresentation, including all penalties,
5 interest, and lien fees, is paid in full.

6 Sec. ____ NEW SECTION. **507E.2A Definition of insurer** —

7 **workers' compensation.**

- 8 As used in this chapter, unless the context otherwise
9 requires:
- 10 1. "Insurance" means any and all contracts, arrangements,
11 and agreements by or through which one party, for compensation,
12 assumes risks of another party and promises to pay the second
13 party or the second party's nominee a certain or ascertainable
14 sum of money on the occurrence of a specified contingency.
15 "Insurance" includes any and all contracts, arrangements, or
16 agreements contemplated by, falling within, and coming under
17 section 87.11. Without limiting the foregoing, "insurance"
18 includes any contract of insurance, indemnity, subscription,
19 membership, suretyship, or annuity that has been issued, is
20 proposed for issuance, or is intended for issuance by any
21 person or entity.
- 22 2. "Insurer" includes an insurer that issues a policy of
23 workers' compensation, a self-insured business for purposes of
24 workers' compensation liability, or a group or self-insured
25 plan as described in section 87.4.>

MARK LOFGREN

S-5274

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
- 3 1. Page 12, by striking line 20 and inserting <board and the
4 board determines that the utility's rates are excessive, the
5 board shall require the utility to adjust its rates to reflect
6 the actual conditions being experienced by the utility and
7 shall order a refund, with interest, of the amounts that the
8 utility has over-collected. For a>

ROBERT M. HOGG

S-5275

- 1 Amend the House amendment, S-5256, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
- 3 1. Page 10, after line 20 by inserting:
4 <Sec. __. Section 476.6, Code 2018, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 24. Limit on rate increases.
7 Notwithstanding any provision of law to the contrary, a
8 rate-regulated gas or electric utility shall not increase a
9 rate by an amount in excess of the consumer price index or
10 other applicable index of inflation, as determined by the
11 board.>
- 12 2. By renumbering as necessary.

ROBERT M. HOGG

S-5276

1 Amend Senate File 2416 as follows:

- 2 1. Page 2, line 19, by striking ~~<886.193>~~ and inserting
 3 ~~<986.193>~~
 4 2. Page 3, lines 30 and 31, by striking ~~<by the department~~
 5 ~~of transportation>~~ and inserting ~~<by the department of~~
 6 ~~transportation>~~
 7 3. Page 4, line 21, by striking ~~<996.391>~~ and inserting
 8 ~~<1,019.556>~~
 9 4. Page 8, line 2, by striking ~~<2,053.954>~~ and inserting
 10 ~~<2,103.954>~~
 11 5. Page 9, line 5, by striking ~~<199.385>~~ and inserting
 12 ~~<210.075>~~
 13 6. Page 9, line 29, by striking ~~<516.234>~~ and inserting
 14 ~~<511.580>~~
 15 7. Page 10, line 1, by striking ~~<631.520>~~ and inserting
 16 ~~<625.827>~~
 17 8. Page 10, line 8, by striking ~~<2,393.368>~~ and inserting
 18 ~~<2,471.791>~~
 19 9. Page 10, line 25, by striking ~~<4,783.300>~~ and inserting
 20 ~~<4,734.682>~~
 21 10. Page 11, line 28, by striking ~~<39.266>~~ and inserting
 22 ~~<38.912>~~
 23 11. Page 12, line 10, by striking ~~<2,493.081>~~ and inserting
 24 ~~<2,570.605>~~
 25 12. Page 12, line 30, by striking ~~<554.821>~~ and inserting
 26 ~~<574.819>~~
 27 13. By striking page 12, line 32, through page 13, line 11,
 28 and inserting:
 29 ~~<8. APPROPRIATION REDUCTION — REALLOCATION. The~~
 30 ~~department of inspections and appeals shall reduce~~
 31 ~~appropriations made in this section by \$101,591.~~
 32 Notwithstanding section 8.39, the department of inspections and
 33 appeals, in consultation with the department of management, may
 34 reallocate moneys appropriated in this section as necessary
 35 to best fulfill the needs of the department provided for in

Page 2

- 1 the appropriation. However, the department of inspections
 2 and appeals shall not reallocate moneys appropriated to the
 3 ~~department child advocacy board~~ in this section ~~unless notice~~
 4 ~~of the reallocation is given to the legislative services agency~~
 5 ~~prior to the effective date of the reallocation in excess of~~
 6 ~~\$2,470,605. The notice shall include information regarding~~
 7 ~~the rationale for reallocating the moneys. The department~~
 8 ~~of inspections and appeals shall not reallocate moneys~~
 9 ~~appropriated in this section for the purpose of eliminating any~~
 10 ~~program.>~~
 11 14. Page 15, line 27, by striking ~~<2,487,389>~~ and inserting
 12 ~~<2,527,389>~~

- 13 15. Page 16, line 33, by striking <15,435,273> and inserting
- 14 <15,474,482>
- 15 16. Page 18, line 3, by striking <11.50> and inserting
- 16 <16.00>
- 17 17. Page 18, line 12, by striking <1,355,530> and inserting
- 18 <1,405,530>
- 19 18. Page 18, line 14, by striking <13.50> and inserting
- 20 <16.00>

DENNIS GUTH

S-5277

1 Amend Senate File 2411 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. 2017 Iowa Acts, chapter 166, section 9, is
5 amended to read as follows:

6 SEC. 9. JUDICIAL BRANCH.

7 1. There is appropriated from the general fund of the state
8 to the judicial branch for the fiscal year beginning July 1,
9 2018, and ending June 30, 2019, the following amounts, or so
10 much thereof as is necessary, to be used for the purposes
11 designated:

12 a. For salaries of supreme court justices, appellate court
13 judges, district court judges, district associate judges,
14 associate juvenile judges, associate probate judges, judicial
15 magistrates and staff, state court administrator, clerk of the
16 supreme court, district court administrators, clerks of the
17 district court, juvenile court officers, board of law examiners
18 and board of examiners of shorthand reporters and judicial
19 qualifications commission; receipt and disbursement of child
20 support payments; reimbursement of the auditor of state for
21 expenses incurred in completing audits of the offices of the
22 clerks of the district court during the fiscal year beginning
23 July 1, 2018; and maintenance, equipment, and miscellaneous
24 purposes:

25	\$	<u>87,843,306</u>
26		<u>177,574,797</u>

27 b. For deposit in the revolving fund created pursuant to
28 section 602.1302, subsection 3, for jury and witness fees,
29 mileage, costs related to summoning jurors, costs and fees for
30 interpreters and translators, and reimbursement of attorney
31 fees paid by the state public defender:

32	\$	<u>1,550,000</u>
33		<u>3,100,000</u>

34 2. The judicial branch, except for purposes of internal
35 processing, shall use the current state budget system, the

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1 state payroll system, and the Iowa finance and accounting
2 system in administration of programs and payments for services,
3 and shall not duplicate the state payroll, accounting, and
4 budgeting systems.

5 3. The judicial branch shall submit monthly financial
6 statements to the legislative services agency and the
7 department of management containing all appropriated accounts
8 in the same manner as provided in the monthly financial status
9 reports and personal services usage reports of the department
10 of administrative services. The monthly financial statements
11 shall include a comparison of the dollars and percentage
12 spent of budgeted versus actual revenues and expenditures on
13 a cumulative basis for full-time equivalent positions and
14 dollars.

15 4. The judicial branch shall focus efforts upon the
16 collection of delinquent fines, penalties, court costs, fees,
17 surcharges, or similar amounts.

18 5. It is the intent of the general assembly that the offices
19 of the clerks of the district court operate in all 99 counties
20 and be accessible to the public as much as is reasonably
21 possible in order to address the relative needs of the citizens
22 of each county.

23 6. In addition to the requirements for transfers under
24 section 8.39, the judicial branch shall not change the
25 appropriations from the amounts appropriated to the judicial
26 branch in this division of this Act, unless notice of the
27 revisions is given prior to their effective date to the
28 legislative services agency. The notice shall include
29 information on the branch's rationale for making the changes
30 and details concerning the workload and performance measures
31 upon which the changes are based.

32 7. The judicial branch shall submit a semiannual update
33 to the legislative services agency specifying the amounts of
34 fines, surcharges, and court costs collected using the Iowa
35 court information system since the last report. The judicial

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1 branch shall continue to facilitate the sharing of vital
2 sentencing and other information with other state departments
3 and governmental agencies involved in the criminal justice
4 system through the Iowa court information system.

5 8. The judicial branch shall provide a report to the general
6 assembly by January 1, 2019, concerning the amounts received
7 and expended from the enhanced court collections fund created
8 in section 602.1304 and the court technology and modernization
9 fund created in section 602.8108, subsection 9, during the
10 fiscal year beginning July 1, 2017, and ending June 30, 2018,
11 and the plans for expenditures from each fund during the fiscal
12 year beginning July 1, 2018, and ending June 30, 2019. A copy

13 of the report shall be provided to the legislative services
14 agency.>

MARK CHELGREN

S-5278

1 Amend Senate File 2416 as follows:
2 1. Page 21, after line 7 by inserting:
3 <Sec. ____ Section 48A.7A, subsection 1, paragraph b,
4 subparagraph (1), Code 2018, is amended by adding the following
5 new subparagraph division:
6 NEW SUBPARAGRAPH DIVISION. (f) A tribal identification
7 card or other tribal enrollment document issued by a federally
8 recognized Indian tribe or nation, if the tribal identification
9 card or other tribal enrollment document is signed before the
10 card or document is presented to the election official.
11 Sec. ____ Section 49.78, subsection 2, paragraph a, Code
12 2018, is amended by adding the following new subparagraph:
13 NEW SUBPARAGRAPH. (5) A current, valid tribal
14 identification card or other tribal enrollment document
15 issued by a federally recognized Indian tribe or nation, which
16 includes a photograph, signature, and valid expiration date.>
17 2. By renumbering as necessary.

TONY BISIGNANO

S-5279

1 Amend Senate File 2416 as follows:
2 1. Page 6, by striking lines 3 through 11 and inserting:
3 (4) There is appropriated from the special employment
4 contingency fund to the insurance division of the department of
5 commerce for the fiscal year beginning July 1, 2018, and ending
6 June 30, 2019, the following amount, or so much thereof as is
7 necessary, to be used by the insurance fraud bureau established
8 in section 507E.2 for the investigation and prosecution of
9 workers' compensation fraud:
10 \$ 200,000
11 (5) The division is authorized an additional 2.00 full-time
12 equivalent positions for the insurance fraud bureau established
13 in chapter 507E to retain one prosecuting attorney and one
14 special investigator for the investigation and prosecution of
15 workers' compensation fraud. Full-time equivalent positions
16 authorized in this subparagraph are in addition to those
17 authorized in subparagraph (1).>
18 2. Page 21, after line 7 by inserting:
19 <Sec. ____ **NEW SECTION. 507E.9 Prosecuting attorney —**
20 **prosecution of workers' compensation fraud.**
21 1. The bureau shall retain a prosecuting attorney to
22 prosecute any criminal action for workers' compensation fraud,
23 in all counties of the state, which may be brought pursuant to
24 this chapter in which the bureau may be interested and when, in

25 the judgment of the prosecuting attorney, the interest of the
 26 bureau requires such action be taken.
 27 2. The prosecuting attorney or commissioner of insurance
 28 may request the assistance of a county attorney to assist with
 29 or handle the prosecution of a criminal action for workers'
 30 compensation fraud which may be brought pursuant to this
 31 chapter.
 32 3. The prosecuting attorney retained by the bureau pursuant
 33 to this section shall report to the commissioner of insurance.>
 34 3. By renumbering as necessary.

DENNIS GUTH

S-5280

1 Amend the amendment, S-5273, to House File 2493, as amended,
 2 passed, and reprinted by the House, as follows:
 3 1. Page 1, after line 28 by inserting:
 4 <__. Page 18, line 4, after <program.> by inserting
 5 <Notwithstanding chapters 8A and 8B and the rules adopted
 6 pursuant thereto, the department may enter into a contract
 7 relating to unemployment insurance systems modernization for a
 8 term of not more than ten years.>>
 9 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-5281

1 Amend Senate File 2412 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. 2017 Iowa Acts, chapter 167, section 27, is
 5 amended to read as follows:
 6 SEC. 27. DEPARTMENT OF JUSTICE.
 7 1. There is appropriated from the general fund of the state
 8 to the department of justice for the fiscal year beginning July
 9 1, 2018, and ending June 30, 2019, the following amounts, or
 10 so much thereof as is necessary, to be used for the purposes
 11 designated:
 12 a. For the general office of attorney general for salaries,
 13 support, maintenance, and miscellaneous purposes, including
 14 the prosecuting attorneys training program, matching funds
 15 for federal violence against women grant programs, victim
 16 assistance grants, office of drug control policy prosecuting
 17 attorney program, and odometer fraud enforcement, and for not
 18 more than the following full-time equivalent positions:

19	\$	3,336,154
20		<u>6,511,705</u>
21	FTEs	215.00

22 As a condition of receiving the appropriation provided
 23 in this lettered paragraph, the department of justice shall
 24 maintain a record of the estimated time incurred representing

25 each agency or department.

26 b. For victim assistance grants:

27	.....	\$	<u>2,508,354</u>
28			<u>5,016,708</u>

29 The moneys appropriated in this lettered paragraph shall be
30 used to provide grants to care providers providing services to
31 crime victims of domestic abuse or to crime victims of rape and
32 sexual assault.

33 The balance of the victim compensation fund established
34 in section 915.94 may be used to provide salary and support
35 of not more than 24.00 full-time equivalent positions and to

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1 provide maintenance for the victim compensation functions
2 of the department of justice. In addition to the full-time
3 equivalent positions authorized pursuant to this paragraph,
4 5.00 full-time equivalent positions are authorized and shall
5 be used by the department of justice to employ one accountant
6 and four program planners. The department of justice may
7 employ the additional 5.00 full-time equivalent positions
8 authorized pursuant to this paragraph that are in excess of the
9 number of full-time equivalent positions authorized only if
10 the department of justice receives sufficient federal moneys
11 to maintain employment for the additional full-time equivalent
12 positions during the current fiscal year. The department
13 of justice shall only employ the additional 5.00 full-time
14 equivalent positions in succeeding fiscal years if sufficient
15 federal moneys are received during each of those succeeding
16 fiscal years.

17 The department of justice shall transfer at least \$150,000
18 from the victim compensation fund established in section 915.94
19 to the victim assistance grant program.

20 Notwithstanding section 8.33, moneys appropriated in this
21 paragraph "b" that remain unencumbered or unobligated at the
22 close of the fiscal year shall not revert but shall remain
23 available for expenditure for the purposes designated until the
24 close of the succeeding fiscal year.

25 c. For legal services for persons in poverty grants as
26 provided in section 13.34:

27	.....	\$	<u>1,152,301</u>
28			<u>2,304,601</u>

29 2. a. The department of justice, in submitting budget
30 estimates for the fiscal year commencing July 1, 2019, pursuant
31 to section 8.23, shall include a report of funding from sources
32 other than amounts appropriated directly from the general fund
33 of the state to the department of justice or to the office of
34 consumer advocate. These funding sources shall include but
35 are not limited to reimbursements from other state agencies,

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1 commissions, boards, or similar entities, and reimbursements
2 from special funds or internal accounts within the department
3 of justice. The department of justice shall also report actual
4 reimbursements for the fiscal year commencing July 1, 2017,
5 and actual and expected reimbursements for the fiscal year
6 commencing July 1, 2018.

7 b. The department of justice shall include the report
8 required under paragraph “a”, as well as information regarding
9 any revisions occurring as a result of reimbursements actually
10 received or expected at a later date, in a report to the
11 co-chairpersons and ranking members of the joint appropriations
12 subcommittee on the justice system and the legislative services
13 agency. The department of justice shall submit the report on
14 or before January 15, 2019.

15 3. a. The department of justice shall fully reimburse
16 the costs and necessary related expenses incurred by the Iowa
17 law enforcement academy to continue to employ one additional
18 instructor position who shall provide training for ~~domestic~~
19 ~~abuse and~~ human trafficking-related issues throughout the
20 state.

21 b. The department of justice shall obtain the moneys
22 necessary to reimburse the Iowa law enforcement academy to
23 employ such an instructor from unrestricted moneys from either
24 the victim compensation fund established in section 915.94, the
25 human trafficking victim fund established in section 915.95, or
26 the human trafficking enforcement fund established in 2015 Iowa
27 Acts, chapter 138, section 141.

28 Sec. 2. 2017 Iowa Acts, chapter 167, section 28, is amended
29 to read as follows:

30 SEC. 28. OFFICE OF CONSUMER ADVOCATE. There is appropriated
31 from the department of commerce revolving fund created in
32 section 546.12 to the office of consumer advocate of the
33 department of justice for the fiscal year beginning July 1,
34 2018, and ending June 30, 2019, the following amount, or so
35 much thereof as is necessary, to be used for the purposes

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1 designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:

5	\$	1,568,794
6		<u>3,137,588</u>
7	FTEs	22.00

8 Sec. 3. 2017 Iowa Acts, chapter 167, section 29, is amended
9 to read as follows:

10 SEC. 29. DEPARTMENT OF CORRECTIONS — FACILITIES.

11 1. There is appropriated from the general fund of the state
12 to the department of corrections for the fiscal year beginning

13 July 1, 2018, and ending June 30, 2019, the following amounts,
 14 or so much thereof as is necessary, to be used for the purposes
 15 designated:

16	a. For the operation of the Fort Madison correctional	
17	17 facility, including salaries, support, maintenance, and	
18	18 miscellaneous purposes:	
19	19	\$ <u>21,359,525</u>
20		<u>41,079,882</u>
21	b. For the operation of the Anamosa correctional facility,	
22	22 including salaries, support, maintenance, and miscellaneous	
23	23 purposes:	
24	24	\$ <u>16,413,582</u>
25		<u>32,164,148</u>
26	c. For the operation of the Oakdale correctional facility,	
27	27 including salaries, support, maintenance, and miscellaneous	
28	28 purposes:	
29	29	\$ <u>29,745,767</u>
30		<u>60,314,427</u>
31	d. For the operation of the Newton correctional facility,	
32	32 including salaries, support, maintenance, and miscellaneous	
33	33 purposes:	
34	34	\$ <u>13,830,610</u>
35		<u>28,061,220</u>

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1	e. For the operation of the Mount Pleasant correctional	
2	2 facility, including salaries, support, maintenance, and	
3	3 miscellaneous purposes:	
4	4	\$ <u>12,338,207</u>
5		<u>25,526,413</u>
6	f. For the operation of the Rockwell City correctional	
7	7 facility, including salaries, support, maintenance, and	
8	8 miscellaneous purposes:	
9	9	\$ <u>4,860,220</u>
10		<u>10,458,861</u>
11	g. For the operation of the Clarinda correctional facility,	
12	12 including salaries, support, maintenance, and miscellaneous	
13	13 purposes:	
14	14	\$ <u>12,542,703</u>
15		<u>24,780,950</u>
16	Moneys received by the department of corrections as	
17	17 reimbursement for services provided to the Clarinda youth	
18	18 corporation are appropriated to the department and shall be	
19	19 used for the purpose of operating the Clarinda correctional	
20	20 facility.	
21	h. For the operation of the Mitchellville correctional	
22	22 facility, including salaries, support, maintenance, and	
23	23 miscellaneous purposes:	
24	24	\$ <u>11,197,045</u>
25		<u>22,594,090</u>
26	i. For the operation of the Fort Dodge correctional	

27 facility, including salaries, support, maintenance, and
 28 miscellaneous purposes:
 29 \$ 14,883,498
 30 29,660,231
 31 j. For reimbursement of counties for temporary confinement
 32 of prisoners, as provided in sections 901.7, 904.908, and
 33 906.17, and for offenders confined pursuant to section 904.513:
 34 \$ 787,546
 35 1,575,092

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1 k. For federal prison reimbursement, reimbursements for
 2 out-of-state placements, and miscellaneous contracts:
 3 \$ 242,206
 4 484,411

5 2. The department of corrections shall use moneys
 6 appropriated in subsection 1 to continue to contract for the
 7 services of a Muslim imam and a Native American spiritual
 8 leader.

9 Sec. 4. 2017 Iowa Acts, chapter 167, section 30, is amended
 10 to read as follows:

11 SEC. 30. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

12 There is appropriated from the general fund of the state to the
 13 department of corrections for the fiscal year beginning July
 14 1, 2018, and ending June 30, 2019, the following amounts, or
 15 so much thereof as is necessary, to be used for the purposes
 16 designated:

17 1. For general administration, including salaries and the
 18 adjustment of salaries throughout the department, support,
 19 maintenance, employment of an education director to administer
 20 a centralized education program for the correctional system,
 21 and miscellaneous purposes:
 22 \$ 2,576,953
 23 9,933,851

24 a. It is the intent of the general assembly that each
 25 lease negotiated by the department of corrections with a
 26 private corporation for the purpose of providing private
 27 industry employment of inmates in a correctional institution
 28 shall prohibit the private corporation from utilizing inmate
 29 labor for partisan political purposes for any person seeking
 30 election to public office in this state and that a violation
 31 of this requirement shall result in a termination of the lease
 32 agreement.

33 b. It is the intent of the general assembly that as a
 34 condition of receiving the appropriation provided in this
 35 subsection the department of corrections shall not enter into

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1 a lease or contractual agreement pursuant to section 904.809
 2 with a private corporation for the use of building space for

3 the purpose of providing inmate employment without providing
4 that the terms of the lease or contract establish safeguards to
5 restrict, to the greatest extent feasible, access by inmates
6 working for the private corporation to personal identifying
7 information of citizens.

8 2. For educational programs for inmates at state penal
9 institutions:

10 \$ 1,304,055
11 2,608,109

12 a. To maximize the funding for educational programs,
13 the department shall establish guidelines and procedures to
14 prioritize the availability of educational and vocational
15 training for inmates based upon the goal of facilitating an
16 inmate's successful release from the correctional institution.

17 b. The director of the department of corrections may
18 transfer moneys from Iowa prison industries and the canteen
19 operating funds established pursuant to section 904.310, for
20 use in educational programs for inmates.

21 c. Notwithstanding section 8.33, moneys appropriated in
22 this subsection that remain unobligated or unexpended at the
23 close of the fiscal year shall not revert but shall remain
24 available to be used only for the purposes designated in this
25 subsection until the close of the succeeding fiscal year.

26 3. For the development of the Iowa corrections offender
27 network (ICON) data system:

28 \$ 1,000,000
29 2,000,000

30 4. For offender mental health and substance abuse
31 treatment:

32 \$ 14,033
33 28,065

34 ~~5. For department wide duties, including operations, costs,~~
35 ~~and miscellaneous purposes:~~

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1 \$ ~~648,947~~

2 Sec. 5. 2017 Iowa Acts, chapter 167, section 31, is amended
3 to read as follows:

4 SEC. 31. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
5 SERVICES.

6 1. There is appropriated from the general fund of the state
7 to the department of corrections for the fiscal year beginning
8 July 1, 2018, and ending June 30, 2019, for salaries, support,
9 maintenance, and miscellaneous purposes, the following amounts,
10 or so much thereof as is necessary, to be used for the purposes
11 designated:

12 a. For the first judicial district department of
13 correctional services:

14 \$ 7,318,333
15 14,786,766

16 It is the intent of the general assembly that the first

17 judicial district department of correctional services maintain
 18 the drug courts operated by the district department.
 19 b. For the second judicial district department of
 20 correctional services:
 21 \$ 5,691,870
 22 11,433,739
 23 It is the intent of the general assembly that the second
 24 judicial district department of correctional services establish
 25 and maintain two drug courts to be operated by the district
 26 department.
 27 c. For the third judicial district department of
 28 correctional services:
 29 \$ 3,583,979
 30 7,167,957
 31 d. For the fourth judicial district department of
 32 correctional services:
 33 \$ 2,789,061
 34 5,679,922
 35 e. For the fifth judicial district department of

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1 correctional services, including funding for electronic
 2 monitoring devices for use on a statewide basis:
 3 \$ 10,428,970
 4 21,557,940
 5 It is the intent of the general assembly that the fifth
 6 judicial district department of correctional services maintain
 7 the drug court operated by the district department.
 8 f. For the sixth judicial district department of
 9 correctional services:
 10 \$ 7,356,583
 11 14,713,165
 12 It is the intent of the general assembly that the sixth
 13 judicial district department of correctional services maintain
 14 the drug court operated by the district department.
 15 g. For the seventh judicial district department of
 16 correctional services:
 17 \$ 3,888,671
 18 7,777,341
 19 It is the intent of the general assembly that the seventh
 20 judicial district department of correctional services maintain
 21 the drug court operated by the district department.
 22 h. For the eighth judicial district department of
 23 correctional services:
 24 \$ 4,042,261
 25 8,084,521
 26 2. Each judicial district department of correctional
 27 services, within the funding available, shall continue programs
 28 and plans established within that district to provide for
 29 intensive supervision, sex offender treatment, diversion of
 30 low-risk offenders to the least restrictive sanction available,

31 job development, and expanded use of intermediate criminal
 32 sanctions.
 33 3. Each judicial district department of correctional
 34 services shall provide alternatives to prison consistent with
 35 chapter 901B. The alternatives to prison shall ensure public

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1 safety while providing maximum rehabilitation to the offender.
 2 A judicial district department of correctional services may
 3 also establish a day program.

4 4. The governor's office of drug control policy shall
 5 consider federal grants made to the department of corrections
 6 for the benefit of each of the eight judicial district
 7 departments of correctional services as local government
 8 grants, as defined pursuant to federal regulations.

9 5. The department of corrections shall continue to contract
 10 with a judicial district department of correctional services to
 11 provide for the rental of electronic monitoring equipment which
 12 shall be available statewide.

13 6. The public safety assessment shall not be utilized
 14 in pretrial hearings when determining whether to detain or
 15 release a defendant before trial, and the use of the public
 16 safety assessment pilot program shall be terminated as of the
 17 effective date of this subsection, until such time the use of
 18 the public safety assessment has been specifically authorized
 19 by the general assembly.

20 Sec. 6. 2017 Iowa Acts, chapter 167, section 36, is amended
 21 to read as follows:

22 SEC. 36. IOWA LAW ENFORCEMENT ACADEMY.

23 1. There is appropriated from the general fund of the
 24 state to the Iowa law enforcement academy for the fiscal year
 25 beginning July 1, 2018, and ending June 30, 2019, the following
 26 amount, or so much thereof as is necessary, to be used for the
 27 purposes designated:

28 For salaries, support, maintenance, and miscellaneous
 29 purposes, including jailer training and technical assistance,
 30 and for not more than the following full-time equivalent
 31 positions:

32	\$	477,878
33		971,341
34	FTEs	25.00
35		26.00

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1 The Iowa law enforcement academy may temporarily exceed and
 2 draw more than the amount appropriated in this subsection and
 3 incur a negative cash balance as long as there are receivables
 4 equal to or greater than the negative balance and the amount
 5 appropriated in this subsection is not exceeded at the close
 6 of the fiscal year.

7 2. The Iowa law enforcement academy may select at least
 8 five automobiles of the department of public safety, division
 9 of state patrol, prior to turning over the automobiles to
 10 the department of administrative services to be disposed
 11 of by public auction, and the Iowa law enforcement academy
 12 may exchange any automobile owned by the academy for each
 13 automobile selected if the selected automobile is used in
 14 training law enforcement officers at the academy. However, any
 15 automobile exchanged by the academy shall be substituted for
 16 the selected vehicle of the department of public safety and
 17 sold by public auction with the receipts being deposited in the
 18 depreciation fund to the credit of the department of public
 19 safety, division of state patrol.

20 3. The Iowa law enforcement academy shall provide training
 21 for domestic abuse and human trafficking-related issues
 22 throughout the state. The training shall be offered at no
 23 cost to the attendees and the training shall not replace any
 24 existing domestic abuse or human trafficking training offered
 25 by the academy.

26 Sec. 7. 2017 Iowa Acts, chapter 167, section 37, is amended
 27 to read as follows:

28 SEC. 37. STATE PUBLIC DEFENDER. There is appropriated from
 29 the general fund of the state to the office of the state public
 30 defender of the department of inspections and appeals for the
 31 fiscal year beginning July 1, 2018, and ending June 30, 2019,
 32 the following amounts, or so much thereof as is necessary, to
 33 be used for the purposes designated:

34 1. For salaries, support, maintenance, and miscellaneous
 35 purposes, and for not more than the following full-time

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1	equivalent positions:		
2	\$	<u>13,091,122</u>
3			<u>26,505,299</u>
4	FTEs	223.00
5	2. For payments on behalf of eligible adults and juveniles		
6	from the indigent defense fund, in accordance with section		
7	815.11:		
8	.....	\$	<u>16,722,224</u>
9			<u>35,144,448</u>

10 Sec. 8. 2017 Iowa Acts, chapter 167, section 38, is amended
 11 to read as follows:

12 SEC. 38. BOARD OF PAROLE. There is appropriated from the
 13 general fund of the state to the board of parole for the fiscal
 14 year beginning July 1, 2018, and ending June 30, 2019, the
 15 following amount, or so much thereof as is necessary, to be
 16 used for the purposes designated:

17 For salaries, support, maintenance, and miscellaneous
 18 purposes, and for not more than the following full-time
 19 equivalent positions:

20	\$	<u>595,866</u>
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21		<u>1,221,374</u>
22 FTEs	10.75
23	Sec. 9. 2017 Iowa Acts, chapter 167, section 39, is amended	
24	to read as follows:	
25	SEC. 39. DEPARTMENT OF PUBLIC DEFENSE.	
26	1. There is appropriated from the general fund of the	
27	state to the department of public defense, for the fiscal year	
28	beginning July 1, 2018, and ending June 30, 2019, the following	
29	amounts, or so much thereof as is necessary, to be used for the	
30	purposes designated:	
31	For salaries, support, maintenance, and miscellaneous	
32	purposes, and for not more than the following full-time	
33	equivalent positions:	
34 \$	<u>3,111,662</u>
35		<u>6,334,961</u>

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1 FTEs	248.00
2	2. The department of public defense may temporarily exceed	
3	and draw more than the amount appropriated in this section and	
4	incur a negative cash balance as long as there are receivables	
5	of federal funds equal to or greater than the negative balance	
6	and the amount appropriated in this section is not exceeded at	
7	the close of the fiscal year.	
8	Sec. 10. 2017 Iowa Acts, chapter 167, section 40, is amended	
9	to read as follows:	
10	SEC. 40. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY	
11	MANAGEMENT.	
12	1. There is appropriated from the general fund of the state	
13	to the department of homeland security and emergency management	
14	for the fiscal year beginning July 1, 2018, and ending June	
15	30, 2019, the following amounts, or so much thereof as is	
16	necessary, to be used for the purposes designated:	
17	For salaries, support, maintenance, and miscellaneous	
18	purposes, and for not more than the following full-time	
19	equivalent positions:	
20	..... \$	<u>1,060,964</u>
21		<u>2,123,610</u>
22	..... FTEs	33.87
23	2. The department of homeland security and emergency	
24	management may temporarily exceed and draw more than the amount	
25	appropriated in this section and incur a negative cash balance	
26	as long as there are receivables of federal funds equal to or	
27	greater than the negative balance and the amount appropriated	
28	in this section is not exceeded at the close of the fiscal	
29	year.	
30	Sec. 11. 2017 Iowa Acts, chapter 167, section 41, is amended	
31	to read as follows:	
32	SEC. 41. DEPARTMENT OF PUBLIC SAFETY. There is appropriated	
33	from the general fund of the state to the department of public	

34 safety for the fiscal year beginning July 1, 2018, and ending
35 June 30, 2019, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:

2 1. For the department's administrative functions, including

3 salaries and the adjustment of salaries throughout the

4 department, the criminal justice information system, and for

5 not more than the following full-time equivalent positions:

6	\$	<u>2,071,566</u>
7		<u>6,631,377</u>
8	FTEs	37.00

9 2. For the division of criminal investigation, including

10 the state's contribution to the peace officers' retirement,

11 accident, and disability system provided in chapter 97A in the

12 amount of the state's normal contribution rate, as defined in

13 section 97A.8, multiplied by the salaries for which the moneys

14 are appropriated, to meet federal fund matching requirements,

15 and for not more than the following full-time equivalent

16 positions:

17	\$	<u>6,795,272</u>
18		<u>14,463,083</u>
19	FTEs	<u>160.00</u>
20		<u>162.00</u>

21 a. As a condition of the appropriation in this subsection,

22 the division of criminal investigation shall expend up to

23 \$200,000 to employ 2.0 full-time equivalent positions to assist

24 in expediting the processing and analysis of DNA samples.

25 b. The division of criminal investigation may employ two of

26 the three additional full-time equivalent positions authorized

27 pursuant to this subsection that are in excess of the number

28 of full-time equivalent positions authorized for the previous

29 fiscal year only if the division of criminal investigation

30 receives sufficient federal moneys to maintain employment for

31 the additional 2.00 full-time equivalent positions during the

32 current fiscal year. The division of criminal investigation

33 shall only employ the additional 2.00 full-time equivalent

34 positions in succeeding fiscal years if sufficient federal

35 moneys are received during each of those succeeding fiscal

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1 years.

2 3. For the criminalistics laboratory fund created in

3 section 691.9:

4	\$	<u>151,173</u>
5		<u>302,345</u>

6 4. a. For the division of narcotics enforcement, including

7 the state's contribution to the peace officers' retirement,

8 accident, and disability system provided in chapter 97A in the

9 amount of the state's normal contribution rate, as defined in

10 section 97A.8, multiplied by the salaries for which the moneys
11 are appropriated, to meet federal fund matching requirements,
12 and for not more than the following full-time equivalent
13 positions:

14	\$	3,726,650
15		7,585,873
16	FTEs	66.50

17 The division of narcotics enforcement may employ an
18 additional 1.00 full-time equivalent position authorized
19 pursuant to this lettered paragraph that is in excess of
20 the number of full-time equivalent positions authorized for
21 the previous fiscal year only if the division of narcotics
22 enforcement receives sufficient federal moneys to maintain
23 employment for the additional full-time equivalent position
24 during the current fiscal year. The division of narcotics
25 enforcement shall only employ the additional full-time
26 equivalent position in succeeding fiscal years if sufficient
27 federal moneys are received during each of those succeeding
28 fiscal years.

29 b. For the division of narcotics enforcement for undercover
30 purchases:

31	\$	54,521
32		109,042

33 5. For the division of state fire marshal, for fire
34 protection services as provided through the state fire service
35 and emergency response council as created in the department,

Page 16

1 and for the state's contribution to the peace officers'
2 retirement, accident, and disability system provided in chapter
3 97A in the amount of the state's normal contribution rate,
4 as defined in section 97A.8, multiplied by the salaries for
5 which the moneys are appropriated, and for not more than the
6 following full-time equivalent positions:

7	\$	2,343,357
8		4,765,056
9	FTEs	53.00

10 As a condition of receiving the appropriation in this
11 subsection, the commissioner of the department of public safety
12 shall appoint the administrator of the fire service training
13 bureau of the division of state fire marshal as provided in
14 section 100B.7.

15 6. For the division of state patrol, for salaries, support,
16 maintenance, workers' compensation costs, and miscellaneous
17 purposes, including the state's contribution to the peace
18 officers' retirement, accident, and disability system provided
19 in chapter 97A in the amount of the state's normal contribution
20 rate, as defined in section 97A.8, multiplied by the salaries
21 for which the moneys are appropriated, and for not more than
22 the following full-time equivalent positions:

23	\$	30,683,170
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24		<u>62,126.287</u>
25 FTEs	511.40
26	It is the intent of the general assembly that members of the	
27	state patrol be assigned to patrol the highways and roads in	
28	lieu of assignments for inspecting school buses for the school	
29	districts.	
30	7. For deposit in the sick leave benefits fund established	
31	under section 80.42 for all departmental employees eligible to	
32	receive benefits for accrued sick leave under the collective	
33	bargaining agreement:	
34 \$	<u>139,759</u>
35		<u>279,517</u>

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1	8. For costs associated with the training and equipment	
2	needs of volunteer fire fighters:	
3	..... \$	<u>412,760</u>
4		<u>825,520</u>
5	a. Notwithstanding section 8.33, moneys appropriated in	
6	this subsection that remain unencumbered or unobligated at the	
7	close of the fiscal year shall not revert but shall remain	
8	available for expenditure only for the purpose designated in	
9	this subsection until the close of the succeeding fiscal year.	
10	b. Notwithstanding section 8.39, the department of public	
11	safety may reallocate moneys appropriated in this section	
12	as necessary to best fulfill the needs provided for in the	
13	appropriation. However, the department shall not reallocate	
14	moneys appropriated to the department in this section unless	
15	notice of the reallocation is given to the legislative services	
16	agency and the department of management prior to the effective	
17	date of the reallocation. The notice shall include information	
18	regarding the rationale for reallocating the moneys. The	
19	department shall not reallocate moneys appropriated in this	
20	section for the purpose of eliminating any program.	
21	9. For the public safety interoperable and broadband	
22	communications fund established in section 80.44:	
23	..... \$	<u>57,831</u>
24		<u>115,661</u>
25	10. For the office to combat human trafficking established	
26	pursuant to section 80.45 as enacted by 2016 Iowa Acts, chapter	
27	1077, section 1, including salaries, support, maintenance,	
28	miscellaneous purposes, and for not more than the following	
29	full-time equivalent positions:	
30	..... \$	<u>75,000</u>
31		<u>150,000</u>
32	..... FTEs	2.00
33	11. For department wide duties, including operations,	
34	costs, and miscellaneous purposes:	
35 \$	<u>917,487</u>

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1 Sec. 12. 2017 Iowa Acts, chapter 167, section 42, is amended
2 to read as follows:

3 SEC. 42. GAMING ENFORCEMENT.

4 1. There is appropriated from the gaming enforcement
5 revolving fund created in section 80.43 to the department of
6 public safety for the fiscal year beginning July 1, 2018, and
7 ending June 30, 2019, the following amount, or so much thereof
8 as is necessary, to be used for the purposes designated:

9 For any direct support costs for agents and officers of
10 the division of criminal investigation's excursion gambling
11 boat, gambling structure, and racetrack enclosure enforcement
12 activities, including salaries, support, maintenance, and
13 miscellaneous purposes, and for not more than the following
14 full-time equivalent positions:

15	\$	<u>4,872,636</u>
16	FTEs	<u>10,239,218</u>
		73.00

18 2. For each additional license to conduct gambling games on
19 an excursion gambling boat, gambling structure, or racetrack
20 enclosure issued during the fiscal year beginning July 1, 2018,
21 there is appropriated from the gaming enforcement fund to the
22 department of public safety for the fiscal year beginning July
23 1, 2018, and ending June 30, 2019, an additional amount of not
24 more than \$300,000 to be used for not more than 3.00 additional
25 full-time equivalent positions.

26 3. The department of public safety, with the approval of the
27 department of management, may employ no more than three special
28 agents for each additional riverboat or gambling structure
29 regulated after July 1, 2018, and three special agents for
30 each racing facility which becomes operational during the
31 fiscal year which begins July 1, 2018. Positions authorized
32 in this subsection are in addition to the full-time equivalent
33 positions otherwise authorized in this section.

34 Sec. 13. 2017 Iowa Acts, chapter 167, section 43, is amended
35 to read as follows:

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1 SEC. 43. CIVIL RIGHTS COMMISSION.

2 1. There is appropriated from the general fund of the state
3 to the Iowa state civil rights commission for the fiscal year
4 beginning July 1, 2018, and ending June 30, 2019, the following
5 amount, or so much thereof as is necessary, to be used for the
6 purposes designated:

7 For salaries, support, maintenance, and miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

10	\$	<u>578,531</u>
11	FTEs	<u>1,198,266</u>
12		30.00

13 2. The Iowa state civil rights commission may enter into
 14 a contract with a nonprofit organization to provide legal
 15 assistance to resolve civil rights complaints.
 16 Sec. 14. 2017 Iowa Acts, chapter 167, section 44, is amended
 17 to read as follows:

18 SEC. 44. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

19 1. There is appropriated from the general fund of the state
 20 to the criminal and juvenile justice planning division of the
 21 department of human rights for the fiscal year beginning July
 22 1, 2018, and ending June 30, 2019, the following amount or
 23 so much thereof as is necessary, to be used for the purposes
 24 designated:

25 For salaries, support, maintenance, and miscellaneous
 26 purposes, and for not more than the following full-time
 27 equivalent positions:

28	\$	593,917
29		<u>1,209,410</u>
30	FTEs	9.56

31 2. The criminal and juvenile justice planning advisory
 32 council and the juvenile justice advisory council shall
 33 coordinate their efforts in carrying out their respective
 34 duties relative to juvenile justice.
 35 Sec. 15. 2017 Iowa Acts, chapter 167, section 45, is amended

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1 to read as follows:
 2 SEC. 45. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
 3 MANAGEMENT. There is appropriated from the ~~911~~ 911 emergency
 4 communications fund created in section 34A.7A to the department
 5 of homeland security and emergency management for the fiscal
 6 year beginning July 1, 2018, and ending June 30, 2019, the
 7 following amount, or so much thereof as is necessary, to be
 8 used for the purposes designated:

9 For implementation, support, and maintenance of the
 10 functions of the administrator and program manager under
 11 chapter 34A and to employ the auditor of the state to perform
 12 an annual audit of the ~~911~~ 911 emergency communications fund:

13	\$	125,000
14		<u>250,000</u>

15 Sec. 16. 2017 Iowa Acts, chapter 167, is amended by adding
 16 the following new section:
 17 NEW SECTION. SEC. 46. CONSUMER EDUCATION AND
 18 LITIGATION — FARM MEDIATION AND PROSECUTIONS, APPEALS, AND
 19 CLAIMS. Notwithstanding section 714.16C, there is appropriated
 20 from the consumer education and litigation fund to the
 21 department of justice for the fiscal year beginning July 1,
 22 2018, and ending June 30, 2019, the following amount, or so
 23 much thereof as is necessary, to be used for the purposes
 24 designated:
 25 a. For farm mediation services as specified in section
 26 13.13, subsection 2:

27	.....	\$	300,000
28	b. For salaries, support, maintenance, and miscellaneous		
29	purposes for criminal prosecutions, criminal appeals, and		
30	performing duties pursuant to chapter 669:		
31	.....	\$	1,000,000
32	Sec. 17. Section 13.2, subsection 1, paragraph g, Code 2018,		
33	is amended by striking the paragraph.		
34	Sec. 18. <u>NEW SECTION.</u> 80.46 Public safety support trust		
35	fund.		

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1 1. A public safety support trust fund is established in
2 the state treasury under the control of the department. The
3 department may receive and accept donations, grants, loans, and
4 contributions in accordance with section 565.3 from any public
5 or private source for deposit into the trust fund. Moneys
6 credited to the trust fund are appropriated to the department
7 for the purpose of supporting the activities of the department.
8 2. Notwithstanding section 8.33, moneys in the trust fund
9 shall not revert. Notwithstanding section 12C.7, subsection
10 2, interest or earnings on moneys deposited in the trust fund
11 shall be credited to the trust fund.
12 Sec. 19. NEW SECTION. **719.9 Use of unmanned aerial vehicle**
13 **— prohibitions.**
14 1. As used in this section:
15 a. *“Facility”* means a county jail, municipal holding
16 facility, secure facility for the detention or custody
17 of juveniles, community-based correctional facility, or
18 institution under the management of the department of
19 corrections.
20 b. *“Unmanned aerial vehicle”* means a vehicle or device
21 that uses aerodynamic forces to achieve flight and is piloted
22 remotely.
23 2. A person shall not operate an unmanned aerial vehicle
24 knowing that the unmanned aerial vehicle is operating in, on,
25 or above a facility and any contiguous real property comprising
26 the surrounding grounds of the facility, unless the unmanned
27 aerial vehicle is operated by a law enforcement agency or the
28 person has permission from the authority in charge of the
29 facility to operate an unmanned aerial vehicle in, on, or above
30 such facility.
31 3. This section does not apply to an unmanned aerial
32 vehicle while operating for commercial use in compliance with
33 federal aviation administration regulations, authorizations,
34 or exemptions.
35 4. A person who violates this section commits a class “D”

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1 felony.
2 Sec. 20. Section 904.310A, Code 2018, is amended by striking

3 the section and inserting in lieu thereof the following:

4 **904.310A Information or materials — distribution.**

5 1. Funds appropriated to the department or other funds made
6 available to the department shall not be used to distribute
7 or make available any commercially published information or
8 material to an inmate when such information or material is
9 sexually explicit or features nudity.

10 2. The department shall adopt rules pursuant to chapter 17A
11 to administer this section.

12 Sec. 21. EFFECTIVE DATE. The following, being deemed of
13 immediate importance, takes effect upon enactment:

14 The portion of this Act amending 2017 Iowa Acts, chapter 167,
15 section 31, prohibiting the utilization of the public safety
16 assessment in pretrial hearings.>

17 2. Title page, line 1, by striking <system> and inserting
18 <system, and including effective date provisions>

MARK CHELGREN

S-5282

1 Amend Senate File 2416 as follows:

2 1. Page 21, after line 7 by inserting:

3 <Sec. . **NEW SECTION. 7D.17 Board meetings by executive**
4 **council members.**

5 Any member of the executive council that is a member of a
6 statutory board, commission, council, or committee shall attend
7 all meetings of the board, commission, council, or committee,
8 either personally or through a designee from the executive
9 council member's office.

10 Sec. . **NEW SECTION. 11.5C Audit of authority expenses.**

11 1. The auditor of state shall contract with a private
12 accounting firm to conduct an annual rotating full audit of
13 expenses that are reimbursed by state funds from the following
14 state entities:

- 15 a. Agricultural development authority.
- 16 b. Economic development authority.
- 17 c. Iowa communications network.
- 18 d. Iowa finance authority.
- 19 e. Iowa lottery authority.
- 20 f. Iowa state fair authority.
- 21 g. Tobacco settlement authority.

22 2. Each year, if the private accounting firm does not
23 conduct a full audit of such expenses relating to an entity
24 listed in subsection 1, the auditor of state shall conduct a
25 sample audit of the entity. The auditor of state shall ensure
26 that each listed entity receives either a full audit or a
27 sample audit each year.>

28 2. By renumbering as necessary.

LIZ MATHIS

S-5283

- 1 Amend the amendment, S-5279, to Senate File 2416 as follows:
 2 1. Page 1, line 22, after <fraud,> by inserting <including
 3 failure to obtain insurance pursuant to section 87.14A,>

NATE BOULTON

S-5284

- 1 Amend the amendment, S-5273, to House File 2493, as amended,
 2 passed, and reprinted by the House, as follows:
 3 1. Page 3, after line 25 by inserting:
 4 <DIVISION ____
 5 MISCELLANEOUS
 6 Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES INDEPENDENT
 7 ANALYSIS. The department of administrative services shall
 8 contract with a private accounting firm to conduct an
 9 independent forensic analysis of all expenses reimbursed by the
 10 state to the former director of the Iowa finance authority and
 11 all Iowa finance authority employees for the period January
 12 1, 2011, through March 23, 2018. Such expenses shall include
 13 all travel, lodging, meals, beverages, personal services,
 14 entertainment, office expenses, and all other expenditures not
 15 included in the authority's budget. In addition, the forensic
 16 analysis shall include an analysis of any personal financial
 17 or other personal accounts used by the authority director or
 18 any employee of the authority to collect agency fees or other
 19 moneys collected by the authority. The department shall submit
 20 a report with a summary of the results of the independent
 21 forensic analysis to the general assembly no later than June
 22 30, 2018.
 23 Sec. ____ EFFECTIVE DATE. This division of this Act, being
 24 deemed of immediate importance, takes effect upon enactment.>
 25 2. By renumbering as necessary.

JANET PETERSEN

S-5285

- 1 Amend the amendment, S-5273, to House File 2493, as amended,
 2 passed, and reprinted by the House, as follows:
 3 1. Page 1, after line 24 by inserting:
 4 <____. Page 12, line 29, after <department.> by inserting
 5 <Such moneys shall not be used for advertising expenditures
 6 prior to an election as prohibited pursuant to section
 7 68A.405A, if enacted.>>
 8 2. Page 2, after line 31 by inserting:
 9 <Sec. ____ **NEW SECTION. 68A.405A Advertising expenditures**
 10 **prior to elections prohibited.**
 11 1. For the purposes of this section:
 12 a. *“Designated communication”* means a public advertisement

13 or promotion delivered through a paid direct mailing, a paid
14 radio communication, or a paid television communication funded
15 in whole or in part with public moneys or moneys held in a
16 private trust fund as defined by section 8.2, or a trust
17 fund controlled by a political subdivision of the state, if
18 such paid direct mailing, paid radio communication, or paid
19 television communication bears the written name, likeness, or
20 voice of a statewide elected official, a member of the general
21 assembly, or a local official. "*Designated communication*" does
22 not mean any of the following:

23 (1) A report, record, letter, memorandum, document,
24 envelope, cover sheet, certificate, constituent correspondence,
25 routine ministerial material, or ceremonial material bearing
26 the name, official logo, or official letterhead of the office
27 of a statewide elected official, a member of the general
28 assembly, or local official, provided that such report,
29 record, letter, memorandum, document, envelope, cover sheet,
30 certificate, routine ministerial material, or ceremonial
31 material is used or generated in the course of the statewide
32 elected official's, member of the general assembly's, or local
33 official's duties.

34 (2) A depiction of the great seal of the state of Iowa
35 through any medium when such depiction has been approved by the

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1 office of the governor.

2 (3) Official press releases or press advisories issued by
3 the office of a statewide elected official, a member of the
4 general assembly, or a local official in any form.

5 (4) A publication, literature, or other medium of
6 communication designed to further the purposes of section
7 29C.3.

8 (5) A payment made by the office of a statewide elected
9 official, the general assembly, or a local official to the
10 management of a fair in order to reserve a physical floor space
11 at a fairground or grounds as defined by section 174.1 for use
12 by the statewide elected official, the general assembly, or
13 the local official for a booth or display at a fair event as
14 defined in section 174.1.

15 b. "*Designated exhibit expenditure*" means a billboard,
16 placard, banner, table skirt, sign, display, or other physical
17 structure in excess of one hundred fifty square inches funded
18 in whole or in part with public moneys or moneys held in a
19 private trust fund as defined in section 8.2, or a trust fund
20 controlled by a political subdivision of the state, and placed
21 or displayed within or upon a defined physical booth space
22 located at a fairground or grounds as defined in section 174.1
23 bearing the written name, likeness, or voice of a statewide
24 elected official, a member of the general assembly, or a local
25 official. "*Designated exhibit expenditure*" does not mean any
26 of the following:

27 (1) A report, record, letter, memorandum, document,
28 envelope, cover sheet, certificate, constituent correspondence,
29 routine ministerial material, or ceremonial material bearing
30 the name, official logo, or official letterhead of the office
31 of a statewide elected official, a member of the general
32 assembly, or local official, provided that such report,
33 record, letter, memorandum, document, envelope, cover sheet,
34 certificate, routine ministerial material, or ceremonial
35 material is used or generated in the course of the statewide

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1 elected official's, member of the general assembly's, or local
2 official's duties.
3 (2) A depiction of the great seal of the state of Iowa
4 through any medium when such depiction has been approved by the
5 office of the governor.
6 (3) Official press releases or press advisories issued by
7 the office of a statewide elected official, a member of the
8 general assembly, or a local official in any form.
9 (4) A publication, literature, or other medium of
10 communication designed to further the purposes of section
11 29C.3.
12 (5) A payment made by the office of a statewide elected
13 official, the general assembly, or a local official to the
14 management of a fair in order to reserve a physical floor space
15 at a fairground or grounds as defined by section 174.1 for use
16 by the statewide elected official, the general assembly, or
17 the local official for a booth or display at a fair event as
18 defined in section 174.1.
19 c. "Local official" means the same as defined in section
20 68B.2.
21 d. "Statewide elected official" means the same as defined
22 in section 68B.2.
23 2. A statewide elected official, a member of the general
24 assembly, or a local official shall not make or authorize a
25 designated communication or designated exhibit expenditure to
26 be made within sixty days before a general election.
27 3. A statewide elected official, member of the general
28 assembly, or local official who makes or authorizes a
29 designated communication or designated exhibit expenditure to
30 be made more than sixty days before a general election shall
31 clearly affix to the designated communication or designated
32 exhibit expenditure an attribution statement disclosing the
33 source of the public moneys or moneys held in trust used to
34 pay for the designated communication or designated exhibit
35 expenditure. An attribution statement is not required to be

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1 affixed to a designated communication or designated exhibit
2 expenditure made using a medium substantially similar to those

3 listed in section 68A.405, subsection 2.
 4 4. An attribution statement required by subsection 3 shall
 5 be displayed or transmitted as follows:
 6 a. For a designated communication in the form of a paid
 7 direct mailing, the attribution statement shall be printed on
 8 the paid direct mailing and shall include the words "paid for
 9 by" followed by the exact source of the public moneys or moneys
 10 held in trust so used to pay for the designated communication
 11 in question.
 12 b. For a designated communication in the form of a paid
 13 radio communication, the attribution statement shall be stated
 14 clearly and in an understandable manner easily ascertainable by
 15 the listener of such paid radio communication and shall include
 16 the words "paid for by" followed by the exact source of the
 17 public moneys or moneys held in trust so used to pay for the
 18 designated communication.
 19 c. For a designated communication in the form of a paid
 20 television communication, the attribution statement shall
 21 include the words "paid for by" followed by the exact source
 22 of the public moneys or moneys held in trust so used to pay for
 23 the designated communication. Such attribution statement shall
 24 be displayed on the screen in a clearly readable manner for at
 25 least four seconds.
 26 d. For a designated exhibit expenditure requiring an
 27 attribution statement, the attribution statement shall be
 28 printed on the billboard, placard, banner, table skirt,
 29 sign, display, or other physical structure and shall include
 30 the words "paid for by" followed by the exact source of the
 31 public moneys or moneys held in trust so used to pay for the
 32 designated exhibit expenditure.
 33 5. A person who willfully violates this section shall be
 34 subject to a civil penalty of an amount up to the amount of
 35 moneys withdrawn from a public account, private trust fund

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1 as defined in section 8.2, or trust fund controlled by a
 2 political subdivision of the state used to fund the designated
 3 communication or designated exhibit expenditure found to be in
 4 violation of this section by the board. Such penalty shall be
 5 determined and assessed by the board and paid into the account
 6 from which such moneys were withdrawn. Additional criminal or
 7 civil penalties available under section 68A.701 or established
 8 by the board pursuant to section 68B.32A may also be determined
 9 and assessed by the board for violations of this section.
 10 6. This section shall not apply to any physically printed or
 11 electronically printed, published, or disseminated materials or
 12 literature generated by a statewide elected official, member of
 13 the general assembly, or local official prior to the effective
 14 date of this division of this Act.>
 15 3. Page 3, after line 25 by inserting:
 16 <__. Title page, line 6, after <atters,> by inserting <and

17 relating to the expenditure of public funds, and>>
 18 4. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-5286

1 Amend House File 2493, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 18, after line 12 by inserting:
 4 <DIVISION III
 5 MISCELLANEOUS
 6 Sec. __. DEPARTMENT OF ADMINISTRATIVE SERVICES INDEPENDENT
 7 ANALYSIS. The department of administrative services shall
 8 contract with a private accounting firm to conduct an
 9 independent forensic analysis of all expenses reimbursed by the
 10 state to the former director of the Iowa finance authority and
 11 all Iowa finance authority employees for the period January
 12 1, 2011, through June 30, 2018. Such expenses shall include
 13 all travel, lodging, meals, beverages, personal services,
 14 entertainment, office expenses, and all other expenditures not
 15 included in the authority's budget. In addition, the forensic
 16 analysis shall include an analysis of any personal financial
 17 or other personal accounts used by the authority director or
 18 any employee of the authority to collect agency fees or other
 19 moneys collected by the authority.>
 20 2. By renumbering, redesignating, and correcting internal
 21 references as necessary.

JANET PETERSEN

S-5287

1 Amend House File 2493, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 12, line 29, after <department.> by inserting <Such
 4 moneys shall not be used for advertising expenditures prior
 5 to an election as prohibited pursuant to section 68A.405A, if
 6 enacted.>
 7 2. Page 18, after line 12 by inserting:
 8 <DIVISION __
 9 MISCELLANEOUS
 10 Sec. __. **NEW SECTION. 68A.405A Advertising expenditures**
 11 **prior to elections prohibited.**
 12 1. For the purposes of this section:
 13 a. "*Designated communication*" means a public advertisement
 14 or promotion delivered through a paid direct mailing, a paid
 15 radio communication, or a paid television communication funded
 16 in whole or in part with public moneys or moneys held in a
 17 private trust fund as defined by section 8.2, or a trust
 18 fund controlled by a political subdivision of the state, if
 19 such paid direct mailing, paid radio communication, or paid

20 television communication bears the written name, likeness, or
21 voice of a statewide elected official, a member of the general
22 assembly, or a local official. "*Designated communication*" does
23 not mean any of the following:

24 (1) A report, record, letter, memorandum, document,
25 envelope, cover sheet, certificate, constituent correspondence,
26 routine ministerial material, or ceremonial material bearing
27 the name, official logo, or official letterhead of the office
28 of a statewide elected official, a member of the general
29 assembly, or local official, provided that such report,
30 record, letter, memorandum, document, envelope, cover sheet,
31 certificate, routine ministerial material, or ceremonial
32 material is used or generated in the course of the statewide
33 elected official's, member of the general assembly's, or local
34 official's duties.

35 (2) A depiction of the great seal of the state of Iowa

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1 through any medium when such depiction has been approved by the
2 office of the governor.

3 (3) Official press releases or press advisories issued by
4 the office of a statewide elected official, a member of the
5 general assembly, or a local official in any form.

6 (4) A publication, literature, or other medium of
7 communication designed to further the purposes of section
8 29C.3.

9 (5) A payment made by the office of a statewide elected
10 official, the general assembly, or a local official to the
11 management of a fair in order to reserve a physical floor space
12 at a fairground or grounds as defined by section 174.1 for use
13 by the statewide elected official, the general assembly, or
14 the local official for a booth or display at a fair event as
15 defined in section 174.1.

16 b. "*Designated exhibit expenditure*" means a billboard,
17 placard, banner, table skirt, sign, display, or other physical
18 structure in excess of one hundred fifty square inches funded
19 in whole or in part with public moneys or moneys held in a
20 private trust fund as defined in section 8.2, or a trust fund
21 controlled by a political subdivision of the state, and placed
22 or displayed within or upon a defined physical booth space
23 located at a fairground or grounds as defined in section 174.1
24 bearing the written name, likeness, or voice of a statewide
25 elected official, a member of the general assembly, or a local
26 official. "*Designated exhibit expenditure*" does not mean any
27 of the following:

28 (1) A report, record, letter, memorandum, document,
29 envelope, cover sheet, certificate, constituent correspondence,
30 routine ministerial material, or ceremonial material bearing
31 the name, official logo, or official letterhead of the office
32 of a statewide elected official, a member of the general
33 assembly, or local official, provided that such report,

34 record, letter, memorandum, document, envelope, cover sheet,
35 certificate, routine ministerial material, or ceremonial

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1 material is used or generated in the course of the statewide
2 elected official's, member of the general assembly's, or local
3 official's duties.

4 (2) A depiction of the great seal of the state of Iowa
5 through any medium when such depiction has been approved by the
6 office of the governor.

7 (3) Official press releases or press advisories issued by
8 the office of a statewide elected official, a member of the
9 general assembly, or a local official in any form.

10 (4) A publication, literature, or other medium of
11 communication designed to further the purposes of section
12 29C.3.

13 (5) A payment made by the office of a statewide elected
14 official, the general assembly, or a local official to the
15 management of a fair in order to reserve a physical floor space
16 at a fairground or grounds as defined by section 174.1 for use
17 by the statewide elected official, the general assembly, or
18 the local official for a booth or display at a fair event as
19 defined in section 174.1.

20 c. "Local official" means the same as defined in section
21 68B.2.

22 d. "Statewide elected official" means the same as defined
23 in section 68B.2.

24 2. A statewide elected official, a member of the general
25 assembly, or a local official shall not make or authorize a
26 designated communication or designated exhibit expenditure to
27 be made within sixty days before a general election.

28 3. A statewide elected official, member of the general
29 assembly, or local official who makes or authorizes a
30 designated communication or designated exhibit expenditure to
31 be made more than sixty days before a general election shall
32 clearly affix to the designated communication or designated
33 exhibit expenditure an attribution statement disclosing the
34 source of the public moneys or moneys held in trust used to
35 pay for the designated communication or designated exhibit

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1 expenditure. An attribution statement is not required to be
2 affixed to a designated communication or designated exhibit
3 expenditure made using a medium substantially similar to those
4 listed in section 68A.405, subsection 2.

5 4. An attribution statement required by subsection 3 shall
6 be displayed or transmitted as follows:

7 a. For a designated communication in the form of a paid
8 direct mailing, the attribution statement shall be printed on
9 the paid direct mailing and shall include the words "paid for

10 by” followed by the exact source of the public moneys or moneys
 11 held in trust so used to pay for the designated communication
 12 in question.

13 *b.* For a designated communication in the form of a paid
 14 radio communication, the attribution statement shall be stated
 15 clearly and in an understandable manner easily ascertainable by
 16 the listener of such paid radio communication and shall include
 17 the words “paid for by” followed by the exact source of the
 18 public moneys or moneys held in trust so used to pay for the
 19 designated communication.

20 *c.* For a designated communication in the form of a paid
 21 television communication, the attribution statement shall
 22 include the words “paid for by” followed by the exact source
 23 of the public moneys or moneys held in trust so used to pay for
 24 the designated communication. Such attribution statement shall
 25 be displayed on the screen in a clearly readable manner for at
 26 least four seconds.

27 *d.* For a designated exhibit expenditure requiring an
 28 attribution statement, the attribution statement shall be
 29 printed on the billboard, placard, banner, table skirt,
 30 sign, display, or other physical structure and shall include
 31 the words “paid for by” followed by the exact source of the
 32 public moneys or moneys held in trust so used to pay for the
 33 designated exhibit expenditure.

34 5. A person who willfully violates this section shall be
 35 subject to a civil penalty of an amount up to the amount of

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1 moneys withdrawn from a public account, private trust fund
 2 as defined in section 8.2, or trust fund controlled by a
 3 political subdivision of the state used to fund the designated
 4 communication or designated exhibit expenditure found to be in
 5 violation of this section by the board. Such penalty shall be
 6 determined and assessed by the board and paid into the account
 7 from which such moneys were withdrawn. Additional criminal or
 8 civil penalties available under section 68A.701 or established
 9 by the board pursuant to section 68B.32A may also be determined
 10 and assessed by the board for violations of this section.

11 6. This section shall not apply to any physically printed or
 12 electronically printed, published, or disseminated materials or
 13 literature generated by a statewide elected official, member of
 14 the general assembly, or local official prior to the effective
 15 date of this division of this Act.>

16 3. Title page, line 6, after <atters,> by inserting <and
 17 relating to the expenditure of public funds, and>

18 4. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-5288

HOUSE AMENDMENT TO
SENATE FILE 359

- 1 Amend Senate File 359, as passed by the Senate, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <DIVISION I
 5 FETAL BODY PARTS
 6 Section 1. NEW SECTION. **146D.1 Fetal body parts — actions**
 7 **prohibited — penalties.**
 8 1. A person shall not knowingly acquire, provide, receive,
 9 otherwise transfer, or use a fetal body part in this state,
 10 regardless of whether the acquisition, provision, receipt,
 11 transfer, or use is for valuable consideration.
 12 2. Subsection 1 shall not apply to any of the following:
 13 a. Diagnostic or remedial tests, procedures, or observations
 14 which have the sole purpose of determining the life or health
 15 of the fetus in order to provide that information to the
 16 pregnant woman or to preserve the life or health of the fetus
 17 or pregnant woman.
 18 b. The actions of a person taken in furtherance of the final
 19 disposition of a fetal body part.
 20 c. The pathological study of body tissue, including genetic
 21 testing, for diagnostic or forensic purposes.
 22 d. A fetal body part if the fetal body part results from
 23 a spontaneous termination of pregnancy or stillbirth and is
 24 willingly donated for the purpose of medical research.
 25 3. A person who violates this section is guilty of a class
 26 “C” felony.
 27 4. For the purposes of this section:
 28 a. “*Abortion*” means as defined in section 146.1.
 29 b. “*Fetal body part*” means a cell, tissue, organ, or other
 30 part of a fetus that is terminated by an abortion. “*Fetal body*
 31 *part*” does not include any of the following:
 32 (1) Cultured cells or cell lines derived from a spontaneous
 33 termination of pregnancy or stillbirth and willingly donated
 34 for the purposes of medical research.
 35 (2) A cell, tissue, organ, or other part of a fetus that is

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- 1 terminated by an abortion that occurred prior to July 1, 2018.
 2 (3) All cells and tissues external to the fetal body proper.
 3 c. “*Final disposition*” means the disposition of fetal
 4 body parts by burial, interment, entombment, cremation, or
 5 incineration.
 6 d. “*Valuable consideration*” means any payment including but
 7 not limited to payment associated with the transportation,
 8 processing, preservation, quality control, or storage of fetal
 9 body parts.

10

DIVISION II

11 ABORTION PREREQUISITES AND PROHIBITIONS — FETAL HEARTBEAT

12 Sec. 2. Section 146A.1, subsections 2 and 6, Code 2018, are
13 amended to read as follows:14 2. Compliance with the prerequisites of this section shall
15 not apply to ~~any of the following:~~16 ~~a. An abortion performed to save the life of a pregnant
17 woman.~~18 ~~b. An an abortion performed in a medical emergency.~~19 ~~c. The performance of a medical procedure by a physician
20 that in the physician's reasonable medical judgment is designed
21 to or intended to prevent the death or to preserve the life of
22 the pregnant woman.~~23 6. As used in this section, ~~“unborn child”;~~24 a. “Medical emergency” means a situation in which an
25 abortion is performed to preserve the life of the pregnant
26 woman whose life is endangered by a physical disorder, physical
27 illness, or physical injury, including a life-endangering
28 physical condition caused by or arising from the pregnancy, but
29 not including psychological conditions, emotional conditions,
30 familial conditions, or the woman's age; or when continuation
31 of the pregnancy will create a serious risk of substantial
32 and irreversible impairment of a major bodily function of the
33 pregnant woman.34 b. “Unborn child” means an individual organism of the
35 species homo sapiens from fertilization to live birth.

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1 Sec. 3. **NEW SECTION. 146C.1 Definitions.**2 As used in this chapter, unless the context otherwise
3 requires:4 1. “Abortion” means the termination of a human pregnancy
5 with the intent other than to produce a live birth or to remove
6 a dead fetus.7 2. “Fetal heartbeat” means cardiac activity, the steady and
8 repetitive rhythmic contraction of the fetal heart within the
9 gestational sac.10 3. “Medical emergency” means the same as defined in section
11 146A.1.

12 4. “Medically necessary” means any of the following:

13 a. The pregnancy is the result of a rape which is reported
14 within forty-five days of the incident to a law enforcement
15 agency or to a public or private health agency which may
16 include a family physician.17 b. The pregnancy is the result of incest which is reported
18 within one hundred forty days of the incident to a law
19 enforcement agency or to a public or private health agency
20 which may include a family physician.21 c. Any spontaneous abortion, commonly known as a
22 miscarriage, if not all of the products of conception are
23 expelled.

24 d. The attending physician certifies that the fetus has a
25 fetal abnormality that in the physician's reasonable medical
26 judgment is incompatible with life.
27 5. "Physician" means a person licensed under chapter 148.
28 6. "Reasonable medical judgment" means a medical judgment
29 made by a reasonably prudent physician who is knowledgeable
30 about the case and the treatment possibilities with respect to
31 the medical conditions involved.
32 7. "Unborn child" means the same as defined in section
33 146A.1.
34 Sec. 4. NEW SECTION. 146C.2 Abortion prohibited —
35 **detectable fetal heartbeat.**

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1 1. Except in the case of a medical emergency or when the
2 abortion is medically necessary, a physician shall not perform
3 an abortion unless the physician has first complied with the
4 prerequisites of chapter 146A and has tested the pregnant
5 woman as specified in this subsection, to determine if a fetal
6 heartbeat is detectable.
7 a. In testing for a detectable fetal heartbeat, the
8 physician shall perform an abdominal ultrasound, necessary to
9 detect a fetal heartbeat according to standard medical practice
10 and including the use of medical devices, as determined by
11 standard medical practice and specified by rule of the board
12 of medicine.
13 b. Following the testing of the pregnant woman for a
14 detectable fetal heartbeat, the physician shall inform the
15 pregnant woman, in writing, of all of the following:
16 (1) Whether a fetal heartbeat was detected.
17 (2) That if a fetal heartbeat was detected, an abortion is
18 prohibited.
19 c. Upon receipt of the written information, the pregnant
20 woman shall sign a form acknowledging that the pregnant woman
21 has received the information as required under this subsection.
22 2. a. A physician shall not perform an abortion upon a
23 pregnant woman when it has been determined that the unborn
24 child has a detectable fetal heartbeat, unless, in the
25 physician's reasonable medical judgment, a medical emergency
26 exists, or when the abortion is medically necessary.
27 b. Notwithstanding paragraph "a", if a physician determines
28 that the probable postfertilization age, as defined in
29 section 146B.1, of the unborn child is twenty or more weeks,
30 the physician shall not perform an abortion upon a pregnant
31 woman when it has been determined that the unborn child
32 has a detectable fetal heartbeat, unless in the physician's
33 reasonable medical judgment the pregnant woman has a condition
34 which the physician deems a medical emergency, as defined in
35 section 146B.1, or the abortion is necessary to preserve the

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- 1 life of an unborn child.
 2 3. A physician shall retain in the woman's medical record
 3 all of the following:
 4 a. Documentation of the testing for a fetal heartbeat
 5 as specified in subsection 1 and the results of the fetal
 6 heartbeat test.
 7 b. The pregnant woman's signed form acknowledging that
 8 the pregnant woman received the information as required under
 9 subsection 1.
 10 4. This section shall not be construed to impose civil
 11 or criminal liability on a woman upon whom an abortion is
 12 performed in violation of this section.
 13 5. The board of medicine shall adopt rules pursuant to
 14 chapter 17A to administer this section.>
 15 2. Title page, line 1, by striking <certain actions
 16 regarding fetal body parts> and inserting <and requiring
 17 certain actions relating to a fetus>

S-5289

- 1 Amend Senate File 2416 as follows:
 2 1. Page 6, by striking lines 3 through 11.

DENNIS GUTH

S-5290

- 1 Amend House File 2492, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, before line 1 by inserting:
 4 <DIVISION I
 5 FY 2018-2019 APPROPRIATIONS>
 6 2. Page 1, line 17, by striking <6,511,705> and inserting
 7 <5,911,705>
 8 3. Page 3, after line 24 by inserting:
 9 <4. The department of justice shall be subject to an
 10 agreed-upon procedures engagement performed by the auditor of
 11 state to identify sources and uses of discretionary funds of
 12 the department, including but not limited to legal settlement
 13 funds controlled by the department. The auditor of state
 14 shall complete and file the written report of the auditor's
 15 findings and recommendations with the general assembly and
 16 the governor's office by February 1, 2019. The department of
 17 justice shall fully reimburse the auditor of state for the
 18 agreed-upon procedures engagement.>
 19 4. Page 6, line 20, by striking <9,933,851> and inserting
 20 <9,231,488>
 21 5. Page 14, line 4, by striking <6,631,377> and inserting
 22 <4,734,703>
 23 6. Page 14, line 15, by striking <14,463,083> and inserting

24 <14,663,083>
 25 7. Page 14, line 17, by striking <162.00> and inserting
 26 <163.00>
 27 8. Page 14, line 20, by striking <2.0> and inserting <and
 28 additional 3.0>
 29 9. Page 15, line 2, by striking <302,345> and inserting
 30 <650,000>
 31 10. Page 15, after line 2 by inserting:
 32 <Notwithstanding section 8.33, moneys appropriated in this
 33 subsection that remain unencumbered or unobligated at the close
 34 of the fiscal year shall not revert but shall remain available
 35 for expenditure for the purposes designated until the close of

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1 the succeeding fiscal year.>
 2 11. Page 15, line 12, by striking <7,585,873> and inserting
 3 <7,785,873>
 4 12. Page 15, line 29, by striking <109,042> and inserting
 5 <209,042>
 6 13. Page 16, line 5, by striking <4,765,056> and inserting
 7 <4,965,056>
 8 14. Page 16, line 21, by striking <62,126,287> and inserting
 9 <63,926,287>
 10 15. Page 20, after line 28 by inserting:
 11 <Sec. __. EFFECTIVE DATE. The following, being deemed of
 12 immediate importance, takes effect upon enactment:
 13 The portion of this division of this Act amending 2017 Iowa
 14 Acts, chapter 167, section 31, prohibiting the utilization of
 15 the public safety assessment in pretrial hearings.
 16 DIVISION __
 17 ATTORNEY GENERAL REPORTS>
 18 16. Page 20, after line 30 by inserting:
 19 <DIVISION __
 20 PUBLIC SAFETY SUPPORT TRUST FUND>
 21 17. Page 21, after line 8 by inserting:
 22 <DIVISION __
 23 UNMANNED AERIAL VEHICLES>
 24 18. Page 21, after line 33 by inserting:
 25 <DIVISION __
 26 PRISON READING ROOMS>
 27 19. Page 22, by striking lines 9 through 13 and inserting:
 28 <DIVISION __
 29 SPECIALTY COURTS — STUDY
 30 Sec. __. SPECIALTY COURTS — STUDY. The judicial
 31 branch and the department of corrections in cooperation with
 32 the division of criminal and juvenile justice planning of
 33 the department of human rights, and the judicial district
 34 departments of correctional services, shall study the
 35 effectiveness and recidivism rates of persons assigned to

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1 the specialty courts of the judicial branch. The national
 2 center for state courts may be utilized in order to complete
 3 the study. The judicial branch shall file a report detailing
 4 the cost-effectiveness of the specialty courts including any
 5 recommendations with the general assembly and the fiscal
 6 services division of the legislative services agency by January
 7 15, 2019.

8 DIVISION ____

9 SMALL CLAIMS JURISDICTION

10 Sec. ____ Section 631.1, subsections 1, 3, 4, 5, 7, and 8,
 11 Code 2018, are amended to read as follows:

12 1. The following actions or claims are small claims and
 13 shall be commenced, heard and determined as provided in this
 14 chapter:

15 a. A civil action for a money judgment where the amount in
 16 controversy is ~~four~~ five thousand dollars or less for actions
 17 commenced before July 1, ~~2002~~ 2018, exclusive of interest and
 18 costs.

19 b. A civil action for a money judgment where the amount in
 20 controversy is ~~five~~ six thousand ~~five hundred~~ dollars or less
 21 for actions commenced on or after July 1, ~~2002~~ 2018, exclusive
 22 of interest and costs.

23 3. The district court sitting in small claims has concurrent
 24 jurisdiction of an action of replevin if the value of the
 25 property claimed is ~~four~~ five thousand dollars or less for
 26 actions commenced before July 1, ~~2002~~ 2018, and ~~five~~ six
 27 thousand ~~five hundred~~ dollars or less for actions commenced on
 28 or after July 1, ~~2002~~ 2018. When commenced under this chapter,
 29 the action is a small claim for the purposes of this chapter.

30 4. The district court sitting in small claims has concurrent
 31 jurisdiction of motions and orders relating to executions
 32 against personal property, including garnishments, where the
 33 value of the property or garnisheed money involved is ~~four~~ five
 34 thousand dollars or less for actions commenced before July 1,
 35 ~~2002~~ 2018, and ~~five~~ six thousand ~~five hundred~~ dollars or less

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1 for actions commenced on or after July 1, ~~2002~~ 2018.

2 5. The district court sitting in small claims has concurrent
 3 jurisdiction of an action for abandonment of a manufactured or
 4 mobile home or personal property pursuant to section 555B.3,
 5 if no money judgment in excess of ~~four~~ five thousand dollars
 6 is sought for actions commenced before July 1, ~~2002~~ 2018, and
 7 ~~five~~ six thousand ~~five hundred~~ dollars or less for actions
 8 commenced on or after July 1, ~~2002~~ 2018. If commenced under
 9 this chapter, the action is a small claim for the purposes of
 10 this chapter.

11 7. The district court sitting in small claims has concurrent
 12 jurisdiction of an action for the collection of taxes brought

13 by a county treasurer pursuant to sections 445.3 and 445.4
14 where the amount in controversy is five thousand dollars or
15 less for actions commenced ~~on or after~~ before July 1, ~~2003~~
16 2018, and six thousand five hundred dollars or less for actions
17 commenced on or after July 1, 2018, exclusive of interest and
18 costs.

19 8. The district court sitting in small claims has concurrent
20 jurisdiction of motions and orders relating to releases of
21 judgments in whole or in part including motions and orders
22 under section 624.23, subsection 2, paragraph “c” and section
23 624.37, where the amount owing on the judgment, including
24 interests and costs, is five thousand dollars or less for
25 actions commenced before July 1, 2018, and six thousand five
26 hundred dollars or less for actions commenced on or after July
27 1, 2018.

28 Sec. __. JURISDICTIONAL AMOUNT REVERSION — SMALL
29 CLAIMS. The jurisdictional amount in the section of this
30 division of this Act that amends section 631.1 shall revert
31 to five thousand dollars if a court of competent jurisdiction
32 declares the six thousand five hundred dollar amount
33 unconstitutional.>

34 20. Title page, line 1, after <system,> by inserting
35 <providing penalties,>

MARK CHELGREN

S-5291

1 Amend Senate File 2414 as follows:

2 1. Page 8, by striking line 24 and inserting:

3 <..... \$ 5,000,000>

HERMAN C. QUIRMBACH

S-5292

HOUSE AMENDMENT TO
SENATE FILE 2388

1 Amend Senate File 2388, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 3, by striking lines 14 and 15 and inserting <4,
4 and to the extent provided in subsection 6A, property that is
5 transmission property shall not be assessed and taxed as real
6 property.>

7 2. Page 3, by striking lines 19 and 20 and inserting
8 <subsection. However, to the extent provided in subsection 6A,
9 property that is transmission property shall not be assessed
10 and taxed as>

11 3. Page 3, line 29, after <6A.> by inserting <a.>

12 4. Page 4, line 2, by striking <towers,>

13 5. Page 4, line 5, after <subscribers.> by inserting

14 <“Transmission property” does not include a tower as defined in
15 section 8C.2.>

16 6. Page 4, after line 5 by inserting:

17 <b. Transmission property that is not subject to assessment
18 and taxation under chapter 433, shall be subject to assessment
19 and taxation as follows:

20 (1) For the assessment year beginning January 1, 2019, at
21 seventy-five percent of the transmission property’s actual
22 value.

23 (2) For the assessment year beginning January 1, 2020, at
24 fifty percent of the transmission property’s actual value.

25 (3) For the assessment year beginning January 1, 2021, at
26 thirty percent of the transmission property’s actual value.

27 (4) For the assessment year beginning January 1, 2022, and
28 each subsequent assessment year, transmission property shall
29 not be assessed and taxed as real property.>

30 7. Page 11, by striking lines 29 through 33 and inserting:

31 <_. The section of this Act amending section 476.1D.>

32 8. Page 12, by striking lines 23 through 27 and inserting:

33 <_. The section of this Act amending section 476.1D.>

34 9. By renumbering, redesignating, and correcting internal
35 references as necessary.

S-5293

HOUSE AMENDMENT TO SENATE FILE 2316

1 Amend Senate File 2316, as passed by the Senate, as follows:

2 1. Page 14, after line 1 by inserting:

3 <Sec. __. Section 513B.2, subsections 10 and 18, Code 2018,
4 are amended to read as follows:

5 10. “Eligible employee” means an employee who works on a
6 full-time basis and has a normal workweek of thirty or more
7 hours. The term includes a sole proprietor, a partner of
8 a partnership, and an independent contractor, if the sole
9 proprietor, partner, or independent contractor is included
10 as an employee under health insurance coverage of a small
11 employer, but does not include an employee who works on a
12 part-time, temporary, or substitute basis. An internal revenue
13 service form W-2 wage and tax statement shall not be required
14 to qualify as an eligible employee under this subsection.

15 18. “Small employer” means a person, other than a
16 limited liability company, a partner of a partnership, an S
17 corporation, a C corporation, or an independent contractor,
18 actively engaged in business who, on at least fifty percent
19 of the employer’s working days during the preceding year,
20 employed at least one and not more than fifty full-time
21 equivalent eligible employees. A limited liability company, a
22 partner of a partnership, an S corporation, a C corporation,
23 or an independent contractor shall not be required to employ
24 an eligible employee to qualify as a small employer under

25 this subsection. “Small employer” includes a self-employed
 26 individual. In determining the number of eligible employees,
 27 companies which are affiliated companies or which are eligible
 28 to file a combined tax return for purposes of state taxation
 29 are considered one employer.>

30 2. Page 14, after line 1 by inserting:
 31 <Sec. __. NEW SECTION. 508.25A Rules — termination of
 32 universal life insurance policy.

33 The commissioner of insurance shall adopt rules pursuant
 34 to chapter 17A that require a written notice be sent to a
 35 policyholder at least thirty calendar days prior to termination

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1 of coverage of a universal life insurance policy in an envelope
 2 that includes language on the outside of the envelope, or that
 3 is viewable through the envelope window, indicating that the
 4 envelope contains important information.>

5 3. Title page, by striking lines 1 and 2 and inserting <An
 6 Act relating to transactions by domestic stock insurers, small
 7 employer group health insurers, and universal life insurance.>

8 4. By renumbering as necessary.

S-5294

1 Amend Senate File 2415 as follows:

2 1. Page 3, line 29, by striking <~~\$47,007,171~~> and inserting
 3 <~~\$46,630,951~~>

4 2. Page 4, by striking lines 3 through 22.

5 3. Page 6, line 19, by striking <~~29.00~~> and inserting
 6 <29.00>

7 4. Page 6, by striking line 20.

8 5. Page 10, line 13, after <~~distribution to~~> by inserting
 9 <the Iowa testing program by the department of education on
 10 behalf of>

11 6. By striking page 13, line 22, through page 14, line 15,
 12 and inserting:

13	<.....	\$	10,000,076
14	<u>b. Merged Area II</u>		
15	.....	\$	10,146,364
16	<u>c. Merged Area III</u>		
17	.....	\$	9,391,092
18	<u>d. Merged Area IV</u>		
19	.....	\$	4,619,543
20	<u>e. Merged Area V</u>		
21	.....	\$	11,469,504
22	<u>f. Merged Area VI</u>		
23	.....	\$	9,000,646
24	<u>g. Merged Area VII</u>		
25	.....	\$	13,668,239
26	<u>h. Merged Area IX</u>		
27	.....	\$	17,312,504

28	<u>i. Merged Area X</u>	
29	.....	\$ 31,691.864
30	<u>i. Merged Area XI</u>	
31	\$ 33,916.985
32	<u>k. Merged Area XII</u>	
33	\$ 11,242.657
34	<u>l. Merged Area XIII</u>	
35	\$ 12,204.008

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1	<u>m. Merged Area XIV</u>	
2	\$ 4,708.909
3	<u>n. Merged Area XV</u>	
4	\$ 14,776.328
5	<u>o. Merged Area XVI</u>	
6	.....	\$ 8,542.170>

7 7. Page 20, line 15, by striking <4.47> and inserting <5.50>

8 8. Page 23, by striking lines 4 through 28 and inserting:

9 <Sec. ____ Section 256.11, subsection 5, paragraph k, as

10 enacted by 2018 Iowa Acts, Senate File 475, section 20, is

11 amended to read as follows:

12 *k.* One-half unit of personal finance literacy. All students
13 shall complete at least one-half unit of personal finance
14 literacy as a condition of graduation.

15 (1) The curriculum shall, at a minimum, address the
16 following:

17 (1) (a) Savings, including emergency fund, purchases, and
18 wealth building.

19 (2) (b) Understanding investments, including compound
20 and simple interest, liquidity, diversification, risk return
21 ratio, certificates of deposit, money market accounts, single
22 stocks, bonds, mutual funds, rental real estate, annuities,
23 commodities, and futures.

24 (3) (c) Wealth building and college planning, including
25 long-term and short-term investing using tax-favored plans,
26 individual retirement accounts and payments from such accounts,
27 employer-sponsored retirement plans and investments, public and
28 private educational savings accounts, and uniform gifts and
29 transfers to minors.

30 (4) (d) Credit and debt, including credit cards, payday
31 lending, rent-to-own transactions, debt consolidation,
32 automobile leasing, cosigning a loan, debt avoidance, and the
33 marketing of debt, especially to young people.

34 (5) (e) Consumer awareness of the power of marketing
35 on buying decisions including zero percent interest offers;

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1 marketing methods, including product positioning, advertising,
 2 brand recognition, and personal selling; how to read a
 3 credit report and correct inaccuracies; how to build a credit
 4 score; how to develop a plan to deal with creditors and avoid
 5 bankruptcy; and the federal Fair Debt Collection Practices Act.
 6 ~~(6)~~ (f) Financial responsibility and money management,
 7 including creating and living on a written budget and balancing
 8 a checkbook; basic rules of successful negotiating and
 9 techniques; and personality or other traits regarding money.
 10 ~~(7)~~ (g) Insurance, risk management, income, and career
 11 decisions, including career choices that fit personality styles
 12 and occupational goals, job search strategies, cover letters,
 13 resumes, interview techniques, payroll taxes and other income
 14 withholdings, and revenue sources for federal, state, and local
 15 governments.
 16 ~~(8)~~ (h) Different types of insurance coverage including
 17 renters, homeowners, automobile, health, disability, long-term
 18 care, identity theft, and life insurance; term life, cash
 19 value and whole life insurance; and insurance terms such
 20 as deductible, stop loss, elimination period, replacement
 21 coverage, liability, and out-of-pocket.
 22 ~~(9)~~ (i) Buying, selling, and renting advantages and
 23 disadvantages relating to real estate, including adjustable
 24 rate, balloon, conventional, government-backed, reverse, and
 25 seller-financed mortgages.
 26 (2) (a) One-half unit of personal finance literacy may
 27 count as one-half unit of social studies in meeting the
 28 requirements of paragraph “b”, though the teacher providing
 29 personal finance literacy coursework that counts as one-half
 30 unit of social studies need not hold a social studies
 31 endorsement.
 32 (b) Units of coursework that meet the requirements of
 33 any combination of coursework required under paragraphs “b”,
 34 “d”, “e” or “h” and incorporate the curriculum required under
 35 subparagraph (1) shall be deemed to satisfy the offer and

Page 4

1 teach requirements of this paragraph “k” and a student who
 2 completes such units shall be deemed to have met the graduation
 3 requirement of this paragraph “k”.>
 4 9. Page 25, by striking lines 5 and 6 and inserting:
 5 <Sec. __. Section 261.25, subsection 2, Code 2018, is
 6 amended to read as follows:
 7 2. There is appropriated from the general fund of the state
 8 to the commission for each fiscal year the sum of ~~one million~~
 9 ~~five~~ three hundred ~~seventy-six~~ thousand two hundred twenty
 10 dollars for tuition grants for qualified students who are
 11 enrolled in eligible institutions. Of the moneys appropriated
 12 under this subsection, not more than eighty thousand dollars

13 annually shall be used for tuition grants to qualified students
 14 who are attending an eligible institution under section 261.9.
 15 subsection 3, paragraph "b".>
 16 10. Page 25, line 11, by striking <available> and inserting
 17 <nonrepayable>
 18 11. Page 25, line 12, after <aid> by inserting <for which
 19 the member is eligible>
 20 12. By striking page 25, line 13, through page 26, line 8.
 21 13. Page 29, line 12, by striking <fifty miles> and
 22 inserting <twenty miles>
 23 14. Page 34, by striking line 2.
 24 15. By striking page 35, line 34, through page 36, line 2,
 25 and inserting:
 26 <c. For ~~accelerated career education program~~ capital
 27 projects at community colleges that ~~are authorized under~~
 28 ~~chapter 260G and that~~ meet the definition of the term "vertical
 29 infrastructure" in section 8.57, subsection 5, paragraph "c".>
 30 16. Page 36, line 4, by striking <5,000,000> and inserting
 31 <6,000,000>
 32 17. Page 36, after line 4 by inserting:
 33 <Moneys appropriated in this lettered paragraph shall be
 34 disbursed pursuant to section 260G.6, subsection 3. Projects
 35 that qualify for moneys appropriated in this lettered paragraph

Page 5

1 shall include at least one of the following:
 2 (1) Accelerated career education program capital projects.
 3 (2) Major renovations and major repair needs, including
 4 health, life, and fire safety needs, including compliance with
 5 the federal Americans With Disabilities Act.
 6 (3) Projects that meet the requirements under chapter 260G
 7 and related projects located at a community college whose
 8 campus is located in a city with a population, according to
 9 the 2010 federal decennial census, between 99,000 and 100,000.
 10 The prohibition against lease payment under section 8.57,
 11 subsection 5, paragraph "c", shall not apply to projects
 12 authorized under this subparagraph (3). The provisions of this
 13 subparagraph (3) shall also apply to any moneys which remain
 14 unobligated and unencumbered and were appropriated in prior
 15 years for purposes of this lettered paragraph to such community
 16 college. The provisions of this subparagraph (3) are not
 17 applicable or effective after June 30, 2019.>
 18 18. By renumbering as necessary.

TIM KRAAYENBRINK

S-5295

1 Amend the amendment, S-5290, to House File 2492, as amended,
 2 passed, and reprinted by the House, as follows:
 3 1. Page 1, after line 20 by inserting:

- 4 <__. Page 10, by striking lines 10 through 16.>
- 5 2. Page 2, by striking lines 11 through 15.
- 6 3. Page 4, by striking lines 34 and 35 and inserting:
- 7 <__. Title page, lines 1 and 2, by striking <system, and
- 8 including effective date provisions> and inserting <system>>

TONY BISIGNANO
 RITA HART
 JIM LYKAM
 MATT McCOY
 JANET PETERSEN
 CHAZ ALLEN
 NATE BOULTON

S-5296

1 Amend Senate File 2414 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

6 Section 1. REBUILD IOWA INFRASTRUCTURE FUND —
 7 APPROPRIATIONS. There is appropriated from the rebuild Iowa
 8 infrastructure fund to the following departments and agencies
 9 for the following fiscal years, the following amounts, or so
 10 much thereof as is necessary, to be used for the purposes
 11 designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 For major maintenance projects:

14 FY 2018–2019:

.....	\$	24,500,000
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16 Of the moneys appropriated in this subsection for the fiscal
 17 year beginning July 1, 2018, the department shall give priority
 18 to projects for repair of the roof of the state historical
 19 building and is authorized to expend such amount not to exceed
 20 \$3,300,000 for the costs associated with projects for repair of
 21 the roof of the state historical building.

22 FY 2019–2020:

.....	\$	20,000,000
-------	----	------------

24 Of the moneys appropriated in this subsection for the fiscal
 25 year beginning July 1, 2019, the department shall give priority
 26 to projects for repair of the roof of the state historical
 27 building and is authorized to expend such amount not to exceed
 28 \$3,300,000 for the costs associated with projects for repair of
 29 the roof of the state historical building.

30 FY 2020–2021:

.....	\$	20,000,000
-------	----	------------

32 FY 2021–2022:

.....	\$	20,000,000
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34 FY 2022–2023:

.....	\$	20,000,000
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Page 2

1 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 a. (1) For deposit in the water quality initiative fund
3 created in section 466B.45 for purposes of supporting the
4 water quality initiative administered by the division of soil
5 conservation and water quality as provided in section 466B.42,
6 including salaries, support, maintenance, and miscellaneous
7 purposes, notwithstanding section 8.57, subsection 5, paragraph
8 "c":

9 FY 2018–2019:
10 \$ 5,200,000

11 (2) (a) The moneys appropriated in this lettered
12 paragraph shall be used to support demonstration projects in
13 subwatersheds as designated by the department that are part
14 of high-priority watersheds identified by the water resources
15 coordinating council.

16 (b) The moneys appropriated in this lettered paragraph
17 shall be used to support demonstration projects in watersheds
18 generally, including regional watersheds, as designated by the
19 division and high-priority watersheds identified by the water
20 resources coordinating council.

21 (3) In supporting projects in watersheds and subwatersheds
22 as provided in subparagraph (2), subparagraph divisions (a) and
23 (b), all of the following shall apply:

24 (a) The demonstration projects shall utilize water quality
25 practices as described in the latest revision of the document
26 entitled "Iowa Nutrient Reduction Strategy" initially presented
27 in November 2012 by the department of agriculture and land
28 stewardship, the department of natural resources, and Iowa
29 state university of science and technology.

30 (b) The division shall implement demonstration projects
31 as provided in subparagraph division (a) by providing
32 for participation by persons who hold a legal interest in
33 agricultural land used in farming. To every extent practical,
34 the division shall provide for collaborative participation by
35 such persons who hold a legal interest in agricultural land

Page 3

1 located within the same subwatershed.

2 (c) The division shall implement demonstration projects on
3 a cost-share basis as determined by the division. Except for
4 edge-of-field practices, the state's share of the amount shall
5 not exceed 50 percent of the estimated cost of establishing the
6 practice as determined by the division or 50 percent of the
7 actual cost of establishing the practice, whichever is less.

8 (d) The demonstration projects shall be used to educate
9 other persons about the feasibility and value of establishing
10 similar water quality practices. The division shall promote
11 field day events for purposes of allowing interested persons to
12 establish water quality practices on their agricultural land.

13 (e) The division shall conduct water quality evaluations
 14 within supported subwatersheds. Within a reasonable period
 15 after accumulating information from such evaluations, the
 16 division shall create an aggregated database of water quality
 17 practices. Any information identifying a person holding a
 18 legal interest in agricultural land or specific agricultural
 19 land shall be a confidential record.

20 (4) The moneys appropriated in this lettered paragraph
 21 shall be used to support education and outreach in a manner
 22 that encourages persons who hold a legal interest in
 23 agricultural land used for farming to implement water quality
 24 practices, including the establishment of such practices in
 25 watersheds generally, and not limited to subwatersheds or
 26 high-priority watersheds.

27 (5) The moneys appropriated in this lettered paragraph
 28 may be used to contract with persons to coordinate the
 29 implementation of efforts provided in this paragraph.

30 (6) The moneys appropriated in this lettered paragraph
 31 may be used by the department to support urban soil and water
 32 conservation efforts, which may include but are not limited
 33 to management practices related to bioretention, landscaping,
 34 the use of permeable or pervious pavement, and soil quality
 35 restoration. The moneys shall be allocated on a cost-share

Page 4

1 basis as provided in chapter 161A.

2 (7) Notwithstanding any other provision of law to the
 3 contrary, the department may use moneys appropriated in
 4 this lettered paragraph to carry out the provisions of this
 5 paragraph on a cost-share basis in combination with other
 6 moneys available to the department from a state or federal
 7 source.

8 (8) Not more than 10 percent of the moneys appropriated in
 9 this lettered paragraph may be used for costs of administration
 10 and implementation of the water quality initiative administered
 11 by the soil conservation division.

12 b. For deposit in the agricultural drainage well water
 13 quality assistance fund created in section 460.303 for
 14 purposes of supporting the agricultural drainage well water
 15 quality assistance program as provided in section 460.304,
 16 notwithstanding section 8.57, subsection 5, paragraph “c”:

17	FY 2018–2019:	
18	.....	\$ 1,875,000
19	Not more than 10 percent of the moneys appropriated in this	
20	lettered paragraph may be used for costs of administration and	
21	implementation of soil conservation practices.	

22 c. For deposit in the renewable fuels infrastructure fund
 23 created in section 159A.16 for renewable fuel infrastructure
 24 programs:

25	FY 2018–2019:	
26	.....	\$ 3,000,000

27	3. OFFICE OF THE CHIEF INFORMATION OFFICER	
28	For deposit in the connecting Iowa farms, schools, and	
29	communities broadband grant fund established in section 8B.11	
30	for a broadband grant program, notwithstanding section 8.57,	
31	subsection 5, paragraph “c”:	
32	FY 2018–2019:	
33	..... \$	1,300,000
34	4. DEPARTMENT OF CULTURAL AFFAIRS	
35	a. For deposit in the Iowa great places program fund created	

Page 5

1	in section 303.3D for Iowa great places program projects that	
2	meet the definition of “vertical infrastructure” in section	
3	8.57, subsection 5, paragraph “c”:	
4	FY 2018–2019:	
5	..... \$	1,000,000
6	b. For grants to nonprofit organizations committed to	
7	strengthening communities through youth development, healthy	
8	living, and social responsibility for costs associated with	
9	the renovation and maintenance of facility infrastructure at	
10	facilities located in cities with a population of less than	
11	28,000 as determined by the 2010 federal decennial census:	
12	FY 2018–2019:	
13	..... \$	250,000
14	5. ECONOMIC DEVELOPMENT AUTHORITY	
15	a. For deposit in the community attraction and tourism fund	
16	created in section 15F.204:	
17	FY 2018–2019:	
18	..... \$	5,000,000
19	b. For equal distribution to regional sports authority	
20	districts certified by the department pursuant to section	
21	15E.321, notwithstanding section 8.57, subsection 5, paragraph	
22	“c”:	
23	FY 2018–2019:	
24	..... \$	500,000
25	c. For administration and support of the world food prize	
26	including the Borlaug/Ruan scholar program, notwithstanding	
27	section 8.57, subsection 5, paragraph “c”:	
28	FY 2018–2019:	
29	..... \$	300,000
30	d. For providing assistance to a city or nonprofit	
31	organization hosting the national junior olympics,	
32	notwithstanding section 8.57, subsection 5, paragraph “c”:	
33	FY 2018–2019:	
34	..... \$	250,000
35	e. To a regional port authority for engineering and other	

Page 6

1	related expenses associated with the proposed construction of a	
2	natural gas pipeline that crosses two counties:	
3	FY 2018–2019:	
4	.....	\$ 250,000
5	6. DEPARTMENT OF HUMAN SERVICES	
6	a. For the renovation and construction of certain nursing	
7	facilities, consistent with the provisions of chapter 249K:	
8	FY 2018–2019:	
9	.....	\$ 500,000
10	b. For a grant to a nonprofit agency that provides expert	
11	care for children with medical complexity to expand its	
12	services to those children who reach adulthood in their care	
13	by providing infrastructure funding for expanding its nursing	
14	facility:	
15	FY 2018–2019:	
16	.....	\$ 500,000
17	7. IOWA LAW ENFORCEMENT ACADEMY	
18	For costs associated with the renovation and remodeling of	
19	the building used by the Iowa law enforcement academy:	
20	FY 2018–2019:	
21	.....	\$ 1,449,938
22	FY 2019–2020:	
23	.....	\$ 10,826,911
24	8. DEPARTMENT OF NATURAL RESOURCES	
25	a. For implementation of lake projects that have	
26	established watershed improvement initiatives and community	
27	support in accordance with the department’s annual lake	
28	restoration plan and report, notwithstanding section 8.57,	
29	subsection 5, paragraph “c”:	
30	FY 2018–2019:	
31	.....	\$ 9,600,000
32	b. For the administration of a water trails and low head	
33	dam public hazard statewide plan, including salaries, support,	
34	maintenance, and miscellaneous purposes, notwithstanding	
35	section 8.57, subsection 5, paragraph “c”:	

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1	FY 2018–2019:	
2	\$ 500,000
3	c. For state park vertical infrastructure improvements:	
4	FY 2018–2019:	
5	.....	\$ 2,000,000
6	9. DEPARTMENT OF PUBLIC DEFENSE	
7	a. For major maintenance projects at national guard	
8	armories and facilities:	
9	FY 2018–2019:	
10	.....	\$ 1,000,000
11	b. For improvement projects for Iowa national guard	
12	installations and readiness centers to support operations and	

13	training requirements:		
14	FY 2018–2019:		
15	.....	\$	1,000,000
16	c. For construction improvement projects at the Camp Dodge		
17	facility:		
18	FY 2018–2019:		
19	.....	\$	250,000
20	d. The department of public defense shall report to the		
21	general assembly by December 15, 2018, regarding the projects		
22	the department has funded, or intends to fund, from moneys		
23	appropriated to the department pursuant to this subsection.		
24	10. BOARD OF REGENTS		
25	a. For allocation by the state board of regents to the		
26	state university of Iowa, Iowa state university of science		
27	and technology, and the university of northern Iowa to		
28	reimburse the institutions for deficiencies in the operating		
29	funds resulting from the pledging of tuition, student fees		
30	and charges, and institutional income to finance the cost of		
31	providing academic and administrative buildings and facilities		
32	and utility services at the institutions:		
33	FY 2018–2019:		
34	\$	31,471,292
35	b. For construction of a new veterinary diagnostic		

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1	laboratory at Iowa state university of science and technology,		
2	to include reimbursement of infrastructure costs incurred by		
3	the university for construction of the laboratory in the prior		
4	fiscal year:		
5	FY 2018–2019:		
6	.....	\$	1,000,000
7	FY 2019–2020:		
8	.....	\$	12,500,000
9	FY 2020–2021:		
10	.....	\$	12,500,000
11	FY 2021–2022:		
12	.....	\$	12,500,000
13	FY 2022–2023:		
14	.....	\$	12,500,000
15	FY 2023–2024:		
16	.....	\$	12,500,000
17	11. DEPARTMENT OF PUBLIC SAFETY		
18	a. For payments and other costs due under a financing		
19	agreement entered into by the treasurer of state for building		
20	the statewide interoperable communications system pursuant to		
21	section 29C.23, subsection 2, notwithstanding section 8.57,		
22	subsection 5, paragraph “c”:		
23	FY 2018–2019:		
24	.....	\$	1,351,666
25	b. For the purchase of electronic control devices,		
26	notwithstanding section 8.57, subsection 5, paragraph “c”:		

27	FY 2018–2019:		
28	.....	\$	740,000
29	12. DEPARTMENT OF TRANSPORTATION		
30	a. For acquiring, constructing, and improving recreational		
31	trails within the state:		
32	FY 2018–2019:		
33	.....	\$	1,000,000
34	b. For deposit in the public transit infrastructure grant		
35	fund created in section 324A.6A, for projects that meet		

Page 9

1	the definition of vertical infrastructure in section 8.57,		
2	subsection 5, paragraph “c”:		
3	FY 2018–2019:		
4	.....	\$	1,500,000
5	c. For deposit in the railroad revolving loan and grant		
6	fund created in section 327H.20A, notwithstanding section 8.57,		
7	subsection 5, paragraph “c”:		
8	FY 2018–2019:		
9	.....	\$	1,000,000
10	d. For vertical infrastructure improvements at the		
11	commercial service airports within the state:		
12	FY 2018–2019:		
13	.....	\$	1,500,000
14	e. For vertical infrastructure improvements at general		
15	aviation airports within the state:		
16	FY 2018–2019:		
17	.....	\$	700,000
18	13. TREASURER OF STATE		
19	For distribution in accordance with chapter 174 to qualified		
20	fairs which belong to the association of Iowa fairs for county		
21	fair vertical infrastructure improvements:		
22	FY 2018–2019:		
23	.....	\$	1,060,000
24	14. JUDICIAL BRANCH		
25	For furniture and equipment for the Polk county justice		
26	center, notwithstanding section 8.57, subsection 5, paragraph		
27	“c”:		
28	FY 2018–2019:		
29	.....	\$	1,464,705
30	Sec. 2. REVERSION. For purposes of section 8.33, unless		
31	specifically provided otherwise, unencumbered or unobligated		
32	moneys made from an appropriation in this division of this Act		
33	shall not revert but shall remain available for expenditure for		
34	the purposes designated until the close of the fiscal year that		
35	ends three years after the end of the fiscal year for which the		

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1 appropriation is made. However, if the project or projects for
2 which such appropriation was made are completed in an earlier
3 fiscal year, unencumbered or unobligated moneys shall revert at
4 the close of that same fiscal year.

5 DIVISION II

6 TECHNOLOGY REINVESTMENT FUND

7 Sec. 3. TECHNOLOGY REINVESTMENT FUND. There is
8 appropriated from the technology reinvestment fund created
9 in section 8.57C to the following departments and agencies
10 for the following fiscal years, the following amounts, or so
11 much thereof as is necessary, to be used for the purposes
12 designated:

13 1. OFFICE OF THE CHIEF INFORMATION OFFICER

14 For technology consolidation and technology improvement
15 projects approved by the state chief information officer
16 pursuant to chapter 8B:

17 FY 2018–2019:

18 \$ 1,000,000

19 2. DEPARTMENT OF EDUCATION

20 a. For the continued development and implementation of an
21 educational data warehouse that will be utilized by teachers,
22 parents, school district administrators, area education agency
23 staff, department of education staff, and policymakers:

24 FY 2018–2019:

25 \$ 600,000

26 The department may use a portion of the moneys appropriated
27 in this lettered paragraph for an e-transcript data system
28 capable of tracking students throughout their education via
29 interconnectivity with multiple schools.

30 b. For maintenance and lease costs associated with
31 connections for part III of the Iowa communications network:

32 FY 2018–2019:

33 \$ 2,727,000

34 c. To the public broadcasting division for the replacement
35 of equipment:

Page 11

1 FY 2018–2019:

2 \$ 500,000

3 3. DEPARTMENT OF HUMAN RIGHTS

4 a. For the cost of equipment and computer software for the
5 continued development and implementation of Iowa’s criminal
6 justice information system:

7 FY 2018–2019:

8 \$ 1,200,000

9 b. For the costs associated with the justice enterprise data
10 warehouse:

11 FY 2018–2019:

12 \$ 157,980

13	4. DEPARTMENT OF HUMAN SERVICES		
14	For the upgrade of the Medicaid management information		
15	system:		
16	FY 2018–2019:		
17	.....	\$	636,000
18	FY 2019–2020:		
19	.....	\$	1,228,535
20	FY 2020–2021:		
21	.....	\$	1,979,319
22	FY 2021–2022:		
23	.....	\$	1,625,363
24	FY 2022–2023:		
25	.....	\$	1,416,680
26	FY 2023–2024:		
27	.....	\$	1,578,280
28	FY 2024–2025:		
29	.....	\$	1,335,178
30	5. STATE PUBLIC DEFENDER		
31	For technology projects:		
32	FY 2018–2019:		
33	.....	\$	88,800
34	6. DEPARTMENT OF MANAGEMENT		
35	a. For the continued development and implementation of		

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1	a searchable database that can be placed on the internet for		
2	budget and financial information:		
3	FY 2018–2019:		
4	.....	\$	45,000
5	b. For the continued development and implementation of the		
6	comprehensive electronic grant management system:		
7	FY 2018–2019:		
8	.....	\$	70,000
9	c. For the upgrade of the local government budget and		
10	property tax system:		
11	FY 2018–2019:		
12	.....	\$	600,000
13	7. DEPARTMENT OF PUBLIC HEALTH		
14	For the development and implementation of a medical		
15	cannabidiol registry and tracking system:		
16	FY 2018–2019:		
17	.....	\$	350,000
18	8. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT		
19	For the implementation of a statewide mass notification and		
20	emergency messaging system:		
21	FY 2018–2019:		
22	.....	\$	400,000
23	9. DEPARTMENT OF PUBLIC SAFETY		
24	a. For replacement radios for the investigative division:		
25	FY 2018–2019:		
26	.....	\$	860,000

27	b. For crime scene processing equipment:		
28	FY 2018–2019:		
29	.....	\$	125,000
30	10. JUDICIAL BRANCH		
31	For technology projects:		
32	FY 2018–2019:		
33	.....	\$	3,000,000
34	11. SECRETARY OF STATE		
35	For upgrading the current voter registration system, and		

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1	the development and implementation of a new voter registration		
2	system:		
3	FY 2018–2019:		
4	.....	\$	1,050,000
5	FY 2019–2020:		
6	.....	\$	2,100,000
7	FY 2020–2021:		
8	.....	\$	1,400,000
9	FY 2021–2022:		
10	.....	\$	1,400,000
11	FY 2022–2023:		
12	.....	\$	1,400,000
13	12. BOARD OF PAROLE	14	For technology projects:
15	FY 2018–2019:		
16	.....	\$	50,000
17	13. DEPARTMENT OF NATURAL RESOURCES		
18	For a new online air quality application:		
19	FY 2018–2019:		
20	.....	\$	954,000

21 Sec. 4. REVERSION. For purposes of section 8.33, unless
 22 specifically provided otherwise, unencumbered or unobligated
 23 moneys made from an appropriation in this division of this Act
 24 shall not revert but shall remain available for expenditure for
 25 the purposes designated until the close of the fiscal year that
 26 ends three years after the end of the fiscal year for which the
 27 appropriation is made. However, if the project or projects for
 28 which such appropriation was made are completed in an earlier
 29 fiscal year, unencumbered or unobligated moneys shall revert at
 30 the close of that same fiscal year.

DIVISION III

CHANGES TO PRIOR APPROPRIATIONS

33 Sec. 5. 2012 Iowa Acts, chapter 1140, section 4, as amended
 34 by 2016 Iowa Acts, chapter 1133, section 9, is amended to read
 35 as follows:

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1 SEC. 4. REVERSION.

2 1. Except as provided in subsection 2, for purposes
3 of section 8.33, unless specifically provided otherwise,
4 unencumbered or unobligated moneys made from an appropriation
5 in this division of this Act shall not revert but shall remain
6 available for expenditure for the purposes designated until the
7 close of the fiscal year that ends three years after the end of
8 the fiscal year for which the appropriation was made. However,
9 if the project or projects for which such appropriation was
10 made are completed in an earlier fiscal year, unencumbered
11 or unobligated moneys shall revert at the close of that same
12 fiscal year.

13 2. For purposes of section 8.33, unless specifically
14 provided otherwise, unencumbered or unobligated moneys
15 appropriated in section 3, subsection 3, paragraph "b", of
16 this division of this Act, shall not revert but shall remain
17 available for the purpose designated until the close of the
18 fiscal year that begins July 1, ~~2017~~ 2019, or until the project
19 for which the appropriation was made is completed, whichever
20 is earlier.

21 Sec. 6. 2014 Iowa Acts, chapter 1136, section 1, subsection
22 7, paragraph b, as amended by 2016 Iowa Acts, chapter 1133,
23 section 10, and 2017 Iowa Acts, chapter 173, section 9, is
24 amended to read as follows:

25 b. For costs associated with the renovation, modernization,
26 and construction of a new addition at the pharmacy building
27 at the state university of Iowa, to include reimbursement
28 of infrastructure costs incurred by the university for
29 construction of the facility in the prior fiscal year:

30	FY 2015–2016:		
31	.....	\$	13,000,000
32	FY 2016–2017:		
33	.....	\$	23,000,000
34	FY 2017–2018:		
35	.....	\$	22,800,000

Page 15

1	FY 2018–2019:		
2	.....	\$	5,500,000

3 Sec. 7. 2014 Iowa Acts, chapter 1136, section 1, subsection
4 7, paragraph c, as amended by 2016 Iowa Acts, chapter 1133,
5 section 11, and 2017 Iowa Acts, chapter 173, section 10, is
6 amended to read as follows:

7 c. For the construction of a new facility and an
8 addition, renovation, and modernization of current facilities
9 and related improvements for biosciences at Iowa state
10 university of science and technology, to include reimbursement
11 of infrastructure costs incurred by the university for
12 construction of the facility in the prior fiscal year:

13	FY 2015–2016:		
14	.....	\$	11,000,000
15	FY 2016–2017:		
16	.....	\$	15,500,000
17	FY 2017–2018:		
18	.....	\$	19,500,000
19	FY 2018–2019:		
20	.....	\$	4,000,000

21 Sec. 8. 2014 Iowa Acts, chapter 1136, section 2, is amended
 22 to read as follows:

23 SEC. 2. REVERSION.

24 1. For Except as otherwise provided in subsection 2,
 25 for purposes of section 8.33, unless specifically provided
 26 otherwise, unencumbered or unobligated moneys made from an
 27 appropriation in this division of this Act shall not revert
 28 but shall remain available for expenditure for the purposes
 29 designated until the close of the fiscal year that ends
 30 three years after the end of the fiscal year for which the
 31 appropriation is made. However, if the project or projects for
 32 which such appropriation was made are completed in an earlier
 33 fiscal year, unencumbered or unobligated moneys shall revert at
 34 the close of that same fiscal year.

35 2. For purposes of section 8.33, unencumbered or

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1 unobligated moneys from an appropriation in section 1,
 2 subsection 5, paragraph “c”, in this division of this Act
 3 shall not revert but shall remain available for the purposes
 4 designated until the close of the fiscal year that begins July
 5 1, 2018, or until the project for which the appropriation was
 6 made is completed, whichever is earlier.

7 Sec. 9. 2015 Iowa Acts, chapter 139, section 1, subsection
 8 10, paragraph b, as amended by 2017 Iowa Acts, chapter 173,
 9 section 11, is amended to read as follows:

10 b. For construction of a student innovation center at
 11 Iowa state university of science and technology, to include
 12 reimbursement of infrastructure costs incurred by the
 13 university for construction of the facility in the prior fiscal
 14 year:

15	FY 2016–2017:		
16	.....	\$	1,000,000
17	FY 2017–2018:		
18	.....	\$	6,000,000
19	FY 2018–2019:		
20	.....	\$	10,000,000
21			<u>6,000,000</u>
22	FY 2019–2020:		
23	.....	\$	10,000,000
24	FY 2020–2021:		
25	.....	\$	10,000,000
26	FY 2021–2022:		

27 \$ 3,000,000
 28 7,000,000
 29 Sec. 10. 2016 Iowa Acts, chapter 1133, section 1, subsection
 30 10, as amended by 2016 Iowa Acts, chapter 1138, section 19, and
 31 2017 Iowa Acts, chapter 173, section 13, is amended to read as
 32 follows:
 33 10. STATE FAIR AUTHORITY
 34 For infrastructure costs associated with the remodeling of
 35 the northwest portion of the fairgrounds, including but not

Page 17

1 limited to a new events area and updates to the grandstand,
 2 stage, and midway, to include reimbursement of infrastructure
 3 costs incurred by the authority for construction of the
 4 facility in the prior fiscal year:
 5 FY 2016–2017:
 6 \$ 500,000
 7 FY 2017–2018:
 8 \$ 1,000,000
 9 FY 2018–2019:
 10 \$ 8,500,000
 11 Sec. 11. 2016 Iowa Acts, chapter 1133, section 6, subsection
 12 1, as amended by 2017 Iowa Acts, chapter 173, section 14, is
 13 amended to read as follows:
 14 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 15 For costs associated with the repair and renovation of the
 16 dome of the Iowa state capitol:
 17 \$ 9,990,900
 18 As a condition of receiving the appropriation provided in
 19 this subsection, the department shall not expend any moneys to
 20 pay an owners’ representative fee related to the repair and
 21 renovation of the dome of the Iowa state capitol.
 22 Of the moneys appropriated in this subsection, the
 23 department shall be authorized to expend such amount as is
 24 necessary for the costs of installing outdoor lighting at the
 25 Iowa state capitol.
 26 From any moneys appropriated in this subsection and
 27 remaining upon completion of the repair and renovation of the
 28 dome of the Iowa state capitol, the department shall expend
 29 such amount as is necessary for maintenance projects for
 30 the Iowa state capitol and the Ola Babcock Miller building.
 31 However, any unencumbered or unobligated moneys made from an
 32 appropriation in this subsection and remaining at the close of
 33 the fiscal year beginning July 1, 2017, shall be deposited in
 34 the state capitol maintenance fund created in section 2.12B.
 35 Sec. 12. 2017 Iowa Acts, chapter 173, is amended by adding

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1 the following new section:

2 NEW SECTION. 4A. REVERSION. For purposes of section
 3 8.33, unless specifically provided otherwise, unencumbered or
 4 unobligated moneys made from an appropriation in section 4
 5 shall not revert but shall remain available for expenditure for
 6 the purposes designated until the close of the fiscal year that
 7 ends three years after the end of the fiscal year for which the
 8 appropriation is made. However, if the project or projects for
 9 which such appropriation was made are completed in an earlier
 10 fiscal year, unencumbered or unobligated moneys shall revert at
 11 the close of that same fiscal year.

12 Sec. 13. EFFECTIVE DATE. This division of this Act, being
 13 deemed of immediate importance, takes effect upon enactment.

14 DIVISION IV

15 MISCELLANEOUS PROVISIONS

16 Sec. 14. Section 8.57C, subsection 3, paragraph a,
 17 subparagraph (2), Code 2018, is amended to read as follows:

18 (2) The fiscal year beginning July 1, ~~2018~~ 2019, and for
 19 each subsequent fiscal year thereafter.

20 Sec. 15. Section 8.57C, subsection 3, Code 2018, is amended
 21 by adding the following new paragraph:

22 NEW PARAGRAPH. g. There is appropriated from the rebuild
 23 Iowa infrastructure fund for the fiscal year beginning July 1,
 24 2018, and ending June 30, 2019, the sum of fourteen million
 25 four hundred thousand dollars to the technology reinvestment
 26 fund, notwithstanding section 8.57, subsection 5, paragraph
 27 “c”.

28 DIVISION V

29 MAINTENANCE FUNDS

30 Sec. 16. NEW SECTION. **2.12B State capitol maintenance fund**
 31 **— appropriation.**

32 1. A state capitol maintenance fund is created in the state
 33 treasury under the control of the legislative council. The
 34 fund shall consist of all moneys appropriated to the fund.

35 2. There is appropriated from the rebuild Iowa

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1 infrastructure fund for deposit in the state capitol
 2 maintenance fund, for the fiscal year beginning July 1, 2018,
 3 and for each fiscal year thereafter, the sum of five hundred
 4 thousand dollars.

5 3. Moneys in the state capitol maintenance fund shall be
 6 expended upon approval of the legislative council and used for
 7 maintenance projects for the Iowa state capitol and the Ola
 8 Babcock Miller building.

9 4. Notwithstanding section 12C.7, subsection 2, interest or
 10 earnings on moneys deposited in the state capitol maintenance
 11 fund shall be credited to the state capitol maintenance fund.
 12 Notwithstanding section 8.33, moneys credited to the state

13 capitol maintenance fund shall not revert at the close of a
 14 fiscal year.
 15 Sec. 17. NEW SECTION. **8A.331 Routine maintenance fund** —
 16 **appropriation.**
 17 1. A routine maintenance fund is created in the state
 18 treasury under the control of the department. The fund shall
 19 consist of all moneys appropriated to the fund.
 20 2. There is appropriated from the rebuild Iowa
 21 infrastructure fund to the department for deposit in the
 22 routine maintenance fund, for the fiscal year beginning July
 23 1, 2018, and for each fiscal year thereafter, the sum of two
 24 million dollars.
 25 3. Moneys in the routine maintenance fund are appropriated
 26 to the department for purposes of routine maintenance
 27 projects for physical properties under the control of the
 28 department. For purposes of this section, routine maintenance
 29 includes regular upkeep of physical properties and recurring,
 30 preventive, and ongoing maintenance necessary to delay or
 31 prevent the failure of physical properties.
 32 4. Notwithstanding section 12C.7, subsection 2, interest
 33 or earnings on moneys deposited in the routine maintenance
 34 fund shall be credited to the routine maintenance fund.
 35 Notwithstanding section 8.33, moneys credited to the routine

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1 maintenance fund shall not revert at the close of a fiscal
 2 year.>

CRAIG JOHNSON

S-5297

1 Amend the amendment, S-5296, to Senate File 2414 as follows:
 2 1. Page 8, by striking line 6 and inserting:
 3 < \$ 5,000,000>

HERMAN C. QUIRMBACH

S-5298

1 Amend the amendment, S-5296, to Senate File 2414 as follows:
 2 1. By striking page 5, line 35, through page 6, line 4.
 3 2. Page 6, after line 16 by inserting:
 4 <c. For a grant to a nonprofit organization committed
 5 to serving vulnerable youth and families involved in foster
 6 group care services for infrastructure costs associated with
 7 renovation of a facility that is located in a city with a
 8 population between 9,850 and 10,000 based on the most recent
 9 federal decennial census, pursuant to the crisis intervention,
 10 stabilization, and reunification contract with the department
 11 of human services:

12 FY 2018–2019:
 13 \$ 250,000>
 14 3. By renumbering as necessary.

PAM JOCHUM

S-5299

1 Amend House File 2477, as passed by the House, as follows:
 2 1. Page 1, after line 23 by inserting:
 3 <Sec. __. **NEW SECTION. 11.5C Audit of authority expenses.**
 4 1. The auditor of state shall contract with a private
 5 accounting firm to conduct an annual rotating full audit of
 6 expenses that are reimbursed by state funds from the following
 7 state entities:
 8 a. Agricultural development authority.
 9 b. Economic development authority.
 10 c. Iowa communications network.
 11 d. Iowa finance authority.
 12 e. Iowa lottery authority.
 13 f. Tobacco settlement authority.
 14 2. Each year, if the private accounting firm does not
 15 conduct a full audit of such expenses relating to an entity
 16 listed in subsection 1, the auditor of state shall conduct a
 17 sample audit of the entity. The auditor of state shall ensure
 18 that each listed entity receives either a full audit or a
 19 sample audit each year.>
 20 2. By renumbering as necessary.

LIZ MATHIS

S-5300

HOUSE AMENDMENT TO
SENATE FILE 2416

1 Amend Senate File 2416, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 20, after line 34 by inserting:
 4 <DIVISION __
 5 HARASSMENT TRAINING
 6 Sec. __. HARASSMENT TRAINING. The department of
 7 administrative services shall provide training to all executive
 8 branch state employees in calendar year 2018 relating to
 9 harassment awareness, prevention, and reporting, including
 10 sexual harassment, on or before June 30, 2018. Executive
 11 branch state employees hired after June 30, 2018, shall be
 12 provided the same harassment training pursuant to this section.
 13 Sec. __. EFFECTIVE UPON ENACTMENT. This division of this
 14 Act, being deemed of immediate importance, takes effect upon
 15 enactment.>

- 16 2. Title page, line 4, after <atters> by inserting <, and
 17 including effective date provisions>
 18 3. By renumbering as necessary.

S-5301

- 1 Amend the amendment, S-5273, to House File 2493, as amended,
 2 passed, and reprinted by the House, as follows:
 3 1. Page 1, after line 29 by inserting:
 4 <DIVISION ____
 5 DEPARTMENT OF ADMINISTRATIVE SERVICES INVESTIGATION
 6 Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES APPOINTMENT
 7 OF INDEPENDENT INVESTIGATOR. The department of administrative
 8 services shall appoint an independent investigator responsible
 9 for facilitation of an investigation of the Iowa finance
 10 authority. The investigation shall include an analysis of
 11 all expenses reimbursed by the state to the former director
 12 of the authority and all employees of the authority for the
 13 period January 1, 2011, through June 30, 2018. Such expenses
 14 shall include all travel, lodging, meals, beverages, personal
 15 services, entertainment, office expenses, and all other
 16 expenditures not included in the authority's budget. The
 17 investigation shall also include an analysis of any personal
 18 financial or other personal accounts used by the former
 19 authority director or any employee of the authority to collect
 20 agency fees or other moneys collected by the authority. In
 21 addition, the investigation shall include a review of any
 22 conduct of current and former authority employees in violation
 23 of any state human resources policies or authority personnel
 24 policies, or otherwise related to the termination of the
 25 former director of the authority. The department shall submit
 26 a report with a summary of the results of the independent
 27 investigation to the general assembly no later than December 1,
 28 2018.>
 29 2. By renumbering as necessary.

MICHAEL BREITBACH

S-5302

- 1 Amend Senate File 2417 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <DIVISION I
 5 INTEREST ACCRUAL ON CERTAIN TAX REFUNDS
 6 Section 1. Section 15.335, subsection 8, Code 2018, is
 7 amended to read as follows:
 8 8. Any credit in excess of the tax liability for the
 9 taxable year shall be refunded with interest ~~computed under~~
 10 ~~section 422.25 in accordance with section 421.60, subsection~~
 11 ~~2, paragraph "e".~~ In lieu of claiming a refund, a taxpayer may
 12 elect to have the overpayment shown on its final, completed

13 return credited to the tax liability for the following year.

14 Sec. 2. **NEW SECTION. 421.6 Definition of return.**

15 For purposes of this title, unless the context otherwise
16 requires, “*return*” means any tax or information return,
17 amended return, declaration of estimated tax, or claim for
18 refund that is required by, provided for, or permitted under,
19 the provisions of this title and which is filed with the
20 department by, on behalf of, or with respect to any person.
21 “*Return*” includes any amendment or supplement to these items,
22 including supporting schedules, attachments, or lists which are
23 supplemental to or part of the filed return.

24 Sec. 3. Section 421.60, subsection 2, paragraph e, Code
25 2018, is amended to read as follows:

26 e. ~~Unless otherwise provided by law, all~~ All Iowa taxes
27 which are administered by the department and which result in
28 a refund shall accrue interest at the rate in effect under
29 section 421.7 from the first day of the second calendar month
30 following the date of payment or the date the return upon
31 which the refund is claimed was due to be filed, including any
32 extensions, or was filed, whichever is the latest.

33 Sec. 4. Section 422.10, subsection 4, Code 2018, is amended
34 to read as follows:

35 4. Any credit in excess of the tax liability imposed by

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1 section 422.5 less the amounts of nonrefundable credits allowed
2 under this division for the taxable year shall be refunded
3 with interest ~~computed under section 422.25 in accordance~~
4 ~~with section 421.60, subsection 2, paragraph “e”.~~ In lieu of
5 claiming a refund, a taxpayer may elect to have the overpayment
6 shown on the taxpayer’s final, completed return credited to the
7 tax liability for the following taxable year.

8 Sec. 5. Section 422.16, subsection 9, Code 2018, is amended
9 to read as follows:

10 9. The amount of any overpayment of the individual income
11 tax liability of the employee taxpayer, nonresident, or other
12 person which may result from the withholding and payment of
13 withheld tax by the employer or withholding agent to the
14 department under subsections 1 and 12, as compared to the
15 individual income tax liability of the employee taxpayer,
16 nonresident, or other person properly and correctly determined
17 under the provisions of section 422.4, to and including section
18 422.25, may be credited against any income tax or installment
19 thereof then due the state of Iowa and any balance of one
20 dollar or more shall be refunded to the employee taxpayer,
21 nonresident, or other person with interest ~~at the rate in~~
22 ~~effect under section 421.7 for each month or fraction of a~~
23 ~~month, the interest to begin to accrue on the first day of~~
24 ~~the second calendar month following the date the return was~~
25 ~~due to be filed or was filed, whichever is the later date~~
26 in accordance with section 421.60, subsection 2, paragraph

27 “e”. Amounts less than one dollar shall be refunded to the
28 taxpayer, nonresident, or other person only upon written
29 application, in accordance with section 422.73, and only if
30 the application is filed within twelve months after the due
31 date of the return. Refunds in the amount of one dollar
32 or more provided for by this subsection shall be paid by
33 the treasurer of state by warrants drawn by the director of
34 the department of administrative services, or an authorized
35 employee of the department, and the taxpayer’s return of

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1 income shall constitute a claim for refund for this purpose,
2 except in respect to amounts of less than one dollar. There
3 is appropriated, out of any funds in the state treasury not
4 otherwise appropriated, a sum sufficient to carry out the
5 provisions of this subsection.
6 Sec. 6. Section 422.25, subsection 3, Code 2018, is amended
7 to read as follows:

8 3. a. If the amount of the tax as determined by the
9 department is less than the amount paid, the excess shall be
10 refunded with interest, ~~the interest to begin to accrue on the~~
11 ~~first day of the second calendar month following the date of~~
12 ~~payment or the date the return was due to be filed, or the~~
13 ~~extended due date by which the return was due to be filed if~~
14 ~~ninety percent of the tax was paid by the original due date,~~
15 ~~or was filed, whichever is the latest, at the rate in effect~~
16 ~~under section 421.7 counting each fraction of a month as an~~
17 ~~entire month under the rules prescribed by the director. If~~
18 ~~an overpayment of tax results from a net operating loss or~~
19 ~~net capital loss which is carried back to a prior year, the~~
20 ~~overpayment, for purposes of computing interest on refunds,~~
21 ~~shall be considered as having been made on the date a claim~~
22 ~~for refund or amended return carrying back the net operating~~
23 ~~loss or net capital loss is filed with the department or on the~~
24 ~~first day of the second calendar month following the date of~~
25 ~~the actual payment of the tax, whichever is later. However, in~~
26 accordance with section 421.60, subsection 2, paragraph “e”.
27 b. Notwithstanding section 421.60, subsection 2, paragraph
28 “e”, and paragraph “a” of this subsection, when the net
29 operating loss or net capital loss carryback to a prior year
30 eliminates or reduces an underpayment of tax due for an earlier
31 year, the full amount of the underpayment of tax shall bear
32 interest at the rate in effect under section 421.7 for each
33 month counting each fraction of a month as an entire month from
34 the due date of the tax for the earlier year to the last day of
35 the taxable year in which the net operating loss or net capital

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1 loss occurred.

2 Sec. 7. Section 422.28, Code 2018, is amended to read as
3 follows:

4 **422.28 Revision of tax.**

5 A taxpayer may appeal to the director for revision of
6 the tax, interest, or penalties assessed at any time within
7 sixty days from the date of the notice of the assessment of
8 tax, additional tax, interest, or penalties. The director
9 shall grant a hearing and if, upon the hearing, the director
10 determines that the tax, interest, or penalties are excessive
11 or incorrect, the director shall revise them according to
12 the law and the facts and adjust the computation of the tax,
13 interest, or penalties accordingly. The director shall notify
14 the taxpayer by mail of the result of the hearing and shall
15 refund to the taxpayer the amount, if any, paid in excess of
16 the tax, interest, or penalties found by the director to be
17 due, with interest accruing ~~from the first day of the second~~
18 ~~calendar month following the date of payment by the taxpayer~~
19 ~~at the rate in effect under section 421.7 for each month~~
20 ~~or fraction of a month in accordance with section 421.60,~~
21 subsection 2, paragraph "e".

22 Sec. 8. Section 422.33, subsection 5, paragraph f, Code
23 2018, is amended to read as follows:

24 f. Any credit in excess of the tax liability for the
25 taxable year shall be refunded with interest ~~computed under~~
26 ~~section 422.25 in accordance with section 421.60, subsection~~
27 2, paragraph "e". In lieu of claiming a refund, a taxpayer may
28 elect to have the overpayment shown on its final, completed
29 return credited to the tax liability for the following taxable
30 year.

31 Sec. 9. Section 422.33, subsection 9, paragraph a, Code
32 2018, is amended to read as follows:

33 a. The taxes imposed under this division shall be reduced by
34 an assistive device tax credit. A small business purchasing,
35 renting, or modifying an assistive device or making workplace

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1 modifications for an individual with a disability who is
2 employed or will be employed by the small business is eligible,
3 subject to availability of credits, to receive this assistive
4 device tax credit which is equal to fifty percent of the
5 first five thousand dollars paid during the tax year for the
6 purchase, rental, or modification of the assistive device
7 or for making the workplace modifications. Any credit in
8 excess of the tax liability shall be refunded with interest
9 ~~computed under section 422.25 in accordance with section~~
10 421.60, subsection 2, paragraph "e". In lieu of claiming a
11 refund, a taxpayer may elect to have the overpayment shown on
12 the taxpayer's final, completed return credited to the tax

13 liability for the following tax year. If the small business
 14 elects to take the assistive device tax credit, the small
 15 business shall not deduct for Iowa tax purposes any amount of
 16 the cost of an assistive device or workplace modifications
 17 which is deductible for federal income tax purposes.

18 Sec. 10. Section 422.91, Code 2018, is amended to read as
 19 follows:

20 **422.91 Credit for estimated tax.**

21 1. Any amount of estimated tax paid is a credit against
 22 the amount of tax due on a final, completed return, and any
 23 overpayment of five dollars or more shall be refunded to the
 24 taxpayer with interest, ~~the interest to begin to accrue on~~
 25 ~~the first day of the second calendar month following the date~~
 26 ~~of payment or the date the return was due to be filed or was~~
 27 ~~filed, whichever is the latest, at the rate established under~~
 28 ~~section 421.7 in accordance with section 421.60, subsection 2,~~
 29 ~~paragraph "e", and the return constitutes a claim for refund for~~
 30 this purpose. Amounts less than five dollars shall be refunded
 31 to the taxpayer only upon written application in accordance
 32 with section 422.73, and only if the application is filed
 33 within twelve months after the due date for the return.

34 2. In lieu of claiming a refund, the taxpayer may elect
 35 to have the overpayment shown on its final, completed return

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1 for the taxable year credited to the tax liability for the
 2 following taxable year.

3 Sec. 11. Section 423.4, subsection 1, paragraph c, Code
 4 2018, is amended to read as follows:

5 c. Refunds authorized under this subsection shall accrue
 6 interest ~~at the rate in effect under section 421.7 from the~~
 7 ~~first day of the second calendar month following the date the~~
 8 ~~refund claim is received by the department in accordance with~~
 9 ~~section 421.60, subsection 2, paragraph "e".~~

10 Sec. 12. Section 423.4, subsection 6, paragraph c,
 11 subparagraph (2), Code 2018, is amended to read as follows:

12 (2) Refunds authorized under this subsection shall accrue
 13 interest ~~at the rate in effect under section 421.7 from the~~
 14 ~~first day of the second calendar month following the date the~~
 15 ~~refund claim is received by the department in accordance with~~
 16 ~~section 421.60, subsection 2, paragraph "e".~~

17 Sec. 13. Section 450.94, subsection 3, Code 2018, is amended
 18 to read as follows:

19 3. If the amount paid is greater than the correct tax,
 20 penalty, and interest due, the department shall refund the
 21 excess with interest. ~~Interest shall be computed at the rate~~
 22 ~~in effect under section 421.7, under the rules prescribed by~~
 23 ~~the director counting each fraction of a month as an entire~~
 24 ~~month and the interest shall begin to accrue on the first day~~
 25 ~~of the second calendar month following the date of payment~~
 26 ~~or on the date the return was due to be filed or was filed,~~

27 ~~whichever is the latest~~ in accordance with section 421.60,
 28 subsection 2, paragraph "e". However, the director shall
 29 not allow a claim for refund or credit that has not been
 30 filed with the department within three years after the tax
 31 payment upon which a refund or credit is claimed became due,
 32 or one year after the tax payment was made, whichever time is
 33 later. A determination by the department of the amount of
 34 tax, penalty, and interest due, or the amount of refund for
 35 excess tax paid, is final unless the person aggrieved by the

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1 determination appeals to the director for a revision of the
 2 determination within sixty days from the date of the notice
 3 of determination of tax, penalty, and interest due or refund
 4 owing or unless the taxpayer contests the determination by
 5 paying the tax, interest, and penalty and timely filing a claim
 6 for refund. The director shall grant a hearing, and upon the
 7 hearing the director shall determine the correct tax, penalty,
 8 and interest or refund due, and notify the appellant of the
 9 decision by mail. The decision of the director is final unless
 10 the appellant seeks judicial review of the director's decision
 11 under section 450.59 within sixty days after the date of the
 12 notice of the director's decision.

13 Sec. 14. Section 452A.65, subsection 1, Code 2018, is
 14 amended to read as follows:

15 1. In addition to the tax or additional tax, the taxpayer
 16 shall pay a penalty as provided in section 421.27. The
 17 taxpayer shall also pay interest on the tax or additional
 18 tax at the rate in effect under section 421.7 counting each
 19 fraction of a month as an entire month, computed from the date
 20 the return was required to be filed. If the amount of the tax
 21 as determined by the appropriate state agency is less than the
 22 amount paid, the excess shall be refunded with interest, ~~the~~
 23 ~~interest to begin to accrue on the first day of the second~~
 24 ~~calendar month following the date of payment or the date the~~
 25 ~~return was due to be filed or was filed, whichever is the~~
 26 ~~latest, at the rate in effect under section 421.7 counting~~
 27 ~~each fraction of a month as an entire month under the rules~~
 28 ~~prescribed by the appropriate state agency in accordance with~~
 29 section 421.60, subsection 2, paragraph "e". Claims for
 30 refund filed under sections 452A.17 and 452A.21 shall accrue
 31 interest beginning with the first day of the second calendar
 32 month following the date the refund claim is received by the
 33 department.

34 Sec. 15. EFFECTIVE DATE. This division of this Act, being
 35 deemed of immediate importance, takes effect upon enactment.

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1 Sec. 16. RETROACTIVE APPLICABILITY. This division of this
 2 Act applies retroactively to January 1, 2018, for tax years
 3 beginning on or after that date, and for refunds issued on or
 4 after that date.

5 DIVISION II
 6 TAX PENALTIES

7 Sec. 17. Section 421.27, subsection 6, Code 2018, is amended
 8 to read as follows:

9 6. *Improper receipt of ~~refund or credit~~ payments.* A person
 10 who makes an erroneous application for refund, ~~or~~ credit,
 11 reimbursement, rebate, or other payment shall be liable for any
 12 overpayment received or tax liability reduced plus interest
 13 at the rate in effect under section 421.7. In addition, a
 14 person who willfully makes a false or frivolous application
 15 for refund, ~~or~~ credit, reimbursement, rebate, or other payment
 16 with intent to evade tax or with intent to receive a refund,
 17 ~~or~~ credit, reimbursement, rebate, or other payment to which
 18 the person is not entitled is guilty of a fraudulent practice
 19 and is liable for a penalty equal to seventy-five percent of
 20 the refund, ~~or~~ credit, reimbursement, rebate, or other payment
 21 being claimed. Payments, penalties, and interest due under
 22 this subsection may be collected and enforced in the same
 23 manner as the tax imposed.

24 Sec. 18. Section 425.29, Code 2018, is amended to read as
 25 follows:

26 **425.29 False claim — penalty.**

27 A person who makes a false affidavit for the purpose
 28 of obtaining credit or reimbursement provided for in this
 29 division or who knowingly receives the credit or reimbursement
 30 without being legally entitled to it or makes claim for the
 31 credit or reimbursement in more than one county in the state
 32 without being legally entitled to it is guilty of a fraudulent
 33 practice. The claim for credit or reimbursement shall be
 34 disallowed in full and if the claim has been paid the amount
 35 shall be recovered in the manner provided in section 425.27.

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1 The department of revenue may impose penalties under section
 2 421.27. The department of revenue shall send a notice of
 3 disallowance of the claim.

4 Sec. 19. LEGISLATIVE INTENT. It is the intent of the
 5 general assembly that the provisions of this division of this
 6 Act are conforming amendments consistent with current state
 7 law, and that the amendments do not change the application of
 8 current law but instead reflect current law both before and
 9 after the enactment of this division of this Act.

10 Sec. 20. EFFECTIVE DATE. This division of this Act, being
 11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION III

13 MISCELLANEOUS TAX PROVISIONS

14 Sec. 21. Section 34A.7B, subsection 13, Code 2018, is
 15 amended to read as follows:

16 13. The department shall transfer all ~~remitted~~ reported
 17 prepaid wireless 911 surcharges to the treasurer of state
 18 for deposit in the 911 emergency communications fund created
 19 under section 34A.7A, subsection 2, within thirty days of
 20 receipt after deducting an amount, not to exceed two percent of
 21 collected surcharges, that shall be retained by the department
 22 to reimburse its direct costs of administering the collection
 23 and remittance of prepaid wireless 911 surcharges.

24 Sec. 22. Section 421.17, subsection 2, paragraph d, Code
 25 2018, is amended to read as follows:

26 *d.* To facilitate uniformity and equalization of
 27 assessments throughout the state of Iowa and to facilitate
 28 transfers of funds to local governments, the director may
 29 use geographic information system technology and may require
 30 assessing authorities and local governments that have adopted
 31 compatible technology to provide information to the department
 32 electronically using electronic geographic information
 33 system file formats. The department of revenue shall act on
 34 behalf of political subdivisions and the state to deliver a
 35 consolidated response to the boundary and annexation survey

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1 and provide legal boundary geography data to the United States
 2 census bureau. The department shall coordinate with political
 3 subdivisions and the state to ensure that consistent, accurate,
 4 and integrated geography is provided to the United States
 5 census bureau. The office of the chief information officer
 6 shall provide geographic information system and technical
 7 support to the department to facilitate the exchange.

8 Sec. 23. Section 421.19, Code 2018, is amended to read as
 9 follows:

10 **421.19 Counsel.**

11 1. It shall be the duty of the attorney general and of
 12 the county attorneys in their respective counties to commence
 13 and prosecute actions, prosecutions, and complaints, when
 14 so directed by the director of revenue and to represent the
 15 director in any litigation arising from the discharge of the
 16 director's duties.

17 2. If the department has information that indicates a
 18 taxpayer intentionally filed a false claim, affidavit, return,
 19 or other information with intent to evade tax or to obtain
 20 a refund, credit, or other benefit from the department, the
 21 department may notify federal, state, or local law enforcement
 22 and may disclose state returns, state return information,
 23 state investigative or audit information, or any other state
 24 information to such law enforcement, notwithstanding sections
 25 422.20 and 422.72.

26 3. Notwithstanding sections 422.20 and 422.72, the

27 department may disclose state returns, state return
28 information, state investigative or audit information, or any
29 other state information under this section.
30 Sec. 24. NEW SECTION. 421.71 Class actions — implied right
31 of action — private cause of action immunity.
32 1. *Class actions prohibited.* No class action may be brought
33 against the department, a taxpayer, or a person required to
34 collect any tax imposed under this title, in any court, agency,
35 or other adjudicative body, or in any other forum, based on

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1 any act or omission arising from or related to any provision
2 of this title.
3 2. *No implied right of action.* Nothing in this title shall
4 be construed as creating or providing an implied private right
5 of action or any private common law claim against any taxpayer,
6 or against any person required to collect any tax imposed under
7 this title, in any court, agency, or other adjudicative body,
8 or in any other forum. This subsection shall not apply to or
9 otherwise limit any claim, action, mandate, power, remedy, or
10 discretion of the department, or an agent or designee of the
11 department.
12 3. *Private cause of action immunity for overpayment of*
13 *certain taxes.*
14 a. A taxpayer, or any person required to collect taxes
15 imposed under chapters 423, 423A, 423B, 423C, and 423D, and
16 chapter 423G, as enacted in 2018 Iowa Acts, Senate File 512,
17 shall be immune from any private cause of action arising from
18 or related to the overpayment of taxes imposed under chapters
19 423, 423A, 423B, 423C, and 423D, and chapter 423G, as enacted
20 in 2018 Iowa Acts, Senate File 512, that are collected and
21 remitted to the department.
22 b. Nothing in this subsection shall apply to or otherwise
23 limit any of the following:
24 (1) Any claim, action, mandate, power, remedy, or
25 discretion of the department, or an agent or designee of the
26 department.
27 (2) A taxpayer's right to seek a refund from the department
28 related to taxes imposed under chapters 423, 423A, 423B,
29 423C, and 423D, and chapter 423G, as enacted in 2018 Iowa
30 Acts, Senate File 512, that are collected from or paid by the
31 taxpayer.
32 Sec. 25. Section 423G.5, subsection 1, as enacted by 2018
33 Iowa Acts, Senate File 512, section 15, is amended to read as
34 follows:
35 1. The director of revenue shall administer the water

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1 service tax as nearly as possible in conjunction with the
 2 administration of the state sales and use tax law, except that
 3 portion of the law that implements the streamlined sales and
 4 use tax agreement. The director shall provide appropriate
 5 forms, or provide on the regular state tax forms, for reporting
 6 water service tax liability, and for ease of administration may
 7 require water service tax liability to be identified, reported,
 8 and remitted to the department as sales and use tax liability,
 9 provided the department has the ability to properly identify
 10 such amounts as water service tax revenues upon receipt.

11 Sec. 26. Section 423G.6, subsection 2, paragraphs a, b, and
 12 c, as enacted by 2018 Iowa Acts, Senate File 512, section 16,
 13 are amended to read as follows:

14 a. For revenues ~~collected~~ reported on or after July 1, 2018,
 15 but before August 1, 2019, one-twelfth of the revenues to the
 16 water quality infrastructure fund created in section 8.57B,
 17 and one-twelfth of the revenues to the water quality financial
 18 assistance fund created in section 16.134A.

19 b. For revenues ~~collected~~ reported on or after August 1,
 20 2019, but before August 1, 2020, one-sixth of the revenues to
 21 the water quality infrastructure fund created in section 8.57B,
 22 and one-sixth of the revenues to the water quality financial
 23 assistance fund created in section 16.134A.

24 c. For revenues ~~collected~~ reported on or after August 1,
 25 2020, one-half of the revenues to the water quality financial
 26 assistance fund created in section 16.134A.

27 Sec. 27. IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF AND
 28 CONTRIBUTIONS — CREDIT TO GENERAL FUND. Notwithstanding
 29 section 68A.601 or 422.12J, or any other provision of law to
 30 the contrary, any amount of contribution to the Iowa election
 31 campaign fund in section 68A.602 designated on an individual
 32 income tax return for any tax year and filed on or after
 33 January 1, 2018, is void and shall be disregarded, and such
 34 contribution amount shall be credited to the general fund and
 35 not to the Iowa election campaign fund.

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1 Sec. 28. EFFECTIVE DATE. The following, being deemed of
 2 immediate importance, take effect upon enactment:

3 1. The section of this division of this Act relating to the
 4 Iowa election campaign fund tax checkoff and contributions.

5 2. The section of this division of this Act enacting section
 6 421.71.

7 Sec. 29. RETROACTIVE APPLICABILITY. The following applies
 8 retroactively to January 1, 2018, for individual income tax
 9 returns filed on or after that date:

10 The section of this division of this Act relating to the Iowa
 11 election campaign fund tax checkoff and contributions.

12 DIVISION IV

13 TAX CREDITS

14 Sec. 30. Section 15E.52, subsection 8, Code 2018, is amended
15 to read as follows:

16 8. The board shall not certify an innovation fund after June
17 30, ~~2018~~ 2023.

18 Sec. 31. Section 403.19A, subsection 3, paragraph c,
19 subparagraph (2), Code 2018, is amended to read as follows:

20 (2) The pilot project city and the economic development
21 authority shall not enter into a withholding agreement after
22 June 30, ~~2018~~ 2019.

23 Sec. 32. Section 422.10, subsection 1, Code 2018, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. *0a.* An individual shall only be eligible for
26 the credit provided in this section if the business conducting
27 the research meets all of the following requirements:

28 (1) (a) The business is engaged in the manufacturing,
29 life sciences, software engineering, or aviation and aerospace
30 industry.

31 (b) Persons that shall not be considered to be engaged in
32 the manufacturing, life sciences, software engineering, or
33 aviation and aerospace industry, and thus are not eligible
34 for the credit, include but are not limited to all of the
35 following:

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1 (i) A person engaged in agricultural production as defined
2 in section 423.1.

3 (ii) A person who is a contractor, subcontractor, builder,
4 or a contractor-retailer that engages in commercial and
5 residential repair and installation, including but not limited
6 to heating or cooling installation and repair, plumbing and
7 pipe fitting, security system installation, and electrical
8 installation and repair. For purposes of this subparagraph
9 subdivision, "*contractor-retailer*" means a business that makes
10 frequent retail sales to the public or to other contractors and
11 that also engages in the performance of construction contracts.

12 (iii) A finance or investment company.

13 (iv) A retailer.

14 (v) A wholesaler.

15 (vi) A transportation company.

16 (vii) A publisher.

17 (viii) An agricultural cooperative association as defined
18 in section 502.102.

19 (ix) A real estate company.

20 (x) A collection agency.

21 (xi) An accountant.

22 (xii) An architect.

23 (2) The business claims and is allowed a research credit
24 for such qualified research expenses under section 41 of the
25 Internal Revenue Code for the same taxable year as it is
26 claiming the credit provided in this section.

27 Sec. 33. Section 422.10, subsection 3, Code 2018, is amended
28 by adding the following new paragraph:
29 NEW PARAGRAPH. *Oa.* For purposes of this section, “*base*
30 *amount*” means the product of the fixed-based percentage times
31 the average annual gross receipts of the taxpayer for the four
32 taxable years preceding the taxable year for which the credit
33 is being determined, but in no event shall the base amount be
34 less than fifty percent of the qualified research expenses for
35 the credit year.

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1 Sec. 34. Section 422.10, subsection 3, paragraph a, Code
2 2018, is amended to read as follows:
3 *a.* For purposes of this section, “*base amount*”, “*basic*
4 *research payment*”, and “*qualified research expense*” mean the
5 same as defined for the federal credit for increasing research
6 activities under section 41 of the Internal Revenue Code,
7 except that for the alternative simplified credit such amounts
8 are for research conducted within this state.
9 Sec. 35. Section 422.11S, subsection 6, paragraph a, Code
10 2018, is amended to read as follows:
11 *a.* “*Eligible student*” means a student who is a member of a
12 household whose total annual income during the calendar year
13 before the student receives a tuition grant for purposes of
14 this section does not exceed an amount equal to ~~three~~ four
15 times the most recently published federal poverty guidelines in
16 the federal register by the United States department of health
17 and human services.
18 Sec. 36. Section 422.11S, subsection 8, paragraph a,
19 subparagraph (2), Code 2018, is amended to read as follows:
20 (2) “*Total approved tax credits*” means for the tax year
21 beginning in the 2006 calendar year, two million five hundred
22 thousand dollars, for the tax year beginning in the 2007
23 calendar year, five million dollars, for tax years beginning
24 on or after January 1, 2008, but before January 1, 2012, seven
25 million five hundred thousand dollars, for tax years beginning
26 on or after January 1, 2012, but before January 1, 2014, eight
27 million seven hundred fifty thousand dollars, and for tax years
28 beginning on or after January 1, 2014, but before January 1,
29 2019, twelve million dollars, and for tax years beginning on or
30 after January 1, 2019, thirteen million dollars.
31 Sec. 37. Section 422.33, subsection 5, Code 2018, is amended
32 by adding the following new paragraph:
33 NEW PARAGRAPH. *Oe.* A corporation shall only be
34 eligible for the credit provided in this subsection if the
35 business conducting the research meets all of the following

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- 1 requirements:
- 2 (1) (a) The business is engaged in the manufacturing,
3 life sciences, software engineering, or aviation and aerospace
4 industry.
- 5 (b) Persons that shall not be considered to be engaged in
6 the manufacturing, life sciences, software engineering, or
7 aviation and aerospace industry, and thus are not eligible
8 for the credit, include but are not limited to all of the
9 following:
- 10 (i) A person engaged in agricultural production as defined
11 in section 423.1.
- 12 (ii) A person who is a contractor, subcontractor, builder,
13 or a contractor-retailer that engages in commercial and
14 residential repair and installation, including but not limited
15 to heating or cooling installation and repair, plumbing and
16 pipe fitting, security system installation, and electrical
17 installation and repair. For purposes of this subparagraph
18 subdivision, "*contractor-retailer*" means a business that makes
19 frequent retail sales to the public or to other contractors and
20 that also engages in the performance of construction contracts.
- 21 (iii) A finance or investment company.
- 22 (iv) A retailer.
- 23 (v) A wholesaler.
- 24 (vi) A transportation company.
- 25 (vii) A publisher.
- 26 (viii) An agricultural cooperative association as defined
27 in section 502.102.
- 28 (ix) A real estate company.
- 29 (x) A collection agency.
- 30 (xi) An accountant.
- 31 (xii) An architect.
- 32 (2) The business claims and is allowed a research credit
33 for such qualified research expenses under section 41 of the
34 Internal Revenue Code for the same taxable year as it is
35 claiming the credit provided in this subsection.

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- 1 Sec. 38. Section 422.33, subsection 5, paragraph e, Code
2 2018, is amended by adding the following new subparagraph:
3 NEW SUBPARAGRAPH. (01) For purposes of this section, "*base*
4 *amount*" means the product of the fixed-based percentage times
5 the average annual gross receipts of the taxpayer for the four
6 taxable years preceding the taxable year for which the credit
7 is being determined, but in no event shall the base amount be
8 less than fifty percent of the qualified research expenses for
9 the credit year.
- 10 Sec. 39. Section 422.33, subsection 5, paragraph e,
11 subparagraph (1), Code 2018, is amended to read as follows:
12 (1) For purposes of this subsection, "*base amount*", "*basic*

13 *research payment*”; and *“qualified research expense”* mean the
14 same as defined for the federal credit for increasing research
15 activities under section 41 of the Internal Revenue Code,
16 except that for the alternative simplified credit such amounts
17 are for research conducted within this state.

18 Sec. 40. Section 422.33, subsection 29, Code 2018, is
19 amended by striking the subsection.

20 Sec. 41. Section 422.60, subsection 12, Code 2018, is
21 amended by striking the subsection.

22 Sec. 42. Section 476C.2, subsection 3, Code 2018, is amended
23 by striking the subsection.

24 Sec. 43. Section 533.329, subsection 2, paragraph 1, Code
25 2018, is amended by striking the paragraph.

26 Sec. 44. 2019 INTERIM TAX CREDIT STUDY.

27 1. The legislative council is requested to authorize a
28 study committee to evaluate tax credits available under Iowa
29 law, including Iowa’s utilization of tax credits as a tool
30 for promoting and supporting economic growth and development.
31 The study committee shall also consider new or different
32 tax credits or incentive programs, or tax rate or structure
33 changes, that will foster economic growth and improve Iowa’s
34 overall tax and economic development climate. The study
35 committee shall make recommendations that the committee

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1 believes will improve predictability for the state’s budget,
2 improve accountability to the taxpayers of Iowa, maximize
3 flexibility in utilization, and place Iowa in the best position
4 for attracting and retaining workers and businesses in the
5 future. In developing recommendations, the study committee
6 shall place significant emphasis on directing tax credits,
7 incentive programs, or tax rate or structure changes toward
8 Iowa workers and programs to strengthen Iowa’s workforce by
9 incentivizing efforts to expand Iowans’ skills and capabilities
10 in high-demand career fields.

11 2. The study committee shall consist of five members of
12 the senate, three of whom shall be appointed by the majority
13 leader of the senate and two of whom shall be appointed by
14 the minority leader of the senate, and five members of the
15 house of representatives, three of whom shall be appointed by
16 the speaker of the house of representatives and two of whom
17 shall be appointed by the minority leader of the house of
18 representatives.

19 3. The study committee shall meet during the 2019
20 legislative interim to make recommendations for consideration
21 during the 2020 legislative session in a report submitted to
22 the general assembly.

23 Sec. 45. LEGISLATIVE INTENT. It is the intent of the
24 general assembly that the provisions of this division of this
25 Act enacting section 422.10, subsection 3, paragraph “0a”,
26 amending section 422.10, subsection 3, paragraph “a”, enacting

27 section 422.33, subsection 5, paragraph e, subparagraph (01),
28 and amending section 422.33, subsection 5, paragraph “e”,
29 subparagraph (1), are conforming amendments consistent with
30 current state law, and that the amendments do not change the
31 application of current law but instead reflect current law both
32 before and after the enactment of this division of this Act.

33 Sec. 46. REPEAL. Sections 422.10A and 422.11I, Code 2018,
34 are repealed.

35 Sec. 47. REPEAL. Section 422.11L, Code 2018, is repealed.

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1 Sec. 48. EFFECTIVE DATE. The following, being deemed of
2 immediate importance, take effect upon enactment:

3 1. The section of this division of this Act amending section
4 15E.52, subsection 8.

5 2. The section of this division of this Act enacting section
6 422.10, subsection 1, paragraph “0a”.

7 3. The section of this division of this Act enacting section
8 422.10, subsection 3, paragraph “0a”.

9 4. The section of this division of this Act amending section
10 422.10, subsection 3, paragraph “a”.

11 5. The section of this division of this Act enacting section
12 422.33, subsection 5, paragraph “0e”.

13 6. The section of this division of this Act enacting section
14 422.33, subsection 5, paragraph “e”, subparagraph (01).

15 7. The section of this division of this Act amending section
16 422.33, subsection 5, paragraph “e”, subparagraph (1).

17 8. The section of this division of this Act entitled
18 “legislative intent” which describes the intent of the general
19 assembly with respect to certain amendments in this division of
20 this Act to sections 422.10 and 422.33.

21 Sec. 49. EFFECTIVE DATE. The following take effect January
22 1, 2019:

23 1. The sections of this division of this Act amending
24 section 422.11S.

25 2. The section of this division of this Act repealing
26 sections 422.10A and 422.11I.

27 Sec. 50. RETROACTIVE APPLICABILITY. The following apply
28 retroactively to January 1, 2017, for tax years beginning on
29 or after that date:

30 1. The section of this division of this Act enacting section
31 422.10, subsection 1, paragraph “0a”.

32 2. The section of this division of this Act enacting section
33 422.33, subsection 5, paragraph “0e”.

34 Sec. 51. APPLICABILITY. The following apply to solar energy
35 system installations occurring on or after July 1, 2018:

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1 1. The section of this division of this Act repealing
2 section 422.11L.

3 2. The section of this division of this Act striking section
4 422.33, subsection 29.

5 3. The section of this division of this Act striking section
6 422.60, subsection 12.

7 4. The section of this division of this Act striking section
8 476C.2, subsection 3.

9 5. The section of this division of this Act striking section
10 533.329, subsection 2, paragraph "I".

11 Sec. 52. APPLICABILITY. The following applies to tax
12 years beginning on or after January 1, 2019, and to qualified
13 geothermal heat pump property installations occurring on or
14 after January 1, 2019:

15 The section of this division of this Act repealing sections
16 422.10A and 422.11L.

17 DIVISION V

18 TAXPAYERS TRUST FUND AND TAXPAYERS TRUST FUND TAX CREDIT

19 Sec. 53. Section 8.55, subsection 2, paragraph a, Code 2018,
20 is amended to read as follows:

21 a. The first sixty million dollars of the difference
22 between the actual net revenue for the general fund of the
23 state for the fiscal year and the adjusted revenue estimate for
24 the fiscal year shall be transferred to the ~~taxpayers trust~~
25 taxpayer relief fund created in section 8.57E.

26 Sec. 54. Section 8.57E, Code 2018, is amended to read as
27 follows:

28 **8.57E ~~Taxpayers trust~~ Taxpayer relief fund.**

29 1. A ~~taxpayers trust~~ Taxpayer relief fund is created. The
30 fund shall be separate from the general fund of the state and
31 the balance in the fund shall not be considered part of the
32 balance of the general fund of the state. The moneys credited
33 to the fund are not subject to section 8.33 and shall not
34 be transferred, used, obligated, appropriated, or otherwise
35 encumbered except as provided in this section.

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1 2. Moneys in the ~~taxpayers trust~~ taxpayer relief fund shall
2 only be used pursuant to appropriations or transfers made by
3 the general assembly for tax relief, including but not limited
4 to increases in the general retirement income exclusion under
5 section 422.7, subsection 31, or reductions in income tax
6 rates. During each fiscal year beginning on or after July 1,
7 2014, in which the balance of the taxpayers trust fund equals
8 or exceeds thirty million dollars, there is transferred from
9 the taxpayers trust fund to the Iowa taxpayers trust fund tax
10 credit fund created in section 422.11E, the entire balance of
11 the taxpayers trust fund to be used for the Iowa taxpayers
12 trust fund tax credit in accordance with section 422.11E,

13 ~~subsection 5-~~

14 3. a. Moneys in the ~~taxpayers trust~~ taxpayer relief
15 fund may be used for cash flow purposes during a fiscal year
16 provided that any moneys so allocated are returned to the fund
17 by the end of that fiscal year.

18 b. Except as provided in section 8.58, the ~~taxpayers trust~~
19 taxpayer relief fund shall be considered a special account for
20 the purposes of section 8.53 in determining the cash position
21 of the general fund of the state for the payment of state
22 obligations.

23 4. Notwithstanding section 12C.7, subsection 2, interest or
24 earnings on moneys deposited in the ~~taxpayers trust~~ taxpayer
25 relief fund shall be credited to the fund.

26 Sec. 55. Section 8.58, Code 2018, is amended to read as
27 follows:

28 **8.58 Exemption from automatic application.**

29 1. To the extent that moneys appropriated under section
30 8.57 do not result in moneys being credited to the general
31 fund under section 8.55, subsection 2, moneys appropriated
32 under section 8.57 and moneys contained in the cash reserve
33 fund, rebuild Iowa infrastructure fund, environment first fund,
34 Iowa economic emergency fund, ~~taxpayers trust~~ taxpayer relief
35 fund, and state bond repayment fund shall not be considered

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1 in the application of any formula, index, or other statutory
2 triggering mechanism which would affect appropriations,
3 payments, or taxation rates, contrary provisions of the Code
4 notwithstanding.

5 2. To the extent that moneys appropriated under section
6 8.57 do not result in moneys being credited to the general fund
7 under section 8.55, subsection 2, moneys appropriated under
8 section 8.57 and moneys contained in the cash reserve fund,
9 rebuild Iowa infrastructure fund, environment first fund, Iowa
10 economic emergency fund, ~~taxpayers trust~~ taxpayer relief fund,
11 and state bond repayment fund shall not be considered by an
12 arbitrator or in negotiations under chapter 20.

13 Sec. 56. Section 257.21, subsection 2, Code 2018, is amended
14 to read as follows:

15 2. The instructional support income surtax shall be imposed
16 on the state individual income tax for the calendar year during
17 which the school's budget year begins, or for a taxpayer's
18 fiscal year ending during the second half of that calendar year
19 and after the date the board adopts a resolution to participate
20 in the program or the first half of the succeeding calendar
21 year, and shall be imposed on all individuals residing in the
22 school district on the last day of the applicable tax year.
23 As used in this section, "*state individual income tax*" means
24 the taxes computed under section 422.5, less the amounts of
25 nonrefundable credits allowed under chapter 422, division II,
26 ~~except for the Iowa taxpayers trust fund tax credit allowed~~

27 ~~under section 422.11E.~~

28 Sec. 57. Section 422D.2, Code 2018, is amended to read as
29 follows:

30 **422D.2 Local income surtax.**

31 A county may impose by ordinance a local income surtax as
32 provided in section 422D.1 at the rate set by the board of
33 supervisors, of up to one percent, on the state individual
34 income tax of each individual residing in the county at the
35 end of the individual's applicable tax year. However, the

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1 cumulative total of the percents of income surtax imposed on
2 any taxpayer in the county shall not exceed twenty percent.
3 The reason for imposing the surtax and the amount needed
4 shall be set out in the ordinance. The surtax rate shall be
5 set to raise only the amount needed. For purposes of this
6 section, "*state individual income tax*" means the tax computed
7 under section 422.5, less the amounts of nonrefundable credits
8 allowed under chapter 422, division II, ~~except for the Iowa~~
9 ~~taxpayers trust fund tax credit allowed under section 422.11E.~~

10 Sec. 58. REPEAL. Section 422.11E, Code 2018, is repealed.

11 Sec. 59. EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.

13 Sec. 60. RETROACTIVE APPLICABILITY. The following apply
14 retroactively to January 1, 2018, for tax years beginning on
15 or after that date:

16 1. The section of this division of this Act amending section
17 257.21.

18 2. The section of this division of this Act repealing
19 section 422.11E.

20 3. The section of this division of this Act amending section
21 422D.2.

22 **DIVISION VI**

23 **TAXPAYERS TRUST FUND TRANSFER CAP**

24 Sec. 61. Section 8.54, subsection 5, Code 2018, is amended
25 by striking the subsection.

26 Sec. 62. Section 8.55, subsection 2, Code 2018, is amended
27 to read as follows:

28 2. The maximum balance of the fund is the amount equal to
29 two and one-half percent of the adjusted revenue estimate for
30 the fiscal year. If the amount of moneys in the Iowa economic
31 emergency fund is equal to the maximum balance, moneys in
32 excess of this amount shall be ~~distributed as follows:~~

33 ~~a. The first sixty million dollars of the difference between~~
34 ~~the actual net revenue for the general fund of the state for~~
35 ~~the fiscal year and the adjusted revenue estimate for the~~

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1 ~~fiscal year shall be~~ transferred to the taxpayers trust fund
 2 created in section 8.57E.

3 ~~b. The remainder of the excess, if any, shall be transferred~~
 4 ~~to the general fund of the state.~~

5 Sec. 63. Section 8.58, Code 2018, is amended to read as
 6 follows:

7 **8.58 Exemption from automatic application.**

8 1. ~~To the extent that moneys appropriated under section~~
 9 ~~8.57 do not result in moneys being credited to the general fund~~
 10 ~~under section 8.55, subsection 2, moneys~~ Moneys appropriated
 11 under section 8.57 and moneys contained in the cash reserve
 12 fund, rebuild Iowa infrastructure fund, environment first fund,
 13 Iowa economic emergency fund, taxpayers trust fund, and state
 14 bond repayment fund shall not be considered in the application
 15 of any formula, index, or other statutory triggering mechanism
 16 which would affect appropriations, payments, or taxation rates,
 17 contrary provisions of the Code notwithstanding.

18 2. ~~To the extent that moneys appropriated under section~~
 19 ~~8.57 do not result in moneys being credited to the general fund~~
 20 ~~under section 8.55, subsection 2, moneys~~ Moneys appropriated
 21 under section 8.57 and moneys contained in the cash reserve
 22 fund, rebuild Iowa infrastructure fund, environment first fund,
 23 Iowa economic emergency fund, taxpayers trust fund, and state
 24 bond repayment fund shall not be considered by an arbitrator or
 25 in negotiations under chapter 20.

26 Sec. 64. EFFECTIVE DATE. This division of this Act takes
 27 effect July 1, 2019.

28 Sec. 65. APPLICABILITY. This division of this Act is first
 29 applicable to calculate the state general fund expenditure
 30 limitation for the fiscal year beginning July 1, 2019.

31 DIVISION VII

32 INDIVIDUAL INCOME TAX CHANGES BEGINNING IN TAX YEAR 2018

33 Sec. 66. Section 422.7, Code 2018, is amended by adding the
 34 following new subsections:

35 NEW SUBSECTION. 51. a. Notwithstanding any other provision

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1 of law to the contrary, the increased expensing allowance under
 2 section 179 of the Internal Revenue Code, as amended by Pub.
 3 L. No. 115-97, §13101, applies in computing net income for
 4 state tax purposes for tax years beginning on or after January
 5 1, 2018, subject to the limitations in this subsection for tax
 6 years beginning prior to January 1, 2020.

7 b. If the taxpayer has taken the increased expensing
 8 allowance under section 179 of the Internal Revenue Code,
 9 as amended by Pub. L. No. 115-97, §13101, for purposes of
 10 computing federal adjusted gross income for tax years beginning
 11 on or after January 1, 2018, but before January 1, 2020, then
 12 the taxpayer shall make the following adjustments to federal

13 adjusted gross income when computing net income for state tax
14 purposes for the same tax year:

15 (1) Add the total amount of expense deduction taken on
16 section 179 property allowable for federal tax purposes under
17 section 179 of the Internal Revenue Code, as amended by Pub.
18 L. No. 115-97, §13101.

19 (2) (a) For tax years beginning on or after January
20 1, 2018, but before January 1, 2019, subtract the amount
21 of expense deduction on section 179 property allowable for
22 federal tax purposes under section 179 of the Internal Revenue
23 Code, as amended by Pub. L. No. 115-97, §13101, not to exceed
24 seventy thousand dollars. The subtraction in this subparagraph
25 division shall be reduced, but not below zero, by the amount by
26 which the total cost of section 179 property placed in service
27 by the taxpayer during the tax year exceeds two hundred eighty
28 thousand dollars.

29 (b) For tax years beginning on or after January 1, 2019,
30 but before January 1, 2020, subtract the amount of expense
31 deduction on section 179 property allowable for federal tax
32 purposes under section 179 of the Internal Revenue Code, as
33 amended by Pub. L. No. 115-97, §13101, not to exceed one
34 hundred thousand dollars. The subtraction in this subparagraph
35 division shall be reduced, but not below zero, by the amount by

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1 which the total cost of section 179 property placed in service
2 by the taxpayer during the tax year exceeds four hundred
3 thousand dollars.

4 (3) Any other adjustments to gains or losses necessary to
5 reflect adjustments made in subparagraphs (1) and (2).

6 c. The director shall adopt rules pursuant to chapter 17A
7 to administer this subsection.

8 **NEW SUBSECTION. 52.a.** For tax years beginning on or
9 after January 1, 2018, but before January 1, 2020, a taxpayer
10 may elect to take advantage of this subsection in lieu of
11 subsection 51, but only if the taxpayer's total expensing
12 allowance deduction for federal tax purposes under section 179
13 of the Internal Revenue Code, as amended by Pub. L. No. 115-97,
14 §13101, that is allocated to the taxpayer from one or more
15 partnerships, S corporations, or limited liability companies
16 electing to have the income taxed directly to the individual
17 exceeds seventy thousand dollars for a tax year beginning
18 during the 2018 calendar year, or exceeds one hundred thousand
19 dollars for a tax year beginning during the 2019 calendar year,
20 and would, except as provided in this subsection, be limited
21 for purposes of computing net income for state tax purposes
22 pursuant to subsection 51.

23 b. A taxpayer who elects to take advantage of this
24 subsection shall make the following adjustments to federal
25 adjusted gross income when computing net income for state tax
26 purposes:

- 27 (1) Add the total amount of section 179 expense
28 deduction allocated to the taxpayer from all partnerships, S
29 corporations, or limited liability companies electing to have
30 the income taxed directly to the individual, to the extent the
31 allocated amount was allowed as a deduction to the taxpayer
32 for federal tax purposes for the tax year under section 179 of
33 the Internal Revenue Code, as amended by Pub. L. No. 115-97,
34 §13101.
- 35 (2) From the amount added in subparagraph (1), do the

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- 1 following:
- 2 (a) For tax years beginning on or after January 1, 2018,
3 but before January 1, 2019, subtract the first seventy thousand
4 dollars of expensing allowance deduction on section 179
5 property.
- 6 (b) For tax years beginning on or after January 1, 2019,
7 but before January 1, 2020, subtract the first one hundred
8 thousand dollars of expensing allowance deduction on section
9 179 property.
- 10 (3) The remaining amount, equal to the difference between
11 the amount added in subparagraph (1), and the amount subtracted
12 in subparagraph (2), may be deducted by the taxpayer but such
13 deduction shall be amortized equally over five tax years
14 beginning in the following tax year.
- 15 (4) Any other adjustments to gains or losses necessary to
16 reflect adjustments made in subparagraphs (1) through (3).
- 17 c. A taxpayer who elects to take advantage of this
18 subsection shall not take the increased expensing allowance
19 under section 179 of the Internal Revenue Code, as amended by
20 Pub. L. No. 115-97, §13101, for any section 179 property placed
21 in service by the taxpayer in computing adjusted gross income
22 for state tax purposes. If the taxpayer has taken any such
23 deduction for purposes of computing federal adjusted gross
24 income, the taxpayer shall make the following adjustments to
25 federal adjusted gross income when computing net income for
26 state tax purposes:
- 27 (1) Add the total amount of expense deduction for federal
28 tax purposes taken on section 179 property placed in service by
29 the taxpayer under section 179 of the Internal Revenue Code, as
30 amended by Pub. L. No. 115-97, §13101.
- 31 (2) Subtract the amount of depreciation allowable on such
32 property under the modified accelerated cost recovery system
33 described in section 168 of the Internal Revenue Code, without
34 regard to section 168(k) of the Internal Revenue Code. The
35 taxpayer shall continue to take depreciation on the applicable

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1 property in future tax years to the extent allowed under the
 2 modified accelerated cost recovery system described in section
 3 168 of the Internal Revenue Code, without regard to section
 4 168(k) of the Internal Revenue Code.

5 (3) Any other adjustments to gains or losses necessary to
 6 reflect the adjustments made in subparagraphs (1) and (2).

7 *d.* The election made under this subsection is for one tax
 8 year and the taxpayer may elect or not elect to take advantage
 9 of this subsection in any subsequent tax year. However, not
 10 electing to take advantage of this subsection in a subsequent
 11 tax year shall not affect the taxpayer's ability to claim the
 12 tax deduction under paragraph "b", subparagraph (3), that
 13 originated from a previous tax year.

14 *e.* The director shall adopt rules pursuant to chapter 17A
 15 to administer this subsection.

16 Sec. 67. Section 422.9, subsection 2, paragraph h, Code
 17 2018, is amended to read as follows:

18 *h.* For purposes of calculating the deductions in this
 19 subsection that are authorized under the Internal Revenue Code,
 20 and to the extent that any of such deductions is determined by
 21 an individual's federal adjusted gross income, the individual's
 22 federal adjusted gross income is computed in accordance with
 23 section 422.7, subsections 39, 39A, 39B, 51, 52, and 53.

24 Sec. 68. TAX-FREE IRA DISTRIBUTIONS TO CERTAIN PUBLIC
 25 CHARITIES FOR INDIVIDUALS SEVENTY AND ONE-HALF YEARS OF AGE
 26 OR OLDER. Notwithstanding any other provision of law to the
 27 contrary, for tax years beginning during the 2018 calendar
 28 year, the exclusion from federal adjusted gross income for
 29 certain qualified charitable distributions from an individual
 30 retirement plan provided in section 408(d)(8) of the Internal
 31 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
 32 §112, applies in computing net income for state tax purposes.

33 Sec. 69. STATE SALES AND USE TAX DEDUCTION.

34 Notwithstanding any other provision of law to the contrary, for
 35 tax years beginning during the 2018 calendar year, a taxpayer

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1 who elects to itemize deductions for state tax purposes under
 2 section 422.9, subsection 2, is allowed to take the deduction
 3 for state sales and use tax in lieu of the deduction for state
 4 and local income taxes under section 164(b)(5) of the Internal
 5 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
 6 §106, in computing taxable income for state tax purposes, but
 7 only if the taxpayer elected to deduct state sales and use
 8 taxes in lieu of state and local income taxes for federal tax
 9 purposes for the same tax year.

10 Sec. 70. EARNED INCOME TAX CREDIT FOR 2018.

11 Notwithstanding the definition of "Internal Revenue Code"
 12 in section 422.3, for tax years beginning during the 2018

13 calendar year, any reference to the term “Internal Revenue
14 Code” in section 422.12B shall mean the Internal Revenue Code
15 of 1954, prior to the date of its redesignation as the Internal
16 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
17 the Internal Revenue Code of 1986 as amended and in effect on
18 January 1, 2016, but shall not be construed to include any
19 amendment to the Internal Revenue Code enacted after January 1,
20 2016, including any amendment with retroactive applicability
21 or effectiveness.

22 Sec. 71. ACCOUNTING METHOD AND OTHER MISCELLANEOUS
23 COUPLING PROVISIONS FOR TAX YEAR 2018. Notwithstanding any
24 other provision of law to the contrary, amendments to the
25 Internal Revenue Code enacted in Pub. L. No. 115-97, §13102,
26 §13221, §13504, §13541, §13543, §13611, and §13613, apply in
27 calculating federal adjusted gross income or federal taxable
28 income, as applicable, for state tax purposes for purposes of
29 chapter 422 for tax years beginning during the 2018 calendar
30 year to the extent those amendments affect the calculation of
31 federal adjusted gross income or federal taxable income, as
32 applicable, for federal tax purposes for tax years beginning
33 during the 2018 calendar year.

34 Sec. 72. TEACHER EXPENSE DEDUCTION. Notwithstanding
35 any other provision of law to the contrary, for tax years

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1 beginning during the 2018 calendar year, a taxpayer is allowed
2 to take the deduction for certain expenses of elementary and
3 secondary school teachers allowed under section 62(a)(2)(D) of
4 the Internal Revenue Code, as amended by Pub. L. No. 114-113,
5 division Q, §104, in computing net income for state tax
6 purposes.

7 Sec. 73. EFFECTIVE DATE. This division of this Act, being
8 deemed of immediate importance, takes effect upon enactment.

9 Sec. 74. RETROACTIVE APPLICABILITY. Except as otherwise
10 provided in this division of this Act, this division of this
11 Act applies retroactively to January 1, 2018, for tax years
12 beginning on or after that date, but before January 1, 2019.

13 Sec. 75. RETROACTIVE APPLICABILITY. The following apply
14 retroactively to January 1, 2018, for tax years beginning on
15 or after that date:

16 1. The section of this division of this Act enacting section
17 422.7, subsections 51 and 52.

18 2. The section of this division of this Act amending section
19 422.9, subsection 2, paragraph “h”.

20 DIVISION VIII

21 INDIVIDUAL AND CORPORATE INCOME TAX AND FRANCHISE TAX CHANGES 22 BEGINNING IN TAX YEAR 2019

23 Sec. 76. Section 15.335, subsection 7, paragraph b, Code
24 2018, is amended by striking the paragraph and inserting in
25 lieu thereof the following:

26 b. For purposes of this section, “Internal Revenue Code”

27 means the same as defined in section 422.3.

28 Sec. 77. Section 422.3, subsection 5, Code 2018, is amended
29 to read as follows:

30 5. "Internal Revenue Code" means one of the following:

31 a. For tax years beginning during the 2019 calendar year,

32 "Internal Revenue Code" means the Internal Revenue Code of

33 1954, prior to the date of its redesignation as the Internal

34 Revenue Code of 1986 by the Tax Reform Act of 1986, or means

35 the Internal Revenue Code of 1986 as amended and in effect on

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1 ~~January 1, 2015~~ March 24, 2018. This definition shall not be
2 construed to include any amendment to the Internal Revenue Code
3 enacted after the date specified in the preceding sentence,
4 including any amendment with retroactive applicability or
5 effectiveness.

6 b. For tax years beginning on or after January 1, 2020,

7 "Internal Revenue Code" means the Internal Revenue Code of

8 1954, prior to the date of its redesignation as the Internal

9 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the

10 Internal Revenue Code of 1986, as amended.

11 Sec. 78. Section 422.4, subsection 16, Code 2018, is amended
12 to read as follows:

13 16. The words "*taxable income*" mean the net income as
14 defined in section 422.7 minus the deductions allowed by
15 section 422.9, in the case of individuals; in the case of
16 estates or trusts, the words "*taxable income*" mean the taxable
17 income ~~(without a deduction for personal exemption)~~ as
18 computed for federal income tax purposes under the Internal
19 Revenue Code, but with the following adjustments ~~specified in~~
20 ~~section 422.7 plus the Iowa income tax deducted in computing~~
21 ~~the federal taxable income and minus federal income taxes as~~
22 ~~provided in section 422.9.:~~

23 a. Add back the personal exemption deduction taken in
24 computing federal taxable income.

25 b. Make the adjustments specified in section 422.7.

26 c. Add back Iowa income tax deducted in computing federal
27 taxable income.

28 d. Subtract federal income taxes as provided in section
29 422.9.

30 e. Add back the following percentage of the qualified
31 business income deduction under section 199A of the Internal
32 Revenue Code taken in calculating federal taxable income for
33 the applicable tax year:

34 (1) For tax years beginning on or after January 1, 2019, but
35 before January 1, 2021, seventy-five percent.

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1 (2) For tax years beginning during the 2021 calendar year,
 2 fifty percent.

3 (3) For tax years beginning on or after January 1, 2022,
 4 twenty-five percent.

5 Sec. 79. Section 422.5, subsection 1, Code 2018, is amended
 6 to read as follows:

7 1. a. A tax is imposed upon every resident and nonresident
 8 of the state which tax shall be levied, collected, and paid
 9 annually upon and with respect to the entire taxable income
 10 as defined in this division at rates as follows: provided in
 11 section 422.5A.

12 ~~a. On all taxable income from zero through one thousand~~
 13 ~~dollars, thirty six hundredths of one percent.~~

14 ~~b. On all taxable income exceeding one thousand dollars but~~
 15 ~~not exceeding two thousand dollars, seventy two hundredths of~~
 16 ~~one percent.~~

17 ~~c. On all taxable income exceeding two thousand dollars~~
 18 ~~but not exceeding four thousand dollars, two and forty three~~
 19 ~~hundredths percent.~~

20 ~~d. On all taxable income exceeding four thousand dollars but~~
 21 ~~not exceeding nine thousand dollars, four and one half percent.~~

22 ~~e. On all taxable income exceeding nine thousand dollars~~
 23 ~~but not exceeding fifteen thousand dollars, six and twelve~~
 24 ~~hundredths percent.~~

25 ~~f. On all taxable income exceeding fifteen thousand dollars~~
 26 ~~but not exceeding twenty thousand dollars, six and forty eight~~
 27 ~~hundredths percent.~~

28 ~~g. On all taxable income exceeding twenty thousand dollars~~
 29 ~~but not exceeding thirty thousand dollars, six and eight tenths~~
 30 ~~percent.~~

31 ~~h. On all taxable income exceeding thirty thousand dollars~~
 32 ~~but not exceeding forty five thousand dollars, seven and~~
 33 ~~ninety two hundredths percent.~~

34 ~~i. On all taxable income exceeding forty five thousand~~
 35 ~~dollars, eight and ninety eight hundredths percent.~~

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1 ~~̄~~ b. (1) The tax imposed upon the taxable income of a
 2 nonresident shall be computed by reducing the amount determined
 3 pursuant to ~~paragraphs "a" through "i"~~ paragraph "a" by the
 4 amounts of nonrefundable credits under this division and by
 5 multiplying this resulting amount by a fraction of which the
 6 nonresident's net income allocated to Iowa, as determined in
 7 section 422.8, subsection 2, paragraph "a", is the numerator and
 8 the nonresident's total net income computed under section 422.7
 9 is the denominator. This provision also applies to individuals
 10 who are residents of Iowa for less than the entire tax year.

11 (2) (a) The tax imposed upon the taxable income of a
 12 resident shareholder in an S corporation or of an estate

13 or trust with a situs in Iowa that is a shareholder in an S
 14 corporation, which S corporation has in effect for the tax
 15 year an election under subchapter S of the Internal Revenue
 16 Code and carries on business within and without the state,
 17 may be computed by reducing the amount determined pursuant
 18 to ~~paragraphs "a" through "f"~~ paragraph "a" by the amounts of
 19 nonrefundable credits under this division and by multiplying
 20 this resulting amount by a fraction of which the resident's
 21 or estate's or trust's net income allocated to Iowa, as
 22 determined in section 422.8, subsection 2, paragraph "b", is
 23 the numerator and the resident's or estate's or trust's total
 24 net income computed under section 422.7 is the denominator. If
 25 a resident shareholder, or an estate or trust with a situs in
 26 Iowa that is a shareholder, has elected to take advantage of
 27 this subparagraph (2), and for the next tax year elects not to
 28 take advantage of this subparagraph, the resident or estate or
 29 trust shareholder shall not reelect to take advantage of this
 30 subparagraph for the three tax years immediately following the
 31 first tax year for which the shareholder elected not to take
 32 advantage of this subparagraph, unless the director consents to
 33 the reelection. This subparagraph also applies to individuals
 34 who are residents of Iowa for less than the entire tax year.
 35 (b) This subparagraph (2) shall not affect the amount of

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1 the taxpayer's checkoffs under this division, the credits from
 2 tax provided under this division, and the allocation of these
 3 credits between spouses if the taxpayers filed separate returns
 4 or separately on combined returns.
 5 Sec. 80. Section 422.5, subsection 2, paragraph a, Code
 6 2018, is amended to read as follows:
 7 a. There is imposed upon every resident and nonresident of
 8 this state, including estates and trusts, the greater of the
 9 tax determined in subsection 1, ~~paragraphs "a" through "j"~~, or
 10 the state alternative minimum tax equal to seventy-five percent
 11 of the maximum state individual income tax rate for the tax
 12 year, rounded to the nearest one-tenth of one percent, times
 13 the state alternative minimum taxable income of the taxpayer as
 14 computed under this subsection.
 15 Sec. 81. NEW SECTION. 422.5A Tax rates.
 16 The tax imposed in section 422.5 shall be calculated at the
 17 following rates:
 18 1. On all taxable income from 0 through \$1,000, the rate of
 19 0.33 percent.
 20 2. On all taxable income exceeding \$1,000 but not exceeding
 21 \$2,000, the rate of 0.67 percent.
 22 3. On all taxable income exceeding \$2,000 but not exceeding
 23 \$4,000, the rate of 2.25 percent.
 24 4. On all taxable income exceeding \$4,000 but not exceeding
 25 \$9,000, the rate of 4.14 percent.
 26 5. On all taxable income exceeding \$9,000 but not exceeding

27 \$15,000, the rate of 5.63 percent.
28 6. On all taxable income exceeding \$15,000 but not exceeding
29 \$20,000, the rate of 5.96 percent.
30 7. On all taxable income exceeding \$20,000 but not exceeding
31 \$30,000, the rate of 6.25 percent.
32 8. On all taxable income exceeding \$30,000 but not exceeding
33 \$45,000, the rate of 7.44 percent.
34 9. On all taxable income exceeding \$45,000, the rate of 8.53
35 percent.

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1 Sec. 82. Section 422.5, subsection 6, Code 2018, is amended
2 to read as follows:

3 6. Upon determination of the latest cumulative inflation
4 factor, the director shall multiply each dollar amount set
5 forth in ~~subsection 1, paragraphs "a" through "c"~~ section
6 422.5A by this cumulative inflation factor, shall round
7 off the resulting product to the nearest one dollar, and
8 shall incorporate the result into the income tax forms and
9 instructions for each tax year.

10 Sec. 83. Section 422.7, subsection 39A, unnumbered
11 paragraph 1, Code 2018, is amended by striking the unnumbered
12 paragraph and inserting in lieu thereof the following:

13 The additional first-year depreciation allowance authorized
14 in section 168(k) of the Internal Revenue Code does not
15 apply in computing net income for state tax purposes. If the
16 taxpayer has taken the additional first-year depreciation
17 allowance for purposes of computing federal adjusted gross
18 income, then the taxpayer shall make the following adjustments
19 to federal adjusted gross income when computing net income for
20 state tax purposes:

21 Sec. 84. Section 422.7, Code 2018, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 59. *a.* The rules for nonrecognition
24 of gain or loss from exchanges of real property held for
25 productive use or investment and not held primarily for sale,
26 as provided in section 1031 of the Internal Revenue Code, apply
27 for state income tax purposes with regard to exchanges of real
28 property.

29 *b.* (1) The rules for nonrecognition of gain or loss
30 from exchanges of property other than real property held for
31 productive use or investment as provided in section 1031 of the
32 Internal Revenue Code, as amended up to and including December
33 21, 2017, apply for state income tax purposes for tax years
34 beginning during the 2019 calendar year, notwithstanding any
35 other provision of law to the contrary. If the taxpayer's

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1 federal adjusted gross income includes gain or loss from
2 property, other than real property described in paragraph "a",
3 and the taxpayer elects to have this paragraph apply, the
4 following adjustments shall be made:

5 (a) (i) Subtract the total amount of gain related to the
6 sale or exchange of the property as properly reported for
7 federal tax purposes under the Internal Revenue Code.

8 (ii) Add back any gain related to the sale or exchange
9 of the property to the extent such gain does not qualify for
10 deferral under section 1031 of the Internal Revenue Code, as
11 amended up to and including December 21, 2017, which gain
12 shall be calculated using the taxpayer's adjusted basis in the
13 property for state tax purposes.

14 (b) (i) Add the total amount of loss related to the sale or
15 exchange of the property as properly reported for federal tax
16 purposes under the Internal Revenue Code.

17 (ii) Subtract any loss related to the sale or exchange
18 of the property to the extent such loss does not qualify for
19 deferral under section 1031 of the Internal Revenue Code, as
20 amended up to and including December 21, 2017, which loss
21 shall be calculated using the taxpayer's adjusted basis in the
22 property for state tax purposes.

23 (c) Any other adjustments to gains, losses, deductions, or
24 tax basis for the property given up or received in the sale or
25 exchange pursuant to rules adopted by the director.

26 (2) The director shall adopt rules pursuant to chapter 17A
27 to administer this paragraph.

28 c. This subsection is repealed January 1, 2020, for tax
29 years beginning on or after that date.

30 Sec. 85. Section 422.8, subsection 2, paragraph a, Code
31 2018, is amended to read as follows:

32 a. Nonresident's net income allocated to Iowa is the net
33 income, or portion of net income, which is derived from a
34 business, trade, profession, or occupation carried on within
35 this state or income from any property, trust, estate, or

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1 other source within Iowa. However, income derived from a
2 business, trade, profession, or occupation carried on within
3 this state and income from any property, trust, estate, or
4 other source within Iowa shall not include distributions from
5 pensions, including defined benefit or defined contribution
6 plans, annuities, individual retirement accounts, and deferred
7 compensation plans or any earnings attributable thereto so long
8 as the distribution is directly related to an individual's
9 documented retirement and received while the individual is a
10 nonresident of this state. If a business, trade, profession,
11 or occupation is carried on partly within and partly without
12 the state, only the portion of the net income which is fairly

13 and equitably attributable to that part of the business,
14 trade, profession, or occupation carried on within the state
15 is allocated to Iowa for purposes of section 422.5, subsection
16 1, paragraph “~~a~~” “b”, and section 422.13 and income from any
17 property, trust, estate, or other source partly within and
18 partly without the state is allocated to Iowa in the same
19 manner, except that annuities, interest on bank deposits and
20 interest-bearing obligations, and dividends are allocated
21 to Iowa only to the extent to which they are derived from a
22 business, trade, profession, or occupation carried on within
23 the state. Net income described in section 29C.24, subsection
24 3, paragraph “a”, subparagraph (3), and paragraph “b”,
25 subparagraph (2), shall not be allocated and apportioned to the
26 state, as provided in section 29C.24.

27 Sec. 86. Section 422.9, unnumbered paragraph 1, Code 2018,
28 is amended to read as follows:

29 In computing taxable income of individuals, there shall be
30 deducted from net income the larger of the ~~following~~ amounts:
31 computed under subsection 1 or 2, plus the amount computed
32 under subsection 2A.

33 Sec. 87. Section 422.9, Code 2018, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 2A. *a.* The following percentage of the

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1 qualified business income deduction under section 199A of the
2 Internal Revenue Code taken in calculating federal taxable
3 income for the applicable tax year:

4 (1) For tax years beginning on or after January 1, 2019, but
5 before January 1, 2021, twenty-five percent.

6 (2) For tax years beginning during the 2021 calendar year,
7 fifty percent.

8 (3) For tax years beginning on or after January 1, 2022,
9 seventy-five percent.

10 *b.* Notwithstanding paragraph “*a*”, and section 422.4,
11 subsection 16, paragraph “*e*”, for an entity electing or required
12 to file a composite return under section 422.13, subsection 5,
13 the deduction allowed under this subsection for purposes of the
14 composite return shall be an amount equal to the applicable
15 percentage described in paragraph “*a*” of the deduction that
16 would be allowable for federal income tax purposes under
17 section 199A of the Internal Revenue Code by an individual
18 taxpayer reporting the same items of income and loss that are
19 included in the composite return.

20 Sec. 88. Section 422.9, subsection 2, paragraph i, Code
21 2018, is amended to read as follows:

22 *i.* The deduction for state sales and use taxes is allowable
23 only if the taxpayer elected to deduct the state sales and use
24 taxes in lieu of state income taxes under section 164 of the
25 Internal Revenue Code. A deduction for state sales and use
26 taxes is not allowed if the taxpayer has taken the deduction

27 for state income taxes or claimed the standard deduction under
 28 section 63 of the Internal Revenue Code. This paragraph
 29 applies to taxable years beginning after ~~December 31, 2003, and~~
 30 ~~before January 1, 2008, and to taxable years beginning after~~
 31 ~~December 31, 2009, and before January 1, 2015~~ December 31,
 32 2018.

33 Sec. 89. Section 422.9, subsection 2, Code 2018, is amended
 34 by adding the following new paragraph:

35 NEW PARAGRAPH. l. The limitation on the deduction of

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1 certain taxes in section 164(b)(6) of the Internal Revenue
 2 Code does not apply in computing taxable income for state tax
 3 purposes. A taxpayer is allowed to deduct taxes in computing
 4 taxable income as otherwise provided in this subsection without
 5 regard to section 164(b)(6), as enacted by Pub. L. No. 115-97,
 6 §11042.

7 Sec. 90. Section 422.9, subsection 3, paragraph d, Code
 8 2018, is amended to read as follows:

9 *d.* Notwithstanding paragraph “a”, for a taxpayer who is
 10 engaged in the trade or business of farming as defined in
 11 section 263A(e)(4) of the Internal Revenue Code and has a loss
 12 from farming as defined in section ~~172(b)(1)(F)~~ 172(b)(1)(B) of
 13 the Internal Revenue Code including modifications prescribed by
 14 rule by the director, the Iowa loss from the trade or business
 15 of farming is a net operating loss which may be carried back
 16 five taxable years prior to the taxable year of the loss.

17 Sec. 91. Section 422.9, subsection 5, Code 2018, is amended
 18 to read as follows:

19 5. A taxpayer affected by section 422.8 shall, ~~if the~~
 20 ~~optional standard deduction is not used~~, be permitted to deduct
 21 only such portion of the total referred to in ~~subsection~~
 22 subsections 2 above and 2A as is fairly and equitably allocable
 23 to Iowa under the rules prescribed by the director.

24 Sec. 92. Section 422.9, subsections 6 and 7, Code 2018, are
 25 amended by striking the subsections.

26 Sec. 93. Section 422.10, subsection 3, paragraph b, Code
 27 2018, is amended by striking the paragraph.

28 Sec. 94. Section 422.11B, Code 2018, is amended to read as
 29 follows:

30 **422.11B Minimum tax credit.**

31 1. *a.* There is allowed as a credit against the tax
 32 determined in section 422.5, subsection 1, ~~paragraphs “a”~~
 33 ~~through “j”~~ for a tax year an amount equal to the minimum tax
 34 credit for that tax year.

35 *b.* The minimum tax credit for a tax year is the excess,

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1 if any, of the net minimum tax imposed for all prior tax
2 years beginning on or after January 1, 1987, over the amount
3 allowable as a credit under this section for those prior tax
4 years.

5 2. a. The allowable credit under subsection 1 for a tax
6 year shall not exceed the excess, if any, of the tax determined
7 in section 422.5, subsection 1, ~~paragraphs "a" through "j"~~ over
8 the state alternative minimum tax as determined in section
9 422.5, subsection 2.

10 b. The net minimum tax for a tax year is the excess, if any,
11 of the tax determined in section 422.5, subsection 2, for the
12 tax year over the tax determined in section 422.5, subsection
13 1, ~~paragraphs "a" through "j"~~ for the tax year.

14 Sec. 95. Section 422.32, subsection 1, paragraph h, Code
15 2018, is amended to read as follows:

16 h. "*Internal Revenue Code*" means one of the following:

17 (1) For tax years beginning during the 2019 calendar year,
18 "Internal Revenue Code" means the Internal Revenue Code of
19 1954, prior to the date of its redesignation as the Internal
20 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
21 the Internal Revenue Code of 1986 as amended and in effect on
22 January 1, 2015 March 24, 2018. This definition shall not be
23 construed to include any amendment to the Internal Revenue Code
24 enacted after the date specified in the preceding sentence,
25 including any amendment with retroactive applicability or
26 effectiveness.

27 (2) For tax years beginning on or after January 1, 2020,
28 "Internal Revenue Code" means the Internal Revenue Code of
29 1954, prior to the date of its redesignation as the Internal
30 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
31 Internal Revenue Code of 1986, as amended.

32 Sec. 96. Section 422.33, subsection 1, paragraphs a, b, c,
33 and d, Code 2018, are amended to read as follows:

34 a. On the first twenty-five thousand dollars of taxable
35 income, or any part thereof, the rate of six percent for tax

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1 years beginning prior to January 1, 2021, and the rate of
2 five and one-half percent for tax years beginning on or after
3 January 1, 2021.

4 b. On taxable income between twenty-five thousand dollars
5 and one hundred thousand dollars or any part thereof, the rate
6 of eight percent for tax years beginning prior to January 1,
7 2021, and the rate of five and one-half percent for tax years
8 beginning on or after January 1, 2021.

9 c. On taxable income between one hundred thousand dollars
10 and two hundred fifty thousand dollars or any part thereof, the
11 rate of ten percent for tax years beginning prior to January 1,
12 2021, and the rate of nine percent for tax years beginning on

13 or after January 1, 2021.

14 *d.* On taxable income of two hundred fifty thousand dollars
 15 or more, the rate of twelve percent for tax years beginning
 16 prior to January 1, 2021, and the rate of nine and eight-tenths
 17 percent for tax years beginning on or after January 1, 2021.

18 Sec. 97. Section 422.33, subsection 4, paragraph a, Code
 19 2018, is amended to read as follows:

20 *a.* In addition to all taxes imposed under this division,
 21 there is imposed upon each corporation doing business within
 22 the state the greater of the tax determined in subsection 1,
 23 paragraphs “a” through “d” or the state alternative minimum tax
 24 equal to sixty percent of the maximum state corporate income
 25 tax rate for the tax year, rounded to the nearest one-tenth of
 26 one percent, of the state alternative minimum taxable income of
 27 the taxpayer computed under this subsection.

28 Sec. 98. Section 422.33, subsection 4, paragraph b,
 29 subparagraph (1), Code 2018, is amended to read as follows:

30 (1) Add items of tax preference included in federal
 31 alternative minimum taxable income under section 57, except
 32 subsections (a)(1) and (a)(5), of the Internal Revenue Code,
 33 make the adjustments included in federal alternative minimum
 34 taxable income under section 56, except subsections (a)(4) and
 35 (d), of the Internal Revenue Code, and add losses as required

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1 by section 58 of the Internal Revenue Code. In making the
 2 adjustment under section 56(c)(1) of the Internal Revenue Code,
 3 interest and dividends from federal securities and interest
 4 and dividends from state and other political subdivisions and
 5 from regulated investment companies exempt from federal income
 6 tax under the Internal Revenue Code, net of amortization of
 7 any discount or premium, shall be subtracted. For purposes of
 8 this subparagraph, “Internal Revenue Code” means the Internal
 9 Revenue Code of 1954, prior to the date of its redesignation
 10 as the Internal Revenue Code of 1986 by the Tax Reform Act of
 11 1986, or means the Internal Revenue Code of 1986 as amended and
 12 in effect on December 21, 2017. This definition shall not be
 13 construed to include any amendment to the Internal Revenue Code
 14 enacted after the date specified in the preceding sentence,
 15 including any amendment with retroactive applicability or
 16 effectiveness.

17 Sec. 99. Section 422.33, subsection 4, Code 2018, is amended
 18 by adding the following new paragraph:

19 NEW PARAGRAPH. *c.* This subsection is repealed January 1,
 20 2021, for tax years beginning on or after that date.

21 Sec. 100. Section 422.33, subsection 5, paragraph e,
 22 subparagraph (2), Code 2018, is amended by striking the
 23 subparagraph.

24 Sec. 101. Section 422.33, subsection 7, Code 2018, is
 25 amended to read as follows:

26 7. *a.* (1) ~~There~~ For tax years beginning before January 1,

27 2022, there is allowed as a credit against the tax determined
28 in subsection 1 for a tax year an amount equal to the minimum
29 tax credit for that tax year.

30 (2) The minimum tax credit for a tax year is the excess,
31 if any, of the net minimum tax imposed for all prior tax years
32 beginning on or after January 1, 1987, but before January
33 1, 2021, over the amount allowable as a credit under this
34 subsection for those prior tax years.

35 b. (1) The allowable credit under paragraph "a" for a tax

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1 year beginning before January 1, 2021, shall not exceed the
2 excess, if any, of the tax determined in subsection 1 over
3 the state alternative minimum tax as determined in subsection
4 4. The allowable credit under paragraph "a" for a tax year
5 beginning in the 2021 calendar year shall not exceed the tax
6 determined in subsection 1.

(2) The net minimum tax for a tax year is the excess, if
8 any, of the tax determined in subsection 4 for the tax year
9 over the tax determined in subsection 1 for the tax year.

10 c. This subsection is repealed January 1, 2022, for tax
11 years beginning on or after that date.

12 Sec. 102. Section 422.35, subsection 4, Code 2018, is
13 amended to read as follows:

14 4. a. Subtract For tax years beginning before January 1,
15 2022, subtract fifty percent of the federal income taxes paid
16 ~~or accrued, as the case may be,~~ during the tax year to the
17 extent payment is for a tax year beginning prior to January 1,
18 2021, adjusted by any federal income tax refunds; ~~and add the~~
19 ~~Iowa income tax deducted in computing said taxable income to~~
20 ~~the extent the tax was deducted for a tax year beginning prior~~
21 ~~to January 1, 2021.~~

22 b. Add the Iowa income tax deducted in computing federal
23 taxable income.

24 Sec. 103. Section 422.35, Code 2018, is amended by adding
25 the following new subsections:

26 NEW SUBSECTION. 14. a. The increased expensing allowance
27 under section 179 of the Internal Revenue Code applies in
28 computing net income for state tax purposes for tax years
29 beginning on or after January 1, 2019, subject to the
30 limitations in this subsection for tax years beginning on or
31 after January 1, 2019, but before January 1, 2020.

32 b. If the taxpayer has taken the increased expensing
33 allowance under section 179 of the Internal Revenue Code for
34 purposes of computing federal taxable income for tax years
35 beginning on or after January 1, 2019, but before January 1,

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1 2020, then the taxpayer shall make the following adjustments to
2 federal taxable income when computing net income for state tax
3 purposes for the same tax year:

4 (1) Add the total amount of expense deduction taken on
5 section 179 property allowable for federal tax purposes under
6 section 179 of the Internal Revenue Code.

7 (2) Subtract the amount of expense deduction on section
8 179 property allowable for federal tax purposes under section
9 179 of the Internal Revenue Code, not to exceed one hundred
10 thousand dollars. The subtraction in this subparagraph shall
11 be reduced, but not below zero, by the amount by which the
12 total cost of section 179 property placed in service by the
13 taxpayer during the tax year exceeds four hundred thousand
14 dollars.

15 (3) Any other adjustments to gains or losses necessary to
16 reflect adjustments made in subparagraphs (1) and (2).

17 c. The director shall adopt rules pursuant to chapter 17A
18 to administer this subsection.

19 NEW SUBSECTION. 15. a. For tax years beginning on or
20 after January 1, 2019, but before January 1, 2020, a taxpayer
21 may elect to take advantage of this subsection in lieu of
22 subsection 14, but only if the taxpayer's total expensing
23 allowance deduction for federal tax purposes under section
24 179 of the Internal Revenue Code that is allocated to the
25 taxpayer from one or more partnerships or limited liability
26 companies electing to have the income taxed directly to the
27 owners exceeds one hundred thousand dollars and would, except
28 as provided in this subsection, be limited for purposes
29 of computing net income for state tax purposes pursuant to
30 subsection 14.

31 b. A taxpayer who elects to take advantage of this
32 subsection shall make the following adjustments to federal
33 taxable income when computing net income for state tax
34 purposes:

35 (1) Add the total amount of section 179 expense deduction

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1 allocated to the taxpayer from all partnerships or limited
2 liability companies electing to have the income taxed directly
3 to the owners, to the extent the allocated amount was allowed
4 as a deduction to the taxpayer for federal tax purposes for the
5 tax year under section 179 of the Internal Revenue Code.

6 (2) From the amount added in subparagraph (1), subtract
7 the first one hundred thousand dollars of expensing allowance
8 deduction on section 179 property.

9 (3) The remaining amount, equal to the difference between
10 the amount added in subparagraph (1), and the amount subtracted
11 in subparagraph (2), may be deducted by the taxpayer but such
12 deduction shall be amortized equally over five tax years

13 beginning in the following tax year.

14 (4) Any other adjustments to gains or losses necessary to
15 reflect adjustments made in subparagraphs (1) through (3).
16 c. A taxpayer who elects to take advantage of this
17 subsection shall not take the increased expensing allowance
18 under section 179 of the Internal Revenue Code for any section
19 179 property placed in service by the taxpayer in computing
20 taxable income for state tax purposes. If the taxpayer has
21 taken any such deduction for purposes of computing federal
22 taxable income, the taxpayer shall make the following
23 adjustments to federal taxable income when computing net income
24 for state tax purposes:

25 (1) Add the total amount of expense deduction for federal
26 tax purposes taken on section 179 property placed in service by
27 the taxpayer under section 179 of the Internal Revenue Code.

28 (2) Subtract the amount of depreciation allowable on such
29 property under the modified accelerated cost recovery system
30 described in section 168 of the Internal Revenue Code, without
31 regard to section 168(k) of the Internal Revenue Code. The
32 taxpayer shall continue to take depreciation on the applicable
33 property in future tax years to the extent allowed under the
34 modified accelerated cost recovery system described in section
35 168 of the Internal Revenue Code, without regard to section

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1 168(k) of the Internal Revenue Code.

2 (3) Any other adjustments to gains or losses necessary to
3 reflect the adjustments made in subparagraphs (1) and (2).

4 d. The director shall adopt rules pursuant to chapter 17A
5 to administer this subsection.

6 Sec. 104. Section 422.35, subsection 19A, unnumbered
7 paragraph 1, Code 2018, is amended by striking the unnumbered
8 paragraph and inserting in lieu thereof the following:

9 The additional first-year depreciation allowance authorized
10 in section 168(k) of the Internal Revenue Code does not
11 apply in computing net income for state tax purposes. If the
12 taxpayer has taken the additional first-year depreciation
13 allowance for purposes of computing federal taxable income,
14 then the taxpayer shall make the following adjustments to
15 federal taxable income when computing net income for state tax
16 purposes:

17 Sec. 105. EFFECTIVE DATE. This division of this Act takes
18 effect January 1, 2019.

19 Sec. 106. APPLICABILITY. This division of this Act applies
20 to tax years beginning on or after January 1, 2019.

21 DIVISION IX

22 FUTURE CONTINGENT INCOME AND CORPORATE TAX AND FRANCHISE TAX 23 CHANGES

24 Sec. 107. Section 12D.9, subsection 2, Code 2018, is amended
25 to read as follows:

26 2. State income tax treatment of the Iowa educational

27 savings plan trust shall be as provided in section 422.7,
 28 subsections 18, 32, and 33.
 29 Sec. 108. Section 217.39, Code 2018, is amended to read as
 30 follows:
 31 **217.39 Persecuted victims of World War II — reparations —**
 32 **heirs.**
 33 Notwithstanding any other law of this state, payments paid
 34 to and income from lost property of a victim of persecution
 35 for racial, ethnic, or religious reasons by Nazi Germany or

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1 any other Axis regime or as an heir of such victim which is
 2 ~~exempt from state income tax as provided~~ described in section
 3 422.7, subsection 35, ~~Code 2018~~, shall not be considered as
 4 income or an asset for determining the eligibility for state or
 5 local government benefit or entitlement programs. The proceeds
 6 are not subject to recoupment for the receipt of governmental
 7 benefits or entitlements, and liens, except liens for child
 8 support, are not enforceable against these sums for any reason.
 9 Sec. 109. Section 422.4, subsection 1, paragraphs b and c,
 10 Code 2018, are amended to read as follows:
 11 b. “*Cumulative inflation factor*” means the product of the
 12 annual inflation factor for the ~~1988~~ calendar year beginning on
 13 January 1 of the calendar year that this division of this Act
 14 takes effect and all annual inflation factors for subsequent
 15 calendar years as determined pursuant to this subsection. The
 16 cumulative inflation factor applies to all tax years beginning
 17 on or after January 1 of the calendar year for which the latest
 18 annual inflation factor has been determined.
 19 c. The annual inflation factor for the ~~1988~~ calendar year
 20 beginning on January 1 of the calendar year that this division
 21 of this Act takes effect is one hundred percent.
 22 Sec. 110. Section 422.4, subsection 2, Code 2018, is amended
 23 by striking the subsection.
 24 Sec. 111. Section 422.4, subsection 16, Code 2018, is
 25 amended by striking the subsection and inserting in lieu
 26 thereof the following:
 27 16. “*Taxable income*” means, in the case of individuals,
 28 the net income as defined in section 422.7 minus the deduction
 29 allowed by section 422.9, if available. “*Taxable income*” means,
 30 in the case of estates or trusts, the taxable income without
 31 a deduction for personal exemption as computed for federal
 32 income tax purposes under the Internal Revenue Code, but with
 33 the adjustments specified in section 422.7, and the deduction
 34 allowed by section 422.9, if available.
 35 Sec. 112. Section 422.5, subsection 1, paragraph j,

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1 subparagraph (2), subparagraph division (b), Code 2018, is
2 amended to read as follows:

3 (b) This subparagraph (2) shall not affect the amount of
4 the taxpayer's checkoffs under this division, the credits from
5 tax provided under this division, and the allocation of these
6 credits between spouses if the taxpayers filed separate returns
7 ~~or separately on combined returns.~~

8 Sec. 113. Section 422.5, subsection 2, Code 2018, is amended
9 by striking the subsection.

10 Sec. 114. Section 422.5, subsections 3 and 3B, Code 2018,
11 are amended to read as follows:

12 3. a. The tax shall not be imposed on a resident or
13 nonresident whose net income, as defined in section 422.7, is
14 thirteen thousand five hundred dollars or less in the case
15 of married persons filing jointly ~~or filing separately on a~~
16 ~~combined return~~, heads of household, and surviving spouses or
17 nine thousand dollars or less in the case of all other persons;
18 but in the event that the payment of tax under this division
19 would reduce the net income to less than thirteen thousand five
20 hundred dollars or nine thousand dollars as applicable, then
21 the tax shall be reduced to that amount which would result
22 in allowing the taxpayer to retain a net income of thirteen
23 thousand five hundred dollars or nine thousand dollars as
24 applicable. The preceding sentence does not apply to estates
25 or trusts. For the purpose of this subsection, the entire net
26 income, including any part of the net income not allocated
27 to Iowa, shall be taken into account. For purposes of this
28 subsection, net income includes all amounts of pensions or
29 other retirement income, except for military retirement pay
30 excluded under section 422.7, subsection 31A, paragraph "a",
31 or section 422.7, subsection 31B, paragraph "a", received from
32 any source which is not taxable under this division as a result
33 of the government pension exclusions in section 422.7, or any
34 other state law. In calculating net income for purposes of
35 this subsection, any amount of itemized or standard deduction,

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1 personal exemption deduction, or qualified business income
2 deduction that was allowed as a deduction in computing federal
3 taxable income under the Internal Revenue Code shall be added
4 back. If the combined net income of a husband and wife exceeds
5 thirteen thousand five hundred dollars, neither of them shall
6 receive the benefit of this subsection, and it is immaterial
7 whether they file a joint return or separate returns. However,
8 if a husband and wife file separate returns and have a combined
9 net income of thirteen thousand five hundred dollars or less,
10 neither spouse shall receive the benefit of this paragraph,
11 if one spouse has a net operating loss and elects to carry
12 back or carry forward the loss as provided under the Internal

13 Revenue Code or in section 422.9, ~~subsection 3~~. A person who
 14 is claimed as a dependent by another person as defined in
 15 section 422.12 shall not receive the benefit of this subsection
 16 if the person claiming the dependent has net income exceeding
 17 thirteen thousand five hundred dollars or nine thousand dollars
 18 as applicable or the person claiming the dependent and the
 19 person's spouse have combined net income exceeding thirteen
 20 thousand five hundred dollars or nine thousand dollars as
 21 applicable.

22 *b.* In lieu of the computation in subsection 1 ~~or 2~~, or in
 23 paragraph "a" of this subsection, if the married persons',
 24 ~~filing jointly or filing separately on a combined return,~~
 25 head of household's, or surviving spouse's net income exceeds
 26 thirteen thousand five hundred dollars, the regular tax imposed
 27 under this division shall be the lesser of the maximum state
 28 individual income tax rate times the portion of the net income
 29 in excess of thirteen thousand five hundred dollars or the
 30 regular tax liability computed without regard to this sentence.
 31 Taxpayers electing to file separately shall compute the
 32 alternate tax described in this paragraph using the total net
 33 income of the husband and wife. The alternate tax described
 34 in this paragraph does not apply if one spouse elects to carry
 35 back or carry forward ~~the~~ a net operating loss as provided

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1 under the Internal Revenue Code or in section 422.9, ~~subsection~~
 2 ~~3~~.

3 3B. *a.* The tax shall not be imposed on a resident or
 4 nonresident who is at least sixty-five years old on December
 5 31 of the tax year and whose net income, as defined in section
 6 422.7, is thirty-two thousand dollars or less in the case
 7 of married persons filing jointly ~~or filing separately on a~~
 8 ~~combined return~~, heads of household, and surviving spouses or
 9 twenty-four thousand dollars or less in the case of all other
 10 persons; but in the event that the payment of tax under this
 11 division would reduce the net income to less than thirty-two
 12 thousand dollars or twenty-four thousand dollars as applicable,
 13 then the tax shall be reduced to that amount which would result
 14 in allowing the taxpayer to retain a net income of thirty-two
 15 thousand dollars or twenty-four thousand dollars as applicable.
 16 The preceding sentence does not apply to estates or trusts.
 17 For the purpose of this subsection, the entire net income,
 18 including any part of the net income not allocated to Iowa,
 19 shall be taken into account. For purposes of this subsection,
 20 net income includes all amounts of pensions or other retirement
 21 income, except for military retirement pay excluded under
 22 section 422.7, subsection 31A, paragraph "a", or section 422.7,
 23 subsection 31B, paragraph "a", received from any source which is
 24 not taxable under this division as a result of the government
 25 pension exclusions in section 422.7, or any other state law.
 26 In calculating net income for purposes of this subsection, any

27 amount of itemized or standard deduction, personal exemption
28 deduction, or qualified business income deduction that was
29 allowed as a deduction in computing federal taxable income
30 under the Internal Revenue Code shall be added back. If the
31 combined net income of a husband and wife exceeds thirty-two
32 thousand dollars, neither of them shall receive the benefit
33 of this subsection, and it is immaterial whether they file a
34 joint return or separate returns. However, if a husband and
35 wife file separate returns and have a combined net income of

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1 thirty-two thousand dollars or less, neither spouse shall
2 receive the benefit of this paragraph, if one spouse has a net
3 operating loss and elects to carry back or carry forward the
4 loss as provided under the Internal Revenue Code or in section
5 422.9, ~~subsection 3~~. A person who is claimed as a dependent by
6 another person as defined in section 422.12 shall not receive
7 the benefit of this subsection if the person claiming the
8 dependent has net income exceeding thirty-two thousand dollars
9 or twenty-four thousand dollars as applicable or the person
10 claiming the dependent and the person's spouse have combined
11 net income exceeding thirty-two thousand dollars or twenty-four
12 thousand dollars as applicable.

13 *b.* In lieu of the computation in subsection 1, ~~2~~, or 3, if
14 the married persons', filing jointly ~~or filing separately on~~
15 ~~a combined return~~, head of household's, or surviving spouse's
16 net income exceeds thirty-two thousand dollars, the regular
17 tax imposed under this division shall be the lesser of the
18 maximum state individual income tax rate times the portion of
19 the net income in excess of thirty-two thousand dollars or the
20 regular tax liability computed without regard to this sentence.
21 Taxpayers electing to file separately shall compute the
22 alternate tax described in this paragraph using the total net
23 income of the husband and wife. The alternate tax described
24 in this paragraph does not apply if one spouse elects to carry
25 back or carry forward ~~the a net operating~~ loss as provided
26 under the Internal Revenue Code or in section 422.9, ~~subsection~~
27 ~~3~~.

28 *c.* This subsection applies even though one spouse has not
29 attained the age of sixty-five, if the other spouse is at least
30 sixty-five at the end of the tax year.

31 Sec. 115. Section 422.5A, as enacted in this Act, Code
32 2018, is amended by striking the section and inserting in lieu
33 thereof the following:

34 **422.5A Tax rates.**

35 1. The tax imposed in section 422.5 shall be calculated

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- 1 at the following rates in the case of a married couple filing
 2 jointly:
- 3 a. On all taxable income from 0 through \$12,000, the rate of
 4 4.40 percent.
- 5 b. On all taxable income exceeding \$12,000 but not exceeding
 6 \$60,000, the rate of 4.82 percent.
- 7 c. On all taxable income exceeding \$60,000 but not exceeding
 8 \$150,000, the rate of 5.70 percent.
- 9 d. On all taxable income exceeding \$150,000, the rate of
 10 6.50 percent.
- 11 2. The tax imposed in section 422.5 shall be calculated at
 12 the following rates in the case of any taxpayer other than a
 13 married couple filing jointly:
- 14 a. On all taxable income from 0 through \$6,000, the rate of
 15 4.40 percent.
- 16 b. On all taxable income exceeding \$6,000 but not exceeding
 17 \$30,000, the rate of 4.82 percent.
- 18 c. On all taxable income exceeding \$30,000 but not exceeding
 19 \$75,000, the rate of 5.70 percent.
- 20 d. On all taxable income exceeding \$75,000, the rate of 6.50
 21 percent.
- 22 Sec. 116. Section 422.7, unnumbered paragraph 1, Code 2018,
 23 is amended to read as follows:
- 24 The term "*net income*" means the ~~adjusted gross income before~~
 25 ~~the net operating loss deduction~~ taxable income as properly
 26 computed for federal income tax purposes under section 63 of
 27 the Internal Revenue Code, with the following adjustments:
- 28 Sec. 117. Section 422.7, Code 2018, is amended by adding the
 29 following new subsections:
- 30 NEW SUBSECTION. 4. Add any federal net operating loss
 31 deduction carried over from a taxable year beginning prior to
 32 January 1 of the calendar year that this division of this Act
 33 takes effect.
- 34 NEW SUBSECTION. 6.a. For tax years beginning in the
 35 calendar year that this division of this Act takes effect,

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- 1 subtract the amount of federal income taxes paid during the
 2 tax year to the extent payment is for a tax year beginning
 3 prior to January 1 of the calendar year that this division of
 4 this Act takes effect, and add any federal income tax refunds
 5 received during the tax year to the extent the federal income
 6 tax was deducted for a tax year beginning prior to January 1 of
 7 the calendar year that this division of this Act takes effect.
- 8 Where married persons who have filed a joint federal income
 9 tax return file separately for state tax purposes, such total
 10 shall be divided between them according to the portion of the
 11 total paid by each. Federal income taxes paid for a tax year
 12 in which an Iowa return was not required to be filed shall not

13 be subtracted.

14 *b.* Notwithstanding any other provision of law to the
15 contrary, amounts subtracted or added pursuant to this
16 subsection shall not be included in the calculation of net
17 income for purposes of section 422.5, subsection 3 or 3B, or
18 section 422.13.

19 Sec. 118. Section 422.7, subsection 5, Code 2018, is amended
20 to read as follows:

21 5. Individual taxpayers and married taxpayers who file a
22 joint federal income tax return and who elect to file a joint
23 return, or separate returns, or separate filing on a combined
24 ~~return~~ for Iowa income tax purposes, may avail themselves of
25 the disability income exclusion and shall compute the amount
26 of the disability income exclusion subject to the limitations
27 for joint federal income tax return filers provided by section
28 105(d) of the Internal Revenue Code. The disability income
29 exclusion provided in section 105(d) of the Internal Revenue
30 Code, as amended up to and including December 31, 1982,
31 continues to apply for state income tax purposes for tax years
32 beginning on or after January 1, 1984.

33 Sec. 119. Section 422.7, subsection 13, Code 2018, is
34 amended by striking the subsection and inserting in lieu
35 thereof the following:

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1 13. Subtract, to the extent included, the amount of social
2 security benefits taxable under section 86 of the Internal
3 Revenue Code.

4 Sec. 120. Section 422.7, Code 2018, is amended by adding the
5 following new subsections:

6 NEW SUBSECTION. 18. Add, to the extent deducted for federal
7 tax purposes, charitable contributions under section 170 of
8 the Internal Revenue Code to the extent such contribution was
9 made to an organization for the purpose of deposit in the Iowa
10 education savings plan trust established in chapter 12D, and
11 the taxpayer designated that any part of the contribution be
12 used for the direct benefit of any dependent of the taxpayer or
13 any other single beneficiary designated by the taxpayer.

14 NEW SUBSECTION. 19. *a.* Subtract, to the extent included,
15 income resulting from the payment by an employer of the
16 taxpayer, whether paid to the taxpayer or to a lender, of
17 principal or interest on any qualified education loan incurred
18 by the taxpayer.

19 *b.* If the taxpayer has a deduction in computing federal
20 taxable income under section 221 of the Internal Revenue Code
21 for interest on a qualified education loan, the taxpayer shall
22 recompute for purposes of this subsection the amount of the
23 deduction under paragraph "*a*" by not subtracting any amount of
24 income resulting from the employer's payment of interest on a
25 qualified education loan that was also deducted by the taxpayer
26 under section 221 of the Internal Revenue Code.

27 c. For purposes of this subsection, “*qualified education*
28 *loan*” means the same as defined in section 221 of the Internal
29 Revenue Code.
30 Sec. 121. Section 422.7, subsection 21, Code 2018, is
31 amended by striking the subsection and inserting in lieu
32 thereof the following:
33 21.a. For purposes of this subsection:
34 (1) “*Farming business*” means the raising and harvesting
35 of crops or forest or fruit trees, the rearing, feeding, and

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1 management of livestock, or horticulture, all for intended
2 profit.
3 (2) “*Held*” shall be determined with reference to the holding
4 period provisions of section 1223 of the Internal Revenue Code
5 and the federal regulations pursuant thereto.
6 (3) “*Materially participated*” means the same as “*material*
7 *participation*” in section 469(h) of the Internal Revenue Code.
8 (4) (a) “*Real property used in a farming business*” means all
9 tracts of land and the improvements and structures located on
10 them which are in good faith used primarily for agricultural
11 purposes except buildings which are primarily used or intended
12 for human habitation. Land and the nonresidential improvements
13 and structures located on it shall be considered to be used
14 primarily for agricultural purposes if its principal use is
15 devoted to the raising and harvesting of crops or forest or
16 fruit trees, the rearing, feeding, and management of livestock,
17 or horticulture, all for intended profit. Woodland, wasteland,
18 and pastureland shall qualify but only if such land is held or
19 operated in conjunction with real property that otherwise meets
20 the requirements of this paragraph.
21 (b) Real property classified as agricultural property for
22 Iowa property tax purposes, except real property described
23 in section 441.21, subsection 12, paragraphs “a” or “b”,
24 shall be presumed to be real property used in a farming
25 business. This presumption is rebuttable by the department by
26 a preponderance of evidence that the real property did not meet
27 the requirements of subparagraph division (a).
28 (5) “*Relative*” means an individual that satisfies one or
29 more of the following conditions:
30 (a) The individual is related to the taxpayer by
31 consanguinity within the second degree as determined by common
32 law.
33 (b) The individual is a lineal descendent of the taxpayer.
34 For purposes of this subparagraph division, “*lineal descendent*”
35 means children of the taxpayer, including legally adopted

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- 1 children and biological children, stepchildren, grandchildren,
2 great-grandchildren, and any other lineal descendent of the
3 taxpayer.
- 4 b. Subtract the net capital gain from the sale of real
5 property used in a farming business if all of the following
6 conditions are satisfied:
- 7 (1) The taxpayer has materially participated in the farming
8 business for a minimum of ten years immediately preceding the
9 sale.
- 10 (2) The taxpayer has held the real property used in a
11 farming business for a minimum of ten years immediately
12 preceding the sale.
- 13 (3) The real property used in a farming business is sold to
14 a relative of the taxpayer.
- 15 c. (1) If the relative to whom the taxpayer sold the
16 real property used in a farming business that qualified
17 for the deduction in this subsection subsequently sells or
18 otherwise transfers all or part of said real property to a
19 person who is not a relative of the taxpayer within five years
20 of the original sale, the subsequent sale or transfer shall
21 be considered prima facie evidence that the original sale
22 was entered into by the taxpayer primarily to obtain the tax
23 benefits provided in this subsection, and the deduction under
24 this subsection for the original sale shall be disallowed for
25 the taxpayer with respect to that real property subsequently
26 sold or transferred by the relative.
- 27 (2) The prima facie determination in subparagraph (1) may be
28 rebutted by the taxpayer by a preponderance of evidence showing
29 that at the time of the original sale by the taxpayer of the
30 real property used in a farming business, all of the following
31 conditions were satisfied:
- 32 (a) The taxpayer had a substantial purpose for entering into
33 the sale transaction apart from the state tax benefits.
- 34 (b) The taxpayer did not intend that the real property would
35 subsequently be sold or transferred to a person who is not a

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- 1 relative of the taxpayer.
- 2 (c) The taxpayer had no actual or constructive knowledge of
3 the buyer's intent to subsequently sell or transfer the real
4 property to a person who is not a relative of the taxpayer.
- 5 (3) Notwithstanding section 422.25, subsection 1, paragraph
6 "a", the period of limitation for examination and determination
7 of tax with regard to the deduction provided in this subsection
8 shall be one of the following dates, whichever occurs later:
- 9 (a) The date which is three years after the date that the
10 return upon which the deduction in this subsection is claimed
11 is filed.
- 12 (b) The date which is three years after the date that the

13 return upon which the deduction in this subsection is claimed
14 is due, including any extensions.

15 (c) The date which is six years after the date of the sale
16 of the real property used in a farming business for which the
17 deduction in this subsection is claimed.

18 d. To the extent otherwise allowed, the deduction provided
19 in this subsection is not allowed for purposes of computing the
20 income for the taxable year or years for which a net operating
21 loss is deducted under the Internal Revenue Code or under
22 subsection 422.9.

23 Sec. 122. Section 422.7, subsection 29, Code 2018, is
24 amended to read as follows:

25 29. ~~a. Subtract~~ For a taxpayer who is sixty-five years
26 of age or older and whose net income is less than one hundred
27 thousand dollars, subtract, to the extent not otherwise
28 deducted in computing ~~adjusted gross~~ federal taxable income,
29 the amounts paid by the taxpayer for the purchase of health
30 benefits coverage or insurance for the taxpayer or taxpayer's
31 spouse or dependent.

32 b. For purposes of this subsection, "net income" means net
33 income as properly computed under this section without regard
34 to the deduction in this subsection and with the following
35 additional adjustments:

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1 (1) Add back any amount of pensions or other retirement
2 income received from any source which is not taxable under this
3 division, including but not limited to amounts deductible under
4 subsections 13, 31, 31A, and 31B.

5 (2) Add back any amount of itemized or standard deduction,
6 personal exemption deduction, or qualified business income
7 deduction that was allowed as a deduction from federal adjusted
8 gross income in computing federal taxable income under the
9 Internal Revenue Code.

10 Sec. 123. Section 422.7, subsection 31, Code 2018, is
11 amended to read as follows:

12 31. For a person who is disabled, or is fifty-five years of
13 age or older, or is the surviving spouse of an individual or
14 a survivor having an insurable interest in an individual who
15 would have qualified for the exemption under this subsection
16 for the tax year, subtract, to the extent included, the
17 total amount of a governmental or other pension or retirement
18 pay, including, but not limited to, defined benefit or
19 defined contribution plans, annuities, individual retirement
20 accounts, plans maintained or contributed to by an employer,
21 or maintained or contributed to by a self-employed person as
22 an employer, and deferred compensation plans or any earnings
23 attributable to the deferred compensation plans, up to a
24 maximum of six thousand dollars for a person, other than a
25 husband or wife, who files a separate state income tax return
26 and up to a maximum of twelve thousand dollars for a husband

27 and wife who file a joint state income tax return. However, a
28 surviving spouse who is not disabled or fifty-five years of age
29 or older can only exclude the amount of pension or retirement
30 pay received as a result of the death of the other spouse. A
31 husband and wife filing separate state income tax returns ~~or~~
32 ~~separately on a combined state return~~ are allowed a combined
33 maximum exclusion under this subsection of up to twelve
34 thousand dollars. The twelve thousand dollar exclusion shall
35 be allocated to the husband or wife in the proportion that each

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1 spouse's respective pension and retirement pay received bears
2 to total combined pension and retirement pay received.

3 Sec. 124. Section 422.7, subsection 41, Code 2018, is
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *0e.* Add, to the extent deducted for
6 federal tax purposes, interest, taxes, and other miscellaneous
7 expenses to the extent such amounts are eligible home costs
8 in connection with a qualified home purchase that were paid
9 or reimbursed from funds in a first-time homebuyer savings
10 account.

11 Sec. 125. Section 422.7, subsection 47, Code 2018, is
12 amended to read as follows:

13 47. Subtract, to the extent not otherwise deducted in
14 computing ~~adjusted gross~~ federal taxable income, the amounts
15 paid by the taxpayer to the department of veterans affairs for
16 the purpose of providing grants under the injured veterans
17 grant program established in section 35A.14. Amounts
18 subtracted under this subsection shall not be used by the
19 taxpayer in computing the amount of charitable contributions as
20 defined by section 170 of the Internal Revenue Code.

21 Sec. 126. Section 422.7, subsections 3, 7, 8, 9, 10, 11, 14,
22 15, 16, 20, 22, 24, 25, 26, 30, 35, 36, 37, 39, 39B, 40, 43, 45,
23 49, 53, 55, 56, 57, and 58, Code 2018, are amended by striking
24 the subsections.

25 Sec. 127. Section 422.8, subsection 4, Code 2018, is amended
26 by striking the subsection.

27 Sec. 128. Section 422.9, Code 2018, is amended by striking
28 the section and inserting in lieu thereof the following:

29 **422.9 Carry over of Iowa net operating loss.**

30 Any Iowa net operating loss carried over from a taxable year
31 beginning prior to January 1 of the calendar year that this
32 division of this Act takes effect may be deducted as provided
33 in section 422.9, subsection 3, Code 2018.

34 Sec. 129. Section 422.11B, Code 2018, is amended to read as
35 follows:

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1 **422.11B Minimum tax credit.**

2 1. ~~a. There~~ For tax years beginning before January 1 of the
 3 calendar year following the calendar year that this division
 4 of this Act takes effect, there is allowed as a credit against
 5 the tax determined in section 422.5, subsection 1, ~~paragraphs~~
 6 ~~“a” through “j”~~ for a tax year an amount equal to the minimum
 7 tax credit for that tax year.

8 b. The minimum tax credit for a tax year is the excess, if
 9 any, of the net minimum tax imposed for all prior tax years
 10 beginning on or after January 1, 1987, but before January 1 of
 11 the calendar year that this division of this Act takes effect.
 12 over the amount allowable as a credit under this section for
 13 those prior tax years.

14 2. a. The allowable credit under subsection 1 for a tax
 15 year beginning before January 1 of the calendar year that this
 16 division of this Act takes effect shall not exceed the excess,
 17 if any, of the tax determined in section 422.5, subsection
 18 1, ~~paragraphs “a” through “j”~~ over the state alternative
 19 minimum tax as determined in section 422.5, subsection 2, Code
 20 2018. The allowable credit under subsection 1 for a tax year
 21 beginning in the calendar year that this division of this Act
 22 takes effect shall not exceed the tax determined under section
 23 422.5, subsection 1.

24 b. The net minimum tax for a tax year is the excess, if
 25 any, of the tax determined in section 422.5, subsection 2,
 26 Code 2018, for the tax year over the tax determined in section
 27 422.5, subsection 1, ~~paragraphs “a” through “j”~~ for the tax
 28 year.

29 3. This section is repealed January 1 of the calendar year
 30 following the calendar year that this division of this Act
 31 takes effect, for tax years beginning on or after January 1
 32 of the calendar year following the calendar year that this
 33 division of this Act takes effect.

34 Sec. 130. Section 422.11S, subsection 4, Code 2018, is
 35 amended to read as follows:

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1 4. Married taxpayers who file separate returns ~~or file~~
 2 ~~separately on a combined return form~~ must determine the tax
 3 credit under subsection 1 based upon their combined net income
 4 and allocate the total credit amount to each spouse in the
 5 proportion that each spouse's respective net income bears to
 6 the total combined net income. Nonresidents or part-year
 7 residents of Iowa must determine their tax credit in the ratio
 8 of their Iowa source net income to their all source net income.
 9 Nonresidents or part-year residents who are married and elect
 10 to file separate returns ~~or to file separately on a combined~~
 11 ~~return form~~ must allocate the tax credit between the spouses
 12 in the ratio of each spouse's Iowa source net income to the

13 combined Iowa source net income of the taxpayers.

14 Sec. 131. Section 422.12B, subsection 2, Code 2018, is
15 amended to read as follows:

16 2. Married taxpayers electing to file separate returns ~~or~~
17 ~~filing separately on a combined return~~ may avail themselves
18 of the earned income credit by allocating the earned income
19 credit to each spouse in the proportion that each spouse's
20 respective earned income bears to the total combined earned
21 income. Taxpayers affected by the allocation provisions of
22 section 422.8 shall be permitted a deduction for the credit
23 only in the amount fairly and equitably allocable to Iowa under
24 rules prescribed by the director.

25 Sec. 132. Section 422.12C, subsection 4, Code 2018, is
26 amended to read as follows:

27 4. Married taxpayers who have filed joint federal returns
28 electing to file separate returns ~~or to file separately on a~~
29 ~~combined return form~~ must determine the child and dependent
30 care credit under subsection 1 or the early childhood
31 development tax credit under subsection 2 based upon their
32 combined net income and allocate the total credit amount to
33 each spouse in the proportion that each spouse's respective net
34 income bears to the total combined net income. Nonresidents
35 or part-year residents of Iowa must determine their Iowa child

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1 and dependent care credit in the ratio of their Iowa source
2 net income to their all source net income. Nonresidents or
3 part-year residents who are married and elect to file separate
4 returns ~~or to file separately on a combined return form~~ must
5 allocate the Iowa child and dependent care credit between the
6 spouses in the ratio of each spouse's Iowa source net income to
7 the combined Iowa source net income of the taxpayers.

8 Sec. 133. Section 422.13, subsection 1, paragraph c, Code
9 2018, is amended by striking the paragraph.

10 Sec. 134. Section 422.16, subsection 1, paragraph f, Code
11 2018, is amended by striking the paragraph.

12 Sec. 135. Section 422.21, subsections 2, 5, and 7, Code
13 2018, are amended to read as follows:

14 2. An individual in the armed forces of the United States
15 serving in an area designated by the president of the United
16 States or the United States Congress as a combat zone or as a
17 qualified hazardous duty area, or deployed outside the United
18 States away from the individual's permanent duty station while
19 participating in an operation designated by the United States
20 secretary of defense as a contingency operation as defined
21 in 10 U.S.C. §101(a)(13), or which became such a contingency
22 operation by the operation of law, or an individual serving in
23 support of those forces, is allowed the same additional time
24 period after leaving the combat zone or the qualified hazardous
25 duty area, or ceasing to participate in such contingency
26 operation, or after a period of continuous hospitalization, to

27 file a state income tax return or perform other acts related
 28 to the department, as would constitute timely filing of the
 29 return or timely performance of other acts described in section
 30 7508(a) of the Internal Revenue Code. An individual on active
 31 duty federal military service in the armed forces, armed forces
 32 military reserve, or national guard who is deployed outside
 33 the United States in other than a combat zone, qualified
 34 hazardous duty area, or contingency operation is allowed the
 35 same additional period of time described in section 7508(a)

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1 of the Internal Revenue Code to file a state income tax
 2 return or perform other acts related to the department. For
 3 the purposes of this subsection, “*other acts related to the*
 4 *department*” includes filing claims for refund for any tax
 5 administered by the department, making tax payments other than
 6 withholding payments, filing appeals on the tax matters, filing
 7 other tax returns, and performing other acts described in the
 8 department’s rules. The additional time period allowed applies
 9 to the spouse of the individual described in this subsection
 10 to the extent the spouse files jointly ~~or separately on the~~
 11 ~~combined return form~~ with the individual or when the spouse
 12 is a party with the individual to any matter for which the
 13 additional time period is allowed.

14 5. The director shall determine for the ~~1989~~ calendar year
 15 that this division of this Act takes effect and each subsequent
 16 calendar year the annual and cumulative inflation factors for
 17 each calendar year to be applied to tax years beginning on or
 18 after January 1 of that calendar year. The director shall
 19 compute the new dollar amounts as specified to be adjusted in
 20 section 422.5 by the latest cumulative inflation factor and
 21 round off the result to the nearest one dollar. The annual and
 22 cumulative inflation factors determined by the director are not
 23 rules as defined in section 17A.2, subsection 11. ~~The director~~
 24 ~~shall determine for the 1990 calendar year and each subsequent~~
 25 ~~calendar year the annual and cumulative standard deduction~~
 26 ~~factors to be applied to tax years beginning on or after~~
 27 ~~January 1 of that calendar year. The director shall compute~~
 28 ~~the new dollar amounts of the standard deductions specified in~~
 29 ~~section 422.9, subsection 1, by the latest cumulative standard~~
 30 ~~deduction factor and round off the result to the nearest ten~~
 31 ~~dollars. The annual and cumulative standard deduction factors~~
 32 ~~determined by the director are not rules as defined in section~~
 33 ~~17A.2, subsection 11.~~

34 7. If married taxpayers file a joint return ~~or file~~
 35 ~~separately on a combined return~~ in accordance with rules

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1 prescribed by the director, both spouses are jointly and
 2 severally liable for the total tax due on the return, except
 3 when one spouse is considered to be an innocent spouse under
 4 criteria established pursuant to section 6015 of the Internal
 5 Revenue Code.

6 Sec. 136. Section 422.35, unnumbered paragraph 1, Code
 7 2018, is amended to read as follows:

8 The term “*net income*” means the taxable income ~~before the~~
 9 ~~net operating loss deduction~~, as properly computed for federal
 10 income tax purposes under the Internal Revenue Code, with the
 11 following adjustments:

12 Sec. 137. Section 422.35, subsection 11, Code 2018, is
 13 amended by striking the subsection and inserting in lieu
 14 thereof the following:

15 11. *a.* Add any federal net operating loss deduction carried
 16 over from a taxable year beginning prior to January 1 of the
 17 calendar year that this division of this Act takes effect.

18 *b.* Any Iowa net operating loss carried over from a taxable
 19 year beginning prior to January 1 of the calendar year that
 20 this division of this Act takes effect may be deducted as
 21 provided in section 422.35, subsection 11, Code 2018.

22 Sec. 138. Section 422.35, subsections 3, 4, 5, 7, 8, 10,
 23 16, 17, 18, 19, 19B, 20, 22, and 24, Code 2018, are amended by
 24 striking the subsections.

25 Sec. 139. Section 541B.3, subsection 1, paragraph b, Code
 26 2018, is amended to read as follows:

27 *b.* A married couple electing to file a joint Iowa individual
 28 income tax return may establish a joint first-time homebuyer
 29 savings account. Married taxpayers electing to file separate
 30 tax returns ~~or separately on a combined tax return~~ for Iowa tax
 31 purposes shall not establish or maintain a joint first-time
 32 homebuyer savings account.

33 Sec. 140. Section 541B.6, Code 2018, is amended to read as
 34 follows:

35 **541B.6 Tax considerations.**

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1 The state income tax treatment of a first-time homebuyer
 2 savings account shall be as provided in section 422.7,
 3 subsection 41, ~~and section 422.9, subsection 2, paragraph “f”.~~

4 Sec. 141. CONTINGENT EFFECTIVE DATE — NET GENERAL FUND
 5 REVENUES CALCULATION — ANNUAL REPORTS.

6 1. This division of this Act takes effect on January 1,
 7 2023, if both of the following conditions are satisfied:

8 *a.* The net general fund revenues for the fiscal year ending
 9 June 30, 2022, equal or exceed eight billion three hundred
 10 fourteen million six hundred thousand dollars.

11 *b.* The net general fund revenues for the fiscal year ending
 12 June 30, 2022, equal or exceed one hundred and four percent of

13 the net general fund revenues for the fiscal year ending June
14 30, 2021.

15 2. If the provisions of subsection 1 are not satisfied
16 and this division of this Act does not take effect on January
17 1, 2023, then this division of this Act shall take effect on
18 January 1 following the first fiscal year for which both of the
19 following conditions are satisfied:

20 a. The net general fund revenues for that fiscal year ending
21 June 30 equal or exceed eight billion three hundred fourteen
22 million six hundred thousand dollars.

23 b. The net general fund revenues for that fiscal year ending
24 June 30 equal or exceed one hundred and four percent of the
25 net general fund revenues for the fiscal year ending June 30
26 immediately preceding that fiscal year.

27 3. a. For purposes of this section, “net general fund
28 revenues” means total appropriated general fund revenues
29 excluding transfers from reserve funds, less the sum of tax and
30 other refunds and school infrastructure transfers, all made on
31 an accrual basis as computed for purposes of the comprehensive
32 annual financial reports of the state.

33 b. Net general fund revenues shall be calculated by
34 the department of management, in consultation with the
35 department of revenue, for each fiscal year beginning on

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1 or after July 1, 2020, until such time as this division of
2 this Act takes effect, in accordance with rules adopted by
3 the department of management. The department of management
4 shall adopt rules pursuant to chapter 17A for calculating net
5 general fund revenues as defined in paragraph “a”, including
6 rules defining “total appropriated general fund revenues”,
7 “transfers from reserve funds”, “tax and other refunds”, and
8 “school infrastructure transfers”, and including the types
9 and categories of receipts that will be included within each
10 definition and in the calculation of net general fund revenues.

11 c. The department of management shall submit an annual
12 report to the governor and general assembly by November 1
13 following the close of each fiscal year beginning on or after
14 July 1, 2020, until such time as this division of this Act
15 takes effect, which report shall identify the net general fund
16 revenues for the fiscal year and shall include a detailed
17 description of the net general fund revenues calculation made
18 by the department of management.

19 Sec. 142. APPLICABILITY. This division of this Act applies
20 to tax years beginning on or after the effective date of this
21 division of this Act.

22 DIVISION X

23 CHANGES TO IOWA EDUCATIONAL SAVINGS PLAN TRUST AND IOWA ABLE 24 SAVINGS PLAN TRUST

25 Sec. 143. Section 12D.1, Code 2018, is amended to read as
26 follows:

27 **12D.1 Purpose and definitions.**

28 1. The general assembly finds that the general welfare and
29 well-being of the state are directly related to educational
30 levels and skills of the citizens of the state, and that a
31 vital and valid public purpose is served by the creation and
32 implementation of programs which encourage and make possible
33 the attainment of ~~higher formal~~ education by the greatest
34 number of citizens of the state. ~~The state has limited~~
35 ~~resources to provide additional programs for higher education~~

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1 ~~funding and the continued operation and maintenance of the~~
2 ~~state's public institutions of higher education and the general~~
3 welfare of the citizens of the state will be enhanced by
4 establishing a program which allows citizens of the state to
5 invest money in a public trust for future application to the
6 payment of ~~higher education costs~~ qualified education expenses.
7 The creation of the means of encouragement for citizens to
8 invest in such a program represents the carrying out of a
9 vital and valid public purpose. In order to make available
10 to the citizens of the state an opportunity to fund future
11 ~~higher formal~~ education needs, it is necessary that a public
12 trust be established in which moneys may be invested for future
13 educational use.

14 2. As used in this chapter, unless the context otherwise
15 requires:

16 a. "Account balance limit" means the maximum allowable
17 aggregate balance of accounts established for the same
18 beneficiary. Account earnings, if any, are included in the
19 account balance limit.

20 b. "Administrative fund" means the administrative fund
21 established under section 12D.4.

22 c. "Beneficiary" means the individual designated by a
23 participation agreement to benefit from advance payments of
24 ~~higher education costs~~ qualified education expenses on behalf
25 of the beneficiary.

26 d. "Benefits" means the payment of ~~higher education costs~~
27 qualified education expenses on behalf of a beneficiary by the
28 trust during the beneficiary's attendance at ~~an institution of~~
29 ~~higher education~~ a qualified educational institution.

30 e. "Higher education costs" means the same as "qualified
31 higher education expenses" as defined in section 529(e)(3) of
32 ~~the Internal Revenue Code~~.

33 f. ~~e.~~ "Institution of higher education" means an institution
34 described in section 481 of the federal Higher Education Act of
35 1965, 20 U.S.C. §1088, which is eligible to participate in the

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1 United States department of education's student aid programs.
 2 ~~g. l.~~ "Internal Revenue Code" means the same as defined
 3 in section 12I.1.
 4 ~~h. g.~~ "Iowa educational savings plan trust" or "trust" means
 5 the trust created under section 12D.2.
 6 ~~i. h.~~ "Participant" means an individual, individual's legal
 7 representative, trust, estate, or an organization described
 8 in section 501(c)(3) of the Internal Revenue Code and exempt
 9 from taxation under section 501(a) of the Internal Revenue
 10 Code, that has entered into a participation agreement under
 11 this chapter for the advance payment of ~~higher education costs~~
 12 qualified education expenses on behalf of a beneficiary.
 13 ~~j. l.~~ "Participation agreement" means an agreement between
 14 a participant and the trust entered into under this chapter.
 15 ~~k. l.~~ "Program fund" means the program fund established
 16 under section 12D.4.
 17 ~~l.~~ "Qualified education expenses" means the same as
 18 "qualified higher education expenses" as defined in section
 19 529(e)(3) of the Internal Revenue Code, as amended by Pub. L.
 20 No. 115-97, and shall include elementary and secondary school
 21 expenses for tuition described in section 529(c)(7) of the
 22 Internal Revenue Code, subject to the limitations imposed by
 23 section 529(e)(3)(A) of the Internal Revenue Code.
 24 ~~m.~~ "Qualified educational institution" means an institution
 25 of higher education, or any elementary or secondary public,
 26 private, or religious school described in section 529(c)(7) of
 27 the Internal Revenue Code.
 28 ~~n.~~ ~~o.~~ "Tuition and fees" "Tuition" means the quarter, or
 29 semester, or annual charges imposed to attend an institution
 30 of higher education a qualified educational institution and
 31 required as a condition of enrollment or attendance.
 32 Sec. 144. Section 12D.2, subsections 2, 5, 9, and 14, Code
 33 2018, are amended to read as follows:
 34 2. Enter into agreements with any ~~institution of higher~~
 35 ~~education~~ qualified educational institution, the state, or any

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1 federal or other state agency, or other entity as required to
 2 implement this chapter.
 3 5. Carry out studies and projections so the treasurer of
 4 state may advise participants regarding present and estimated
 5 future ~~higher education costs~~ qualified education expenses
 6 and levels of financial participation in the trust required
 7 in order to enable participants to achieve their educational
 8 funding objectives.
 9 9. Make payments to ~~institutions of higher education~~
 10 qualified educational institutions, participants, or
 11 beneficiaries, pursuant to participation agreements on behalf
 12 of beneficiaries.

13 14. Establish, impose, and collect administrative fees
 14 and charges in connection with transactions of the trust, and
 15 provide for reasonable service charges, ~~including penalties for~~
 16 ~~cancellations and late payments with respect to participation~~
 17 ~~agreements.~~

18 Sec. 145. Section 12D.3, subsections 1 and 2, Code 2018, are
 19 amended to read as follows:

20 1. ~~a.~~ Each participation agreement may require a
 21 participant to agree to invest a specific amount of money in
 22 the trust for a specific period of time for the benefit of a
 23 specific beneficiary. A participant shall not be required to
 24 make an annual contribution on behalf of a beneficiary. The
 25 maximum contribution that may be deducted for Iowa income tax
 26 purposes shall not exceed two thousand dollars per beneficiary
 27 per year adjusted annually to reflect increases in the consumer
 28 price index. The treasurer of state shall set an account
 29 balance limit to maintain compliance with section 529 of the
 30 Internal Revenue Code. A contribution shall not be permitted
 31 to the extent it causes the aggregate balance of all accounts
 32 established for the same beneficiary under the trust to exceed
 33 the applicable account balance limit.

34 ~~b. Participation agreements may be amended to provide for~~
 35 ~~adjusted levels of payments based upon changed circumstances or~~

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1 ~~changes in educational plans.~~
 2 2. The execution of a participation agreement by the trust
 3 shall not guarantee in any way that ~~higher education costs~~
 4 qualified education expenses will be equal to projections
 5 and estimates provided by the trust or that the beneficiary
 6 named in any participation agreement will attain any of the
 7 following:
 8 a. Be admitted to ~~an institution of higher education a~~
 9 qualified educational institution.
 10 b. If admitted, be determined a resident for tuition
 11 purposes by the ~~institution of higher education~~ qualified
 12 educational institution.
 13 c. Be allowed to continue attendance at the ~~institution of~~
 14 ~~higher education~~ qualified educational institution following
 15 admission.
 16 d. Graduate from the ~~institution of higher education~~
 17 qualified educational institution.

18 Sec. 146. Section 12D.3, Code 2018, is amended by adding the
 19 following new subsection:

20 NEW SUBSECTION. 5. A participant may designate a successor
 21 in accordance with rules adopted by the treasurer of state.
 22 The designated successor shall succeed to the ownership of the
 23 account in the event of the death of the participant. In the
 24 event a participant dies and has not designated a successor to
 25 the account, the following criteria shall apply:

26 a. The beneficiary of the account, if eighteen years of

27 age or older, shall become the owner of the account as well as
 28 remain the beneficiary upon filing the appropriate forms in
 29 accordance with rules adopted by the treasurer of state.
 30 *b.* If the beneficiary of the account is under the age of
 31 eighteen, account ownership shall be transferred to the first
 32 surviving parent or other legal guardian of the beneficiary to
 33 file the appropriate forms in accordance with rules adopted by
 34 the treasurer of state.
 35 Sec. 147. Section 12D.4, Code 2018, is amended to read as

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1 follows:
 2 **12D.4 Program and administrative funds — investment and**
 3 **payments.**
 4 1. *a.* The treasurer of state shall segregate moneys
 5 received by the trust into two funds: the program fund and the
 6 administrative fund.
 7 *b.* All moneys paid by participants in connection with
 8 participation agreements shall be deposited as received into
 9 separate accounts within the program fund.
 10 *c.* Contributions to the trust made by participants may only
 11 be made in the form of cash.
 12 *d.* A participant or beneficiary ~~shall not provide investment~~
 13 ~~direction regarding program contributions or earnings held by~~
 14 ~~the trust may, directly or indirectly, direct the investment of~~
 15 ~~any contributions to the trust or any earnings thereon no more~~
 16 ~~than two times in a calendar year.~~
 17 *e.* The amount of cash distributions from the trust and all
 18 other qualified state tuition programs under section 529 of
 19 the Internal Revenue Code to a beneficiary during any taxable
 20 year shall, in the aggregate, include no more than ten thousand
 21 dollars in expenses for tuition in connection with enrollment
 22 at an elementary or secondary public, private, or religious
 23 school incurred during the taxable year.
 24 2. Moneys accrued by participants in the program fund of
 25 the trust may be used for payments to any ~~institution of higher~~
 26 ~~education~~ qualified educational institution. Payments can be
 27 made to the qualified educational institution, the participant,
 28 or the beneficiary.
 29 Sec. 148. Section 12D.6, subsection 1, paragraph a, Code
 30 2018, is amended to read as follows:
 31 *a.* A participant retains ownership of all payments made
 32 under a participation agreement up to the date of utilization
 33 for payment of ~~higher education costs~~ qualified education
 34 expenses for the beneficiary.
 35 Sec. 149. Section 12D.6, subsections 2, 3, and 5, Code 2018,

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1 are amended to read as follows:

2 2. In the event the program is terminated prior to payment
3 of ~~higher education costs~~ qualified education expenses for the
4 beneficiary, the participant is entitled to a refund of the
5 participant's account balance.

6 3. The ~~institution of higher education~~ qualified
7 educational institution shall obtain ownership of the payments
8 made for the ~~higher education costs~~ qualified education
9 expenses paid to the institution at the time each payment is
10 made to the institution.

11 5. A participant may transfer ownership rights to another
12 ~~eligible individual, including a gift of the ownership rights~~
13 ~~to a minor beneficiary participant, or may transfer funds to~~
14 another plan under the trust or to an ABLÉ account as permitted
15 under section 529(c)(3)(C) of the Internal Revenue Code.

16 The transfer shall be made and the property distributed in
17 accordance with rules adopted by the treasurer of state or with
18 the terms of the participation agreement.

19 Sec. 150. Section 12D.7, Code 2018, is amended to read as
20 follows:

21 **12D.7 Effect of payments on determination of need and**
22 **eligibility for student financial aid.**

23 A student loan program, student grant program, or other
24 program administered by any agency of the state, except as
25 may be otherwise provided by federal law or the provisions
26 of any specific grant applicable to that law, shall not take
27 into account and shall not consider amounts available for
28 the payment of ~~higher education costs~~ qualified education
29 expenses pursuant to the Iowa educational savings plan trust in
30 determining need and eligibility for student aid.

31 Sec. 151. Section 12D.9, subsection 1, paragraph a, Code
32 2018, is amended to read as follows:

33 a. Pursuant to section 12D.3, subsection 1, paragraph "a",
34 a participant may make contributions to an account which is
35 established for the purpose of meeting the qualified ~~higher~~

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1 education expenses of the designated beneficiary of the
2 account.

3 Sec. 152. Section 422.7, subsection 32, paragraph c, Code
4 2018, is amended by striking the paragraph and inserting in
5 lieu thereof the following:

6 c. (1) Add, to the extent previously deducted as a
7 contribution to the trust, the amount resulting from a
8 withdrawal or transfer made by the taxpayer from the Iowa
9 educational savings plan trust for purposes other than any of
10 the following:

- 11 (a) The payment of qualified higher education expenses.
12 (b) The payment of tuition to an elementary or secondary

13 school if the tuition amounts are qualified education expenses.

14 (c) A change in beneficiaries under, or transfer to another
 15 account within, the Iowa educational savings plan trust, or a
 16 transfer to the Iowa ABLE savings plan trust, provided such
 17 change or transfer is permitted under section 12D.6, subsection
 18 5.

19 (2) For purposes of this paragraph:

20 (a) “*Elementary or secondary school*” means an elementary
 21 or secondary school in this state which is accredited under
 22 section 256.11, and adheres to the provisions of the federal
 23 Civil Rights Act of 1964 and chapter 216.

24 (b) “*Qualified education expenses*” and “*tuition*” all mean the
 25 same as defined in section 12D.1, subsection 2.

26 (c) (i) “*Qualified higher education expenses*” means the same
 27 as defined in section 529(e)(3) of the Internal Revenue Code.

28 (ii) For purposes of this subparagraph division (c),
 29 “*Internal Revenue Code*” means the Internal Revenue Code of
 30 1954, prior to the date of its redesignation as the Internal
 31 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 32 the Internal Revenue Code of 1986 as amended and in effect on
 33 January 1, 2018. This definition shall not be construed to
 34 include any amendment to the Internal Revenue Code enacted
 35 after the date specified in the preceding sentence, including

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1 any amendment with retroactive applicability or effectiveness.
 2 Sec. 153. Section 422.7, subsection 34, Code 2018, is
 3 amended to read as follows:

4 34. a. (1) Subtract the amount contributed during the tax
 5 year on behalf of a designated beneficiary that is a resident
 6 of this state to the Iowa ABLE savings plan trust or to the
 7 qualified ABLE program with which the state has contracted
 8 pursuant to section 12I.10, not to exceed the maximum
 9 contribution level established in section 12I.3, subsection 1,
 10 paragraph “d”, or section 12I.10, subsection 2, paragraph “a”,
 11 as applicable.

12 (2) This paragraph “a” shall not apply to any amount
 13 of contribution that represents a transfer from the Iowa
 14 educational savings plan trust created in chapter 12D that
 15 meets the requirements of subsection 32, paragraph “c”.
 16 subparagraph (1), subparagraph division (c), and that was
 17 previously deducted as a contribution to the Iowa educational
 18 savings plan trust.

19 b. Add the amount resulting from the cancellation of a
 20 participation agreement refunded to the taxpayer as an account
 21 owner in the Iowa ABLE savings plan trust or the qualified
 22 ABLE program with which the state has contracted pursuant to
 23 section 12I.10 to the extent previously deducted pursuant
 24 to this subsection by the taxpayer or any other person as a
 25 contribution to the trust or qualified ABLE program, or to the
 26 extent the amount was previously deducted by the taxpayer or

27 any other person pursuant to subsection 32, paragraph “a”, and
28 qualified as a transfer under paragraph “a”, subparagraph (2),
29 of this subsection.

30 c. Add the amount resulting from a withdrawal made by a
31 taxpayer from the Iowa ABLE savings plan trust or the qualified
32 ABLE program with which the state has contracted pursuant to
33 section 12I.10 for purposes other than the payment of qualified
34 disability expenses to the extent previously deducted pursuant
35 to this subsection by the taxpayer or any other person as a

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1 contribution to the trust or qualified ABLE program, or to the
2 extent the amount was previously deducted by the taxpayer or
3 any other person pursuant to subsection 32, paragraph “a”, and
4 qualified as a transfer under paragraph “a”, subparagraph (2),
5 of this subsection.

6 Sec. 154. Section 627.6, Code 2018, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 17. The debtor’s interest, whether as
9 participant or beneficiary, in contributions and assets,
10 including the accumulated earnings and market increases in
11 value, held in an account in the Iowa educational savings plan
12 trust organized under chapter 12D.

13 Sec. 155. EFFECTIVE DATE. This division of this Act, being
14 deemed of immediate importance, takes effect upon enactment.

15 Sec. 156. RETROACTIVE APPLICABILITY.

16 1. Except as provided in subsection 2, this division of this
17 Act applies retroactively to January 1, 2018, for withdrawals
18 from the Iowa educational savings plan trust made on or after
19 that date.

20 2. The sections of this division of this Act amending
21 section 422.7 apply retroactively to January 1, 2018, for tax
22 years beginning on or after that date, and for withdrawals from
23 the Iowa educational savings plan trust made on or after that
24 date.

25 DIVISION XI
26 SALES AND USE TAXES

27 Sec. 157. Section 15J.4, subsection 3, paragraph f, Code
28 2018, is amended to read as follows:

29 f. The total aggregate amount of state sales tax revenues
30 and state hotel and motel tax revenues that may be approved by
31 the board for remittance to all municipalities and that may
32 be transferred to the state reinvestment district fund under
33 section ~~423.2, subsection 11, 423.2A~~ or section 423A.6, and
34 remitted to all municipalities having a reinvestment district
35 under this chapter shall not exceed one hundred million

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1 dollars.

2 Sec. 158. Section 15J.5, subsection 1, paragraph a, Code
3 2018, is amended to read as follows:

4 a. The department shall calculate quarterly the amount of
5 new state sales tax revenues for each district established in
6 the state to be deposited in the state reinvestment district
7 fund created in section 15J.6, pursuant to section ~~423.2,~~
8 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, subject to
9 remittance limitations established by the board pursuant to
10 section 15J.4, subsection 3.

11 Sec. 159. Section 15J.6, subsection 1, Code 2018, is amended
12 to read as follows:

13 1. A state reinvestment district fund is established in the
14 state treasury under the control of the department consisting
15 of the new state sales tax revenues collected within each
16 district and deposited in the fund pursuant to section ~~423.2,~~
17 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, and the
18 new state hotel and motel tax revenues collected within each
19 district and deposited in the fund pursuant to section 423A.6.
20 Moneys deposited in the fund are appropriated to the department
21 for the purposes of this section. Moneys in the fund shall
22 only be used for the purposes of this section.

23 Sec. 160. Section 418.11, subsection 1, Code 2018, is
24 amended to read as follows:

25 1. The department of revenue shall calculate quarterly the
26 amount of increased sales tax revenues for each governmental
27 entity approved to use sales tax increment revenues and the
28 amount of such revenues to be transferred to the sales tax
29 increment fund pursuant to section ~~423.2, subsection 11,~~
30 ~~paragraph "b"~~ 423.2A, subsection 2.

31 Sec. 161. Section 418.12, subsection 1, Code 2018, is
32 amended to read as follows:

33 1. A sales tax increment fund is established as a separate
34 and distinct fund in the state treasury under the control of
35 the department of revenue consisting of the amount of the

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1 increased state sales and services tax revenues collected by
2 the department of revenue within each applicable area specified
3 in section 418.11, subsection 3, and deposited in the fund
4 pursuant to section ~~423.2, subsection 11, paragraph "b"~~ 423.2A,
5 subsection 2. Moneys deposited in the fund are appropriated
6 to the department of revenue for the purposes of this section.
7 Moneys in the fund shall only be used for the purposes of this
8 section.

9 Sec. 162. Section 421.26, Code 2018, is amended to read as
10 follows:

11 **421.26 Personal liability for tax due.**

12 If a licensee or other person under section 452A.65, a

13 retailer or purchaser under chapter 423A, 423B, 423C, 423D, or
14 423E, or section 423.14, 423.14A, 423.29, 423.31, 423.32, or
15 423.33, ~~or a retailer or purchaser under section 423.32, or
16 a user under section 423.34, or a permit holder or licensee
17 under section 453A.13, 453A.16, or 453A.44 fails to pay a tax
18 under those sections when due, an officer of a corporation
19 or association, notwithstanding section 489.304, a member or
20 manager of a limited liability company, or a partner of a
21 partnership, having control or supervision of or the authority
22 for remitting the tax payments and having a substantial legal
23 or equitable interest in the ownership of the corporation,
24 association, limited liability company, or partnership, who has
25 intentionally failed to pay the tax is personally liable for
26 the payment of the tax, interest, and penalty due and unpaid.
27 However, this section shall not apply to taxes on accounts
28 receivable. The dissolution of a corporation, association,
29 limited liability company, or partnership shall not discharge a
30 person's liability for failure to remit the tax due.
31 Sec. 163. Section 423.1, Code 2018, is amended by adding the
32 following new subsection:
33 NEW SUBSECTION. 22A. "*Information services*" means
34 delivering or providing access to databases or subscriptions
35 to information through any tangible or electronic medium.~~

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1 "*Information services*" includes but is not limited to database
2 files, research databases, genealogical information, and other
3 similar information.
4 Sec. 164. Section 423.1, subsection 24, paragraph a, Code
5 2018, is amended to read as follows:
6 a. "*Lease or rental*" means any transfer of possession
7 or control of or access to, tangible personal property or
8 specified digital products for a fixed or indeterminate term
9 for consideration. A "*lease or rental*" may include future
10 options to purchase or extend.
11 Sec. 165. Section 423.1, subsection 37, Code 2018, is
12 amended to read as follows:
13 37. "*Place of business*" means any warehouse, store,
14 place, office, building, or structure where ~~goods, wares, or~~
15 ~~merchandise~~ tangible personal property, specified digital
16 products, or services are offered for sale at retail or where
17 any taxable amusement is conducted, or each office where gas,
18 water, heat, communication, or electric services are offered
19 for sale at retail. When a retailer or amusement operator
20 sells merchandise by means of vending machines or operates
21 music or amusement devices by coin-operated machines at more
22 than one location within the state, the office, building, or
23 place where the books, papers, and records of the taxpayer are
24 kept shall be deemed to be the taxpayer's place of business.
25 Sec. 166. Section 423.1, Code 2018, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 36A. *“Personal property”* includes but is
 28 not limited to tangible personal property and specified digital
 29 products.
 30 Sec. 167. Section 423.1, subsection 43, paragraph a,
 31 subparagraph (3), Code 2018, is amended to read as follows:
 32 (3) Taking possession or making first use of ~~digital goods~~
 33 specified digital products, whichever comes first.
 34 Sec. 168. Section 423.1, subsection 47, Code 2018, is
 35 amended to read as follows:

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1 47. *“Retailer”* means and includes every person engaged
 2 in the business of selling tangible personal property,
 3 specified digital products, or taxable services at retail, or
 4 the furnishing of gas, electricity, water, or communication
 5 service, and tickets or admissions to places of amusement
 6 and athletic events or operating amusement devices or other
 7 forms of commercial amusement from which revenues are derived.
 8 However, when in the opinion of the director it is necessary
 9 for the efficient administration of this chapter to regard any
 10 agent or affiliate of a retailer as a retailer for purposes
 11 of this chapter, the director may so regard them, or when
 12 it is necessary for the efficient administration of this
 13 chapter to regard any salespersons, representatives, truckers,
 14 peddlers, ~~or canvassers, or other persons~~ as agents of the
 15 dealers, distributors, supervisors, employers, or persons under
 16 whom they operate or from whom they obtain tangible personal
 17 property, ~~services, or specified digital products~~ sold by
 18 them irrespective of whether or not they are making sales on
 19 their own behalf or on behalf of such dealers, distributors,
 20 supervisors, employers, or persons, the director may so regard
 21 them, and may regard such dealers, distributors, supervisors,
 22 employers, or persons as retailers for the purposes of this
 23 chapter. *“Retailer”* includes a seller obligated to collect
 24 sales or use tax, including any person obligated to collect
 25 sales and use tax pursuant to section 423.14A.
 26 Sec. 169. Section 423.1, subsection 48, paragraph a, Code
 27 2018, is amended to read as follows:
 28 a. *“Retailer maintaining a place of business in this state”*
 29 or any like term includes any of the following:
 30 (1) A retailer having or maintaining within this state,
 31 directly or by a subsidiary, an office, distribution house,
 32 sales house, warehouse, or other place of business, or any
 33 representative operating within this state under the authority
 34 of the retailer or its subsidiary, irrespective of whether that
 35 place of business or representative is located here permanently

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1 or temporarily, or whether the retailer or subsidiary is
2 admitted to do business within this state pursuant to chapter
3 490.

4 (2) A person obligated to collect sales and use tax pursuant
5 to section 423.14A.

6 Sec. 170. Section 423.1, subsection 48, paragraph b,
7 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
8 to read as follows:

9 A retailer shall be presumed to be maintaining a place of
10 business in this state, ~~as defined in~~ for purposes of paragraph
11 “a”, subparagraph (1), if any person that has substantial nexus
12 in this state, other than a person acting in its capacity as a
13 common carrier, does any of the following:

14 Sec. 171. Section 423.1, subsection 48, paragraph b,
15 subparagraph (1), subparagraph division (b), Code 2018, is
16 amended to read as follows:

17 (b) Maintains an office, distribution facility, warehouse,
18 storage place, or similar place of business in this state to
19 facilitate the delivery of personal property or services sold
20 by the retailer to the retailer’s customers.

21 Sec. 172. Section 423.1, subsection 50, Code 2018, is
22 amended to read as follows:

23 50. “Sales” or “sale” means any transfer, exchange, or
24 barter, conditional or otherwise, in any manner or by any means
25 whatsoever, for consideration, including but not limited to any
26 such transfer, exchange, or barter on a subscription basis.

27 Sec. 173. Section 423.1, Code 2018, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 55A. “Sold at retail in the state” and
30 other references to sales “in the state” or “in this state”
31 includes but is not limited to sales sourced to this state
32 under this chapter.

33 Sec. 174. Section 423.1, Code 2018, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 55B.a. “Specified digital products” means

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1 electronically transferred digital audio-visual works, digital
2 audio works, digital books, or other digital products.

3 b. For purposes of this subsection:

4 (1) “Digital audio-visual works” means a series of related
5 images which, when shown in succession, impart an impression of
6 motion, together with accompanying sounds, if any.

7 (2) “Digital audio works” means works that result from
8 the fixation of a series of musical, spoken, or other sounds,
9 including but not limited to ringtones. For purposes of this
10 subparagraph, “ringtones” means digitized sound files that are
11 downloaded onto a device and that may be used to alert the
12 customer with respect to a communication.

13 (3) “*Digital books*” means works that are generally
14 recognized in the ordinary and usual sense as books.

15 (4) “*Electronically transferred*” means obtained or accessed
16 by the purchaser by means other than tangible storage media,
17 including but not limited to a specified digital product
18 purchased through a computer software application, commonly
19 referred to as an in-app purchase, or through another specified
20 digital product, or through any other means.

21 (5) “*Other digital products*” means greeting cards, images,
22 video or electronic games or entertainment, news or information
23 products, and computer software applications.

24 Sec. 175. Section 423.1, Code 2018, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 57A. “Subscription” means any arrangement
27 in which a person has the right or ability to access,
28 receive, use, obtain, purchase, or otherwise acquire tangible
29 personal property, specified digital products, or services
30 on a permanent or less than permanent basis, regardless of
31 whether the person actually accesses, receives, uses, obtains,
32 purchases, or otherwise acquires such tangible personal
33 property, specified digital product, or service.

34 Sec. 176. Section 423.1, subsections 62, 63, and 64, Code
35 2018, are amended to read as follows:

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1 62. “*Use*” means and includes the exercise by any person of
2 any right or power over or access to tangible personal property
3 or a specified digital product incident to the ownership of
4 that property, or any right or power over or access to the
5 product or result of a service. A retailer’s or building
6 contractor’s sale of manufactured housing for use in this
7 state, whether in the form of tangible personal property or
8 of realty, is a use of that property for the purposes of this
9 chapter.

10 63. “*Use tax*” means the tax levied under subchapter III of
11 this chapter ~~for which the retailer collects and remits tax to~~
12 ~~the department.~~

13 64. “*User*” means the immediate recipient of the personal
14 property or services who is entitled to exercise a right ~~of or~~
15 power over or access to the personal property, or the product
16 or result of such services.

17 Sec. 177. Section 423.2, subsection 1, paragraph a,
18 subparagraph (1), Code 2018, is amended to read as follows:

19 (1) Sales of engraving, ~~photography, retouching,~~ printing,
20 and binding services.

21 Sec. 178. Section 423.2, subsection 6, Code 2018, is amended
22 to read as follows:

23 6. ~~6.~~ The sales price of any of the following enumerated
24 services is subject to the tax imposed by subsection 5:

25 a. alteration ~~Alteration~~ and garment repair; ~~armored~~
26 b. Armored car; ~~vehicle.~~

27 c. Vehicle repair; ~~battery.~~
 28 d. Battery, tire, and allied; ~~investment.~~
 29 e. Investment counseling; ~~service.~~
 30 f. Service charges of all financial institutions; ~~barber.~~
 31 For the purposes of this paragraph, "financial institutions"
 32 means all national banks, federally chartered savings and loan
 33 associations, federally chartered savings banks, federally
 34 chartered credit unions, banks organized under chapter 524,
 35 credit unions organized under chapter 533, and all banks,

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1 savings banks, credit unions, and savings and loan associations
 2 chartered or otherwise created under the laws of any state and
 3 doing business in Iowa.
 4 g. Barber and beauty; ~~boat.~~
 5 h. Boat repair; ~~vehicle.~~
 6 i. Vehicle wash and wax; ~~campgrounds; carpentry; roof.~~
 7 j. Campgrounds.
 8 k. Carpentry.
 9 l. Roof, shingle, and glass repair; ~~dance.~~
 10 m. Dance schools and dance studios; ~~dating.~~
 11 n. Dating services; ~~dry.~~
 12 o. Dry cleaning, pressing, dyeing, and laundering excluding
 13 the use of self-pay washers and dryers; ~~electrical.~~
 14 p. Electrical and electronic repair and installation;
 15 excavating.
 16 q. Excavating and grading; ~~farm.~~
 17 r. Farm implement repair of all kinds; ~~flying.~~
 18 s. Flying service; ~~furniture.~~
 19 t. Furniture, rug, carpet, and upholstery repair and
 20 cleaning; ~~fur.~~
 21 u. Fur storage and repair; ~~golf.~~
 22 v. Golf and country clubs and all commercial recreation;
 23 gun.
 24 w. Gun and camera repair; ~~house.~~
 25 x. House and building moving; ~~household.~~
 26 y. Household appliance, television, and radio repair;
 27 janitorial.
 28 z. Janitorial and building maintenance or cleaning; ~~jewelry.~~
 29 aa. Jewelry and watch repair; ~~lawn.~~
 30 ab. Lawn care, landscaping, and tree trimming and removal;
 31 ac. Personal transportation service, including but not
 32 limited to taxis, driver service, ride sharing service, rides
 33 for hire, and limousine service, including driver; ~~machine.~~
 34 ad. Machine operator; ~~machine.~~
 35 ae. Machine repair of all kinds; ~~motor.~~

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1 af. Motor repair; motorcycle.
 2 ag. Motorcycle, scooter, and bicycle repair; oilers.
 3 ah. Oilers and lubricators; office.
 4 ai. Office and business machine repair; painting.
 5 aj. Painting, papering, and interior decorating; parking.
 6 ak. Parking facilities; pay.
 7 al. Pay television; pet, including but not limited to
 8 streaming video, video on-demand, and pay-per-view.
 9 am. Pet grooming; pipe.
 10 an. Pipe fitting and plumbing; wood.
 11 ao. Wood preparation; executive.
 12 ap. Executive search agencies; private.
 13 aq. Private employment agencies, excluding services for
 14 placing a person in employment where the principal place of
 15 employment of that person is to be located outside of the
 16 state; reflexology; security.
 17 ar. Reflexology.
 18 as. Security and detective services, excluding private
 19 security and detective services furnished by a peace officer
 20 with the knowledge and consent of the chief executive officer
 21 of the peace officer's law enforcement agency; sewage.
 22 at. Sewage services for nonresidential commercial
 23 operations; sewing.
 24 au. Sewing and stitching; shoe.
 25 av. Shoe repair and shoeshine; sign.
 26 aw. Sign construction and installation; storage.
 27 ax. Storage of household goods, mini-storage, and
 28 warehousing of raw agricultural products; swimming.
 29 ay. Swimming pool cleaning and maintenance; tanning.
 30 az. Tanning beds or salons; taxidermy.
 31 ba. Taxidermy services; telephone.
 32 bb. Telephone answering service; test.
 33 bc. Test laboratories, including mobile testing laboratories
 34 and field testing by testing laboratories, and excluding tests
 35 on humans or animals and excluding environmental testing

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1 services; termite.
 2 bd. Termite, bug, roach, and pest eradicators; tin.
 3 be. Tin and sheet metal repair; transportation.
 4 bf. Transportation service consisting of the rental of
 5 recreational vehicles or recreational boats, or the rental of
 6 vehicles subject to registration which are registered for a
 7 gross weight of thirteen tons or less for a period of sixty
 8 days or less, or the rental of aircraft for a period of sixty
 9 days or less.
 10 bg. Turkish baths, massage, and reducing salons, excluding
 11 services provided by massage therapists licensed under chapter
 12 152C; water.

- 13 bh. Water conditioning and softening; ~~weighing; welding;~~
 14 ~~well.~~
 15 bi. Weighing.
 16 bj. Welding.
 17 bk. Well drilling; wrapping.
 18 bl. Wrapping, packing, and packaging of merchandise other
 19 than processed meat, fish, fowl, and vegetables; ~~wrecking.~~
 20 bm. Wrecking service; ~~wrecker.~~
 21 bn. Wrecker and towing.
 22 b. For the purposes of this subsection, “financial
 23 institutions” means all national banks, federally chartered
 24 savings and loan associations, federally chartered savings
 25 banks, federally chartered credit unions, banks organized under
 26 chapter 524, credit unions organized under chapter 533, and
 27 all banks, savings banks, credit unions, and savings and loan
 28 associations chartered or otherwise created under the laws of
 29 any state and doing business in Iowa.
 30 bo. Photography.
 31 bp. Retouching.
 32 bq. Storage of tangible or electronic files, documents, or
 33 other records.
 34 br. Information services.
 35 bs. Services arising from or related to installing.

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- 1 maintaining, servicing, repairing, operating, upgrading, or
 2 enhancing specified digital products.
 3 bt. Video game services and tournaments.
 4 bu. Software as a service.
 5 Sec. 179. Section 423.2, subsection 8, Code 2018, is amended
 6 by adding the following new paragraph:
 7 NEW PARAGRAPH. d. A transaction that otherwise meets
 8 the definition of “bundled transaction” as defined in this
 9 subsection is not a bundled transaction if it is any of the
 10 following:
 11 (1) The retail sale of tangible personal property and a
 12 service where the tangible personal property is essential
 13 to the use of the service, and is provided exclusively in
 14 connection with the service, and the true object of the
 15 transaction is the service.
 16 (2) The retail sale of services where one service is
 17 provided that is essential to the use or receipt of a second
 18 service and the first service is provided exclusively in
 19 connection with the second service and the true object of the
 20 transaction is the second service.
 21 (3) (a) A transaction that includes taxable products and
 22 nontaxable products and the purchase price or sales price of
 23 the taxable products is de minimis.
 24 (b) For purposes of this subparagraph, “de minimis” means
 25 the seller’s purchase or sales price of the taxable products
 26 is ten percent or less of the total purchase price or sales

27 price of the bundled products. Sellers shall use either the
 28 purchase price or the sale price of the products to determine
 29 if the taxable products are de minimis. Sellers may not use
 30 a combination of the purchase price and sales price of the
 31 products to determine if the taxable products are de minimis.
 32 (4) The retail sale of exempt tangible personal property and
 33 taxable tangible personal property where all of the following
 34 apply:
 35 (a) The transaction includes food and food ingredients,

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1 drugs, durable medical equipment, mobility enhancing equipment,
 2 prosthetic devices, or medical supplies.
 3 (b) The seller's purchase price or sales price of the
 4 taxable tangible personal property is fifty percent or less
 5 of the total purchase price or sales price of the bundled
 6 tangible personal property. Sellers may not use a combination
 7 of the purchase price and sales price of the tangible personal
 8 property when making the fifty percent determination for a
 9 transaction.
 10 Sec. 180. Section 423.2, Code 2018, is amended by adding the
 11 following new subsection:
 12 NEW SUBSECTION. 9A. a. A tax of six percent is imposed on
 13 the sales price of specified digital products sold at retail
 14 in the state. The tax applies whether the purchaser obtains
 15 permanent use or less than permanent use of the specified
 16 digital product, whether the sale is conditioned or not
 17 conditioned upon continued payment from the purchaser, and
 18 whether the sale is on a subscription basis or is not on a
 19 subscription basis.
 20 *b.* The sale of a digital code that may be used to obtain
 21 or access a specified digital product shall be taxed in the
 22 same manner as the specified digital product. For purposes
 23 of this paragraph, "*digital code*" means a method that permits
 24 a purchaser to obtain or access at a later date a specified
 25 digital product.
 26 Sec. 181. Section 423.2, subsections 10, 11, and 12, Code
 27 2018, are amended by striking the subsections.
 28 Sec. 182. NEW SECTION. 423.2A **Deposit and transfer of**
 29 **revenues.**
 30 1. *a.* All revenues arising under the operation of the
 31 provisions of this subchapter II shall be deposited into the
 32 general fund of the state.
 33 *b.* Subsequent to the deposit into the general fund of
 34 the state, the director shall credit an amount equal to the
 35 product of the sales tax rate imposed in section 423.2 times

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1 the sales price of the tangible personal property or services
2 furnished to purchasers at a baseball and softball complex that
3 has received an award under section 15F.207 and that meets
4 the qualifications of section 423.4, subsection 10, into the
5 baseball and softball complex sales tax rebate fund created
6 under section 423.4, subsection 10, paragraph "e". The director
7 shall credit the moneys beginning the first day of the quarter
8 following July 1, 2016. This paragraph is repealed thirty
9 days following the date on which five million dollars in total
10 rebates have been provided under section 423.4, subsection 10.
11 2. Subsequent to the deposit into the general fund of the
12 state pursuant to subsection 1, the department shall do the
13 following in the order prescribed:
14 a. Transfer the revenues collected under chapter 423B.
15 b. Transfer from the remaining revenues the amounts required
16 under Article VII, section 10, of the Constitution of the State
17 of Iowa to the natural resources and outdoor recreation trust
18 fund created in section 461.31, if applicable.
19 c. Transfer one-sixth of the remaining revenues to the
20 secure an advanced vision for education fund created in section
21 423F.2. This paragraph "c" is repealed December 31, 2029.
22 d. Transfer to the baseball and softball complex sales tax
23 rebate fund that portion of the sales tax receipts described
24 in subsection 1, paragraph "b", remaining after the transfers
25 required under paragraphs "a", "b", and "c" of this subsection
26 2. This paragraph is repealed thirty days following the date
27 on which five million dollars in total rebates have been
28 provided under section 423.4, subsection 10.
29 e. Beginning the first day of the calendar quarter
30 beginning on the reinvestment district's commencement date,
31 subject to remittance limitations established by the economic
32 development authority board pursuant to section 15J.4,
33 subsection 3, transfer to a district account created in the
34 state reinvestment district fund for each reinvestment district
35 established under chapter 15J, the amount of new state sales

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1 tax revenue, determined in section 15J.5, subsection 1,
2 paragraph "b", in the district, that remains after the prior
3 transfers required under this subsection 2. Such transfers
4 shall cease pursuant to section 15J.8.
5 f. Subject to the limitation on the calculation and
6 deposit of sales tax increment revenues in section 418.12,
7 beginning the first day of the quarter following adoption
8 of the resolution pursuant to section 418.4, subsection 3,
9 paragraph "d", transfer to the account created in the sales tax
10 increment fund for each governmental entity approved to use
11 sales tax increment revenues under chapter 418, that portion
12 of the increase in sales tax revenue, determined in section

13 418.11, subsection 2, paragraph “d”, in the applicable area of
 14 the governmental entity, that remains after the other transfers
 15 required under this subsection 2.

16 g. Beginning the first day of the quarter following July 1,
 17 2014, transfer to the raceway facility tax rebate fund created
 18 in section 423.4, subsection 11, paragraph “e”, that portion
 19 of the sales tax receipts collected and remitted upon sales of
 20 tangible personal property or services furnished by retailers
 21 at a raceway facility meeting the qualifications of section
 22 423.4, subsection 11, that remains after the transfers required
 23 in paragraphs “a” through “f” of this subsection 2. This
 24 paragraph is repealed June 30, 2025, or thirty days following
 25 the date on which an amount of total rebates specified in
 26 section 423.4, subsection 11, paragraph “c”, subparagraph (4),
 27 subparagraph division (a) or (b), whichever is applicable,
 28 has been provided or thirty days following the date on which
 29 rebates cease as provided in section 423.4, subsection 11,
 30 paragraph “c”, subparagraph (5), whichever is earliest.

31 3. Of the amount of sales tax revenue actually transferred
 32 per quarter pursuant to subsection 2, paragraphs “e” and “f”,
 33 the department shall retain an amount equal to the actual cost
 34 of administering the transfers under subsection 2, paragraphs
 35 “e” and “f”, or twenty-five thousand dollars, whichever is

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1 less. The amount retained by the department pursuant to this
 2 subsection shall be divided pro rata each quarter between
 3 the amounts that would have been transferred pursuant to
 4 subsection 2, paragraphs “e” and “f”, without the deduction
 5 made by operation of this subsection. Revenues retained by
 6 the department pursuant to this subsection shall be considered
 7 repayment receipts as defined in section 8.2.

8 Sec. 183. Section 423.3, subsections 1 and 17, Code 2018,
 9 are amended to read as follows:

10 1. The sales price from sales of tangible personal property,
 11 specified digital products, and services furnished which this
 12 state is prohibited from taxing under the Constitution or laws
 13 of the United States or under the Constitution of this state.

14 17. The sales price of all ~~goods, wares, or merchandise,~~
 15 tangible personal property, specified digital products, or
 16 services, used for educational purposes sold to any private
 17 nonprofit educational institution in this state. For the
 18 purpose of this subsection, “*educational institution*” means an
 19 institution which primarily functions as a school, college,
 20 or university with students, faculty, and an established
 21 curriculum. The faculty of an educational institution must be
 22 associated with the institution and the curriculum must include
 23 basic courses which are offered every year. “*Educational*
 24 *institution*” includes an institution primarily functioning as
 25 a library.

26 Sec. 184. Section 423.3, subsection 18, unnumbered

27 paragraph 1, Code 2018, is amended to read as follows:

28 The sales price of tangible personal property or specified
29 digital products sold, or of services furnished, to the
30 following nonprofit corporations:

31 Sec. 185. Section 423.3, subsections 20, 21, 22, 23, 26, 27,
32 28, and 31, Code 2018, are amended to read as follows:

33 20. The sales price of tangible personal property or
34 specified digital products sold, or of services furnished, to
35 nonprofit legal aid organizations.

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1 21. The sales price of ~~goods, wares, or merchandise,~~
2 tangible personal property, of specified digital products,
3 or of services, used for educational, scientific, historic
4 preservation, or aesthetic purpose sold to a nonprofit private
5 museum.

6 22. The sales price from sales of ~~goods, wares, or~~
7 ~~merchandise,~~ tangible personal property, of specified digital
8 products, or from services furnished, to a nonprofit private
9 art center to be used in the operation of the art center.

10 23. The sales price of tangible personal property or
11 specified digital products sold, or of services furnished, by a
12 fair organized under chapter 174.

13 26. The sales price of tangible personal property or
14 specified digital products sold, or of services furnished, to a
15 statewide nonprofit organ procurement organization, as defined
16 in section 142C.2.

17 27. The sales price of tangible personal property or
18 specified digital products sold, or of services furnished, to a
19 nonprofit hospital licensed pursuant to chapter 135B to be used
20 in the operation of the hospital.

21 28. The sales price of tangible personal property or
22 specified digital products sold, or of services furnished, to
23 a freestanding nonprofit hospice facility which operates a
24 hospice program as defined in 42 C.F.R. ch. IV, §418.3, which
25 property or services are to be used in the hospice program.

26 31. ~~a.~~ The sales price of ~~goods, wares, or merchandise~~
27 tangible personal property or specified digital products sold
28 to and of services furnished, and used for public purposes
29 sold to a tax-certifying or tax-levying body of the state or
30 a governmental subdivision of the state, including regional
31 transit systems, as defined in section 324A.1, the state board
32 of regents, department of human services, state department of
33 transportation, any municipally owned solid waste facility
34 which sells all or part of its processed waste as fuel to a
35 municipally owned public utility, and all divisions, boards,

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1 commissions, agencies, or instrumentalities of state, federal,
 2 county, or municipal government which have no earnings going to
 3 the benefit of an equity investor or stockholder, except any
 4 of the following:

5 ~~(1)~~ a. The sales price of ~~goods, wares, or merchandise~~
 6 tangible personal property or specified digital products sold
 7 to, or of services furnished, and used by or in connection with
 8 the operation of any municipally owned public utility engaged
 9 in selling gas, electricity, heat, pay television service, or
 10 communication service to the general public.

11 ~~(2)~~ b. The sales price of furnishing of sewage services to
 12 a county or municipality on behalf of nonresidential commercial
 13 operations.

14 ~~(3)~~ c. The furnishing of solid waste collection and
 15 disposal service to a county or municipality on behalf of
 16 nonresidential commercial operations located within the county
 17 or municipality.

18 ~~b. The exemption provided by this subsection shall also~~
 19 ~~apply to all such sales of goods, wares, or merchandise or of~~
 20 ~~services furnished and subject to use tax.~~

21 Sec. 186. Section 423.3, subsection 32, unnumbered
 22 paragraph 1, Code 2018, is amended to read as follows:

23 The sales price of tangible personal property or specified
 24 digital products sold, or of services furnished, by a county or
 25 city. This exemption does not apply to any of the following:

26 Sec. 187. Section 423.3, subsection 36, unnumbered
 27 paragraph 1, Code 2018, is amended to read as follows:

28 The sales price from sales of tangible personal property
 29 or specified digital products or of the sale or furnishing of
 30 electrical energy, natural or artificial gas, or communication
 31 service to another state or political subdivision of another
 32 state if the other state provides a similar reciprocal
 33 exemption for this state and political subdivision of this
 34 state.

35 Sec. 188. Section 423.3, subsection 39, paragraph a,

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1 subparagraphs (1) and (2), Code 2018, are amended to read as
 2 follows:

3 (1) Sales of tangible personal property or specified
 4 digital products, or the furnishing of services, of a
 5 nonrecurring nature, by the owner, if the seller, at the time
 6 of the sale, is not engaged for profit in the business of
 7 selling tangible personal property, specified digital products,
 8 or services taxed under section 423.2.

9 (2) The sale of all or substantially all of the tangible
 10 personal property, or specified digital products, or services
 11 held or used by a seller in the course of the seller's trade or
 12 business for which the seller is required to hold a sales tax

13 permit when the seller sells or otherwise transfers the trade
14 or business to another person who shall engage in a similar
15 trade or business.

16 Sec. 189. Section 423.3, subsection 39, Code 2018, is
17 amended by adding the following new paragraph:

18 NEW PARAGRAPH. c. The exemption under this subsection does
19 not apply to sales for which a person is required pursuant to
20 section 423.14A to collect sales and use tax.

21 Sec. 190. Section 423.3, subsection 47, paragraph d,
22 subparagraph (1), Code 2018, is amended to read as follows:

23 (1) “*Commercial enterprise*” ~~includes means~~ businesses
24 and manufacturers conducted for profit ~~and centers for data~~
25 ~~processing services to, for-profit and nonprofit~~ insurance
26 companies, and for-profit and nonprofit financial institutions,
27 ~~businesses, and manufacturers,~~ but excludes other nonprofits
28 and professions and occupations ~~and nonprofit organizations.~~

29 Sec. 191. Section 423.3, subsection 47, paragraph d,
30 subparagraph (4), Code 2018, is amended by striking the
31 subparagraph and inserting in lieu thereof the following:

32 (4) (a) “*Manufacturer*” means a business that primarily
33 purchases, receives, or holds personal property of any
34 description for the purpose of adding to its value by a process
35 of manufacturing with a view to selling the property for gain

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1 or profit.

2 (b) “*Manufacturer*” includes contract manufacturers. A
3 contract manufacturer is a manufacturer that otherwise falls
4 within the definition of manufacturer, except that a contract
5 manufacturer does not sell the tangible personal property
6 the contract manufacturer processes on behalf of other
7 manufacturers.

8 (c) “*Manufacturer*” does not include persons who are not
9 commonly understood as manufacturers, including but not limited
10 to persons engaged in any of the following activities:

- 11 (i) Construction contracting.
12 (ii) Repairing tangible personal property or real property.
13 (iii) Providing health care.
14 (iv) Farming, including cultivating agricultural products
15 and raising livestock.

16 (v) Transporting for hire.

17 (d) For purposes of this subparagraph:

18 (i) “*Business*” means those businesses conducted for
19 profit, but excludes professions and occupations and nonprofit
20 organizations.

21 (ii) “*Manufacturing*” means those activities commonly
22 understood within the ordinary meaning of the term, and shall
23 include:

- 24 (A) Refining.
25 (B) Purifying.
26 (C) Combining of different materials.

27 (D) Packing of meats.

28 (E) Activities subsequent to the extractive process of
29 quarrying or mining, such as crushing, washing, sizing, or
30 blending of aggregate materials.

31 (iii) "*Manufacturing*" does not include activities occurring
32 on premises primarily used to make retail sales.

33 Sec. 192. Section 423.3, subsection 63, Code 2018, is
34 amended to read as follows:

35 63. The sales price from the sale of tangible personal

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1 property, specified digital products, or services which will be
2 given as prizes to players in games of skill, games of chance,
3 raffles, and bingo games as defined in chapter 99B.

4 Sec. 193. Section 423.3, subsections 65, 66, and 67, Code
5 2018, are amended by striking the subsections.

6 Sec. 194. Section 423.3, subsection 78, paragraph a,
7 unnumbered paragraph 1, Code 2018, is amended to read as
8 follows:

9 The sales price from ~~sales or rental~~ the sale of tangible
10 personal property, specified digital products, or services
11 rendered by any entity where the profits from the ~~sales or~~
12 ~~rental sale~~ of the tangible personal property, specified
13 digital products, or services rendered, are used by or donated
14 to a nonprofit entity that is exempt from federal income
15 taxation pursuant to section 501(c)(3) of the Internal Revenue
16 Code, a government entity, or a nonprofit private educational
17 institution, and where the entire proceeds from the ~~sales,~~
18 ~~rental, sale~~ or services are expended for any of the following
19 purposes:

20 Sec. 195. Section 423.3, subsection 79, Code 2018, is
21 amended to read as follows:

22 79. The sales price from the sale ~~or rental~~ of tangible
23 personal property or specified digital products, or from
24 services furnished, to a recognized community action agency as
25 provided in section 216A.93 to be used for the purposes of the
26 agency.

27 Sec. 196. Section 423.3, Code 2018, is amended by adding the
28 following new subsections:

29 NEW SUBSECTION. 103. *a.* The sales price of specified
30 digital products and of prewritten computer software sold, and
31 of enumerated services described in section 423.2, subsection
32 6, paragraphs "*bq*", "*br*", "*bs*", and "*bu*" furnished, to a
33 commercial enterprise for use exclusively by the commercial
34 enterprise. The use of prewritten computer software, a
35 specified digital product, or service fails to qualify as a

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1 use exclusively by the commercial enterprise if its use for
2 noncommercial purposes is more than de minimis.

3 *b.* For purposes of this subsection:

4 (1) “*Commercial enterprise*” means the same as defined in
5 section 423.3, subsection 47, paragraph “*d*”, subparagraph (1),
6 but also includes professions and occupations.

7 (2) “*De minimis*” and “*noncommercial purposes*” shall be
8 defined by the director by rule.

9 NEW SUBSECTION. 104. The sales price of specified digital
10 products sold to a non-end user. For purposes of this
11 subsection, “*non-end user*” means a person who receives by
12 contract a specified digital product for further commercial
13 broadcast, rebroadcast, transmission, retransmission,
14 licensing, relicensing, distribution, redistribution, or
15 exhibition of the product, in whole or in part, to another
16 person.

17 NEW SUBSECTION. 105. The sales price for transportation
18 services furnished by emergency or nonemergency medical
19 transportation, by a paratransit service, and by a public
20 transit system as defined in section 324A.1.

21 Sec. 197. Section 423.4, subsection 3, unnumbered paragraph
22 1, Code 2018, is amended to read as follows:

23 A relief agency may apply to the director for refund of the
24 amount of sales or use tax imposed and paid upon sales to it
25 of any ~~goods, wares, merchandise, tangible personal property~~
26 ~~or specified digital products~~, or services furnished, used for
27 free distribution to the poor and needy.

28 Sec. 198. Section 423.4, subsection 3, paragraph a,
29 subparagraph (1), Code 2018, is amended to read as follows:

30 (1) On forms furnished by the department, and filed within
31 the time as the director shall provide by rule, the relief
32 agency shall report to the department the total amount or
33 amounts, valued in money, expended directly or indirectly
34 for ~~goods, wares, merchandise, tangible personal property or~~
35 ~~specified digital products~~, or services furnished, used for

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1 free distribution to the poor and needy.

2 Sec. 199. Section 423.4, subsection 10, paragraph e, Code
3 2018, is amended to read as follows:

4 *e.* There is established within the state treasury under the
5 control of the department a baseball and softball complex sales
6 tax rebate fund consisting of the amount of state sales tax
7 revenues transferred pursuant to section ~~423.2, subsection 11,~~
8 ~~paragraph “b”, subparagraph (4)~~ 423.2A, subsection 2, paragraph
9 “d”. An account is created within the fund for each baseball
10 and softball complex receiving an award under section 15F.207
11 and meeting the qualifications of this subsection. Moneys
12 in the fund shall only be used to provide rebates of state

13 sales tax pursuant to this subsection, and only the state sales
 14 tax revenues in the baseball and softball complex rebate fund
 15 are subject to rebate under this subsection. The amount of
 16 rebates paid from each baseball and softball complex's award
 17 within the fund shall not exceed the amount of the award under
 18 section 15F.207, and not more than five million dollars in
 19 total rebates shall be paid from the fund. Any moneys in the
 20 fund which represent state sales tax revenue for which the time
 21 period in paragraph "c" for receiving a rebate has expired,
 22 or which otherwise represent state sales tax revenue that has
 23 become ineligible for rebate pursuant to this subsection, shall
 24 immediately revert to the general fund of this state.

25 Sec. 200. Section 423.4, subsection 11, paragraph b,
 26 subparagraph (1), Code 2018, is amended to read as follows:

27 (1) Sales tax imposed and collected by retailers upon
 28 sales of tangible personal property or services furnished to
 29 purchasers at the raceway facility. Notwithstanding the state
 30 sales tax imposed in section 423.2, a sales tax rebate issued
 31 pursuant to this subparagraph shall not exceed the amounts
 32 transferred to the raceway facility tax rebate fund pursuant to
 33 section ~~423.2, subsection 11, paragraph "b", subparagraph (7)~~
 34 423.2A, subsection 2, paragraph "g".

35 Sec. 201. Section 423.4, subsection 11, paragraph b,

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1 subparagraph (2), subparagraph division (c), Code 2018, is
 2 amended to read as follows:

3 (c) Notwithstanding the state sales tax imposed in section
 4 423.2, a sales tax rebate issued pursuant to this subparagraph
 5 shall not exceed the amounts remaining after the transfers
 6 required under section ~~423.2, subsection 11, paragraph "b",~~
 7 ~~subparagraphs (1) through (6)~~ 423.2A, subsection 2, paragraphs
 8 "a" through "f", have been made from the total amount of sales
 9 tax for which the rebate is requested.

10 Sec. 202. Section 423.4, subsection 11, paragraph e, Code
 11 2018, is amended to read as follows:

12 e. There is established within the state treasury under
 13 the control of the department a raceway facility tax rebate
 14 fund consisting of the amount of state sales tax revenues
 15 transferred pursuant to section ~~423.2, subsection 11, paragraph~~
 16 ~~"b", subparagraph (7)~~ 423.2A, subsection 2, paragraph "g". An
 17 account is created within the fund for each raceway facility
 18 meeting the qualifications of this subsection. Moneys in the
 19 fund shall only be used to provide rebates of state sales tax
 20 pursuant to paragraph "b", subparagraph (1). The total amount
 21 of rebates paid from the fund shall not exceed the amount
 22 specified in paragraph "c", subparagraph (4), subparagraph
 23 division (a) or (b), whichever is applicable. Any moneys in
 24 the fund which represent state sales tax revenue for which the
 25 time period in paragraph "c" for receiving a rebate has expired,
 26 or which otherwise represent state sales tax revenue that has

27 become ineligible for rebate pursuant to this subsection shall
28 immediately revert to the general fund of the state.

29 Sec. 203. Section 423.5, subsection 1, paragraph a, Code
30 2018, is amended to read as follows:

31 a. The use in this state of tangible personal property
32 as defined in section 423.1, including aircraft subject to
33 registration under section 328.20, purchased for use in this
34 state. For the purposes of this subchapter, the furnishing
35 or use of the following services is also treated as the use

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1 of tangible personal property: optional service or warranty
2 contracts, except residential service contracts regulated under
3 chapter 523C, vulcanizing, recapping, or retreading services,
4 engraving, ~~photography, retouching,~~ printing, or binding
5 services, and communication service when furnished or delivered
6 to consumers or users within this state.

7 Sec. 204. Section 423.5, subsection 1, paragraph d, Code
8 2018, is amended to read as follows:

9 d. Purchases of tangible personal property or specified
10 digital products made from the government of the United States
11 or any of its agencies by ultimate consumers shall be subject
12 to the tax imposed by this section. Services purchased from
13 the same source or sources shall be subject to the service
14 tax imposed by this subchapter and apply to the user of the
15 services.

16 Sec. 205. Section 423.5, subsection 1, Code 2018, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. f.(1) The use in this state of specified
19 digital products. The tax applies whether the purchaser
20 obtains permanent use or less than permanent use of the
21 specified digital product, whether the use is conditioned or
22 not conditioned upon continued payment from the purchaser,
23 and whether the use is on a subscription basis or is not on a
24 subscription basis.

25 (2) The use of a digital code that may be used to obtain
26 or access a specified digital product shall be taxed in the
27 same manner as the specified digital product. For purposes of
28 this subparagraph, "*digital code*" means the same as defined in
29 section 423.2, subsection 9A.

30 Sec. 206. Section 423.5, subsection 3, Code 2018, is amended
31 to read as follows:

32 3. For the purpose of the proper administration of the use
33 tax and to prevent its evasion, evidence that tangible personal
34 property ~~was~~ or specified digital products were sold by any
35 person for delivery in this state shall be prima facie evidence

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1 that such tangible personal property ~~was~~ or specified digital
2 products were sold for use in this state.

3 Sec. 207. Section 423.5, subsection 4, Code 2018, is amended
4 by striking the subsection.

5 Sec. 208. Section 423.6, unnumbered paragraph 1, Code 2018,
6 is amended to read as follows:

7 The use in this state of the following tangible personal
8 property, specified digital products, and services is exempted
9 from the tax imposed by this subchapter:

10 Sec. 209. Section 423.6, subsections 1, 2, 4, and 6, Code
11 2018, are amended to read as follows:

12 1. Tangible personal property, specified digital products,
13 and enumerated services, the sales price from the sale of which
14 are required to be included in the measure of the sales tax, if
15 that tax has been paid to the department or the retailer. This
16 exemption does not include vehicles subject to registration or
17 subject only to the issuance of a certificate of title.

18 2. The sale of tangible personal property, specified
19 digital products, or the furnishing of services in the regular
20 course of business.

21 4. All articles of tangible personal property and all
22 specified digital products brought into the state of Iowa by a
23 nonresident individual for the individual's use or enjoyment
24 while within the state.

25 6. Tangible personal property, specified digital products,
26 or services the sales price of which is exempt from the sales
27 tax under section 423.3, except section 423.3, subsections 39
28 and 73, as it relates to the sale, but not the lease or rental,
29 of vehicles subject only to the issuance of a certificate of
30 title and as it relates to aircraft subject to registration
31 under section 328.20.

32 Sec. 210. Section 423.14, subsection 2, paragraphs b and c,
33 Code 2018, are amended to read as follows:

34 b. The tax upon the use of all tangible personal property
35 and specified digital products other than that enumerated in

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1 paragraph "a", which is sold by a seller who is a retailer
2 ~~maintaining a place of business in this state, or by such other~~
3 ~~retailer or agent as the director shall authorize pursuant to~~
4 ~~section 423.30 or its agent that is not otherwise required~~
5 ~~to collect sales tax under the provisions of this chapter,~~
6 shall be collected by the retailer or agent and remitted to the
7 department, pursuant to the provisions of paragraph "e", and
8 sections 423.24, 423.29, 423.30, 423.32, and 423.33.

9 c. The tax upon the use of all tangible personal property
10 and specified digital products not paid pursuant to paragraphs
11 "a" and "b" shall be paid to the department directly by any
12 person using the property within this state, pursuant to the

13 provisions of section 423.34.

14 Sec. 211. **NEW SECTION. 423.14A Persons required to collect**
15 **sales and use tax — supplemental conditions, requirements, and**
16 **responsibilities.**

17 1. For purposes of this section:

18 a. *“Iowa sales”* means sales of tangible personal property,
19 services, or specified digital products sourced to this state
20 pursuant to section 423.15, 423.16, 423.17, 423.19, or 423.20,
21 or that are otherwise sold in this state or for delivery into
22 this state.

23 b. (1) *“Marketplace facilitator”* means a person, including
24 any affiliate of the person, who facilitates a retail sale by
25 satisfying subparagraph divisions (a) and (b) as follows:

26 (a) The person directly or indirectly does any of the
27 following:

28 (i) Lists, makes available, or advertises tangible personal
29 property, services, or specified digital products for sale
30 by a marketplace seller in a marketplace owned, operated, or
31 controlled by the person.

32 (ii) Facilitates the sale of a marketplace seller’s
33 product through a marketplace by transmitting or otherwise
34 communicating an offer or acceptance of a retail sale of
35 tangible personal property, services, or specified digital

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1 products between a marketplace seller and a purchaser in a
2 forum including a shop, store, booth, catalog, internet site,
3 or similar forum.

4 (iii) Owns, rents, licenses, makes available, or operates
5 any electronic or physical infrastructure or any property,
6 process, method, copyright, trademark, or patent that connects
7 marketplace sellers to purchasers for the purpose of making
8 retail sales of tangible personal property, services, or
9 specified digital products.

10 (iv) Provides a marketplace for making retail sales of
11 tangible personal property, services, or specified digital
12 products, or otherwise facilitates retail sales of tangible
13 personal property, services, or specified digital products,
14 regardless of ownership or control of the tangible personal
15 property, services, or specified digital products that are the
16 subject of the retail sale.

17 (v) Provides software development or research and
18 development activities related to any activity described in
19 this subparagraph division (a), if such software development or
20 research and development activities are directly related to the
21 physical or electronic marketplace provided by a marketplace
22 provider.

23 (vi) Provides or offers fulfillment or storage services for
24 a marketplace seller.

25 (vii) Sets prices for a marketplace seller’s sale of
26 tangible personal property, services, or specified digital

- 27 products.
- 28 (viii) Provides or offers customer service to a marketplace
29 seller or a marketplace seller's customers, or accepts or
30 assists with taking orders, returns, or exchanges of tangible
31 personal property, services, or specified digital products sold
32 by a marketplace seller.
- 33 (ix) Brands or otherwise identifies sales as those of the
34 marketplace facilitator.
- 35 (b) The person directly or indirectly does any of the

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- 1 following:
- 2 (i) Collects the sales price or purchase price of a retail
3 sale of tangible personal property, services, or specified
4 digital products.
- 5 (ii) Provides payment processing services for a retail sale
6 of tangible personal property, services, or specified digital
7 products.
- 8 (iii) Charges, collects, or otherwise receives selling
9 fees, listing fees, referral fees, closing fees, fees for
10 inserting or making available tangible personal property,
11 services, or specified digital products on a marketplace, or
12 other consideration from the facilitation of a retail sale of
13 tangible personal property, services, or specified digital
14 products, regardless of ownership or control of the tangible
15 personal property, services, or specified digital products that
16 are the subject of the retail sale.
- 17 (iv) Through terms and conditions, agreements, or
18 arrangements with a third party, collects payment in connection
19 with a retail sale of tangible personal property, services,
20 or specified digital products from a purchaser and transmits
21 that payment to the marketplace seller, regardless of whether
22 the person collecting and transmitting such payment receives
23 compensation or other consideration in exchange for the
24 service.
- 25 (v) Provides a virtual currency that purchasers are allowed
26 or required to use to purchase tangible personal property,
27 services, or specified digital products.
- 28 (2) "*Marketplace facilitator*" includes but is not limited
29 to a person who satisfies the requirements of this paragraph
30 through the ownership, operation, or control of a digital
31 distribution service, digital distribution platform, online
32 portal, or application store.
- 33 (3) A "*rental platform*", as defined in section 423C.2, that
34 meets the requirements described in section 423C.3, subsection
35 3, paragraph "c", subparagraph (2), shall not be considered

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1 a “*marketplace facilitator*” with respect to any sale of a
2 transportation service under section 423.2, subsection 6,
3 paragraph “*bf*”, or section 423.5, subsection 1, paragraph “*e*”,
4 consisting of the rental of vehicles subject to registration
5 which are registered for a gross weight of thirteen tons or
6 less for a period of sixty days or less.

7 c. “*Marketplace seller*” means any of the following:

8 (1) A seller that makes retail sales through any physical
9 or electronic marketplace owned, operated, or controlled by a
10 marketplace facilitator, even if such seller would not have
11 been required to collect and remit sales and use tax had the
12 sale not been made through such marketplace.

13 (2) A seller that makes retail sales resulting from a
14 referral by a referrer, even if such seller would not have been
15 required to collect and remit sales and use tax had the sale
16 not been made through such referrer.

17 2. In addition to and not in lieu of any application of
18 this chapter to sellers who are retailers and sellers who are
19 retailers maintaining a place of business in this state, any
20 person described in subsection 3, or the person’s agents,
21 shall be considered a retailer in this state and a retailer
22 maintaining a place of business in this state for purposes of
23 this chapter on or after January 1, 2019, and shall be subject
24 to all requirements of this chapter imposed on retailers and
25 retailers maintaining a place of business in this state,
26 including but not limited to the requirement to collect and
27 remit sales and use taxes pursuant to sections 423.14 and
28 423.29, and local option taxes under chapter 423B.

29 3. a. A retailer that has gross revenue from Iowa sales
30 equal to or exceeding one hundred thousand dollars for an
31 immediately preceding calendar year or a current calendar year.

32 b. A retailer that makes Iowa sales in two hundred or more
33 separate transactions for an immediately preceding calendar
34 year or a current calendar year.

35 c. (1) A retailer that owns, licenses, or uses software

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1 or data files that are installed or stored on property used
2 in this state. For purposes of this subparagraph, “*software*
3 *or data files*” include but are not limited to software that is
4 affirmatively downloaded by a user, software that is downloaded
5 as a result of the use of a website, preloaded software, and
6 cookies.

7 (2) A retailer that uses in-state software to make Iowa
8 sales. For purposes of this subparagraph, “*in-state software*”
9 means computer software that is installed or stored on property
10 located in this state or that is distributed within this state
11 for the purpose of facilitating a sale by the retailer.

12 (3) A retailer that provides, or enters into an agreement

13 with another person to provide, a content distribution network
 14 in this state to facilitate, accelerate, or enhance the
 15 delivery of the retailer's internet site to purchasers. For
 16 purposes of this subparagraph, "*content distribution network*"
 17 means a system of distributed servers that deliver internet
 18 sites and other internet content to a user based on the
 19 geographic location of the user, the origin of the internet
 20 site or internet content, and a content delivery server.

21 (4) This paragraph "c" shall not apply to a retailer that
 22 has gross revenue from Iowa sales of less than one hundred
 23 thousand dollars for an immediately preceding calendar year or
 24 a current calendar year.

25 d. (1) A marketplace facilitator that makes or facilitates
 26 Iowa sales on its own behalf or for one or more marketplace
 27 sellers equal to or exceeding one hundred thousand dollars,
 28 or in two hundred or more separate transactions, for an
 29 immediately preceding calendar year or a current calendar year.

30 (2) A marketplace facilitator shall collect sales and
 31 use tax on the entire sales price or purchase price paid by
 32 a purchaser on each Iowa sale subject to sales and use tax
 33 that is made or facilitated by the marketplace facilitator,
 34 regardless of whether the marketplace seller for whom an Iowa
 35 sale is made or facilitated has or is required to have a

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1 retail sales tax permit or would have been required to collect
 2 sales and use tax had the sale not been facilitated by the
 3 marketplace facilitator, and regardless of the amount of the
 4 sales price or purchase price that will ultimately accrue
 5 to or benefit the marketplace facilitator, the marketplace
 6 seller, or any other person. This sales and use tax collection
 7 responsibility of a marketplace facilitator applies but shall
 8 not be limited to sales facilitated through a computer software
 9 application, commonly referred to as in-app purchases, or
 10 through another specified digital product.

11 (3) A marketplace facilitator shall be relieved of
 12 liability under this paragraph "d" for failure to collect and
 13 remit sales and use tax on an Iowa sale made or facilitated for
 14 a marketplace seller under the following circumstances and up
 15 to the amounts permitted under the following circumstances:

16 (a) If the marketplace facilitator demonstrates to the
 17 satisfaction of the department that the marketplace facilitator
 18 has made a reasonable effort to obtain accurate information
 19 from the marketplace seller about a retail sale and that
 20 the failure to collect and remit the correct tax was due to
 21 incorrect information provided to the marketplace facilitator
 22 by the marketplace seller, then the marketplace facilitator
 23 shall be relieved of liability for that retail sale. This
 24 subparagraph division does not apply with regard to a retail
 25 sale for which the marketplace facilitator is the seller or if
 26 the marketplace facilitator and the seller are affiliates. For

27 Iowa sales for which a marketplace facilitator is relieved of
28 liability under this subparagraph division, the marketplace
29 seller and purchaser are liable for any amount of uncollected,
30 unpaid, or unremitted tax.

31 (b) (i) Subject to the limitation in subparagraph
32 subdivision (ii), if the marketplace facilitator demonstrates
33 to the satisfaction of the department that the Iowa sale was
34 made or facilitated for a marketplace seller prior to January
35 1, 2026, through a marketplace of the marketplace facilitator,

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1 that the marketplace facilitator is not the seller and that
2 the marketplace facilitator and the seller are not affiliates,
3 and that the failure to collect sales and use tax was due to
4 an error other than an error in sourcing the sale. To the
5 extent that a marketplace facilitator is relieved of liability
6 for collection of sales and use tax under this subparagraph
7 division, the marketplace seller for whom the marketplace
8 facilitator has made or facilitated the Iowa sale is also
9 relieved of liability. The department may determine the manner
10 in which a marketplace facilitator or marketplace seller shall
11 claim the liability relief provided in this subparagraph
12 division.

13 (ii) The liability relief provided in subparagraph
14 subdivision (i) shall not exceed the following percentage
15 of the total sales and use tax due on Iowa sales made or
16 facilitated by a marketplace facilitator for marketplace
17 sellers and sourced to this state during a calendar year,
18 which Iowa sales shall not include sales by the marketplace
19 facilitator or affiliates of the marketplace facilitator:

20 (A) For Iowa sales made or facilitated during the 2019
21 calendar year, ten percent.

22 (B) For Iowa sales made or facilitated during calendar years
23 2020 through 2024, five percent.

24 (C) For Iowa sales made or facilitated during the 2025
25 calendar year, three percent.

26 (c) Nothing in this subparagraph (3) shall be construed to
27 relieve any person of liability for collecting but failing to
28 remit to the department sales and use tax.

29 (d) A marketplace facilitator is deemed to be an agent
30 of any marketplace seller making retail sales through a
31 marketplace of the marketplace facilitator.

32 e.(1) A referrer if, for any immediately preceding
33 calendar year or a current calendar year, one hundred thousand
34 dollars or more in Iowa sales or two hundred or more separate
35 Iowa sales transactions result from referrals from a platform

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- 1 of the referrer. A referrer is not required to collect and
2 remit sales and use tax pursuant to this paragraph if the
3 referrer does all of the following:
- 4 (a) The referrer posts a conspicuous notice on each platform
5 of the referrer that includes all of the following:
- 6 (i) A statement that sales or use tax is due on certain
7 purchases.
- 8 (ii) A statement that the marketplace seller from whom the
9 person is purchasing on the platform may or may not collect and
10 remit sales and use tax on a purchase.
- 11 (iii) A statement that Iowa requires the purchaser to pay
12 sales or use tax and file sales or use tax returns if sales
13 or use tax is not collected at the time of the sale by the
14 marketplace seller.
- 15 (iv) Information informing the purchaser that the notice is
16 provided under the requirements of this subparagraph.
- 17 (v) Instructions for obtaining additional information from
18 the department regarding whether and how to remit sales and use
19 tax to the state of Iowa.
- 20 (b) The referrer provides a monthly notice to each
21 marketplace seller to whom the referrer made a referral of a
22 potential customer located in Iowa during the previous calendar
23 year, which monthly notice shall contain all of the following:
- 24 (i) A statement that Iowa imposes a sales or use tax on Iowa
25 sales.
- 26 (ii) A statement that a marketplace facilitator or other
27 retailer making Iowa sales must collect and remit sales and use
28 tax.
- 29 (iii) Instructions for obtaining additional information
30 from the department regarding the collection and remittance of
31 Iowa sales and use tax.
- 32 (c) The referrer provides the department with monthly
33 reports in an electronic format and in the manner prescribed
34 by the department, which monthly reports contain all of the
35 following:

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- 1 (i) A list of marketplace sellers who received the
2 referrer's notice under subparagraph division (b).
- 3 (ii) A list of marketplace sellers that collect and
4 remit Iowa sales and use tax and that list or advertise the
5 marketplace seller's products for sale on a platform of the
6 referrer.
- 7 (iii) An affidavit signed under penalty of perjury from
8 an officer of the referrer affirming that the referrer made
9 reasonable efforts to comply with the applicable sales and use
10 tax notice and reporting requirements of this subparagraph.
- 11 (2) A referrer is deemed to be an agent of any marketplace
12 seller making retail sales resulting from a referral of the

13 referrer.

14 (3) For purposes of this paragraph:

15 (a) “*Platform*” means an electronic or physical medium,
16 including but not limited to an internet site or catalog, that
17 is owned, operated, or controlled by a referrer.

18 (b) “*Referral*” means the transfer through telephone,
19 internet link, or other means by a referrer of a potential
20 customer to a retailer or seller who advertises or lists
21 products for sale on a platform of the referrer.

22 (c) (i) “*Referrer*” means a person who does all of the
23 following:

24 (A) Contracts or otherwise agrees with a retailer, seller,
25 or marketplace facilitator to list or advertise for sale a
26 product of the retailer, seller, or marketplace facilitator on
27 a platform, provided such listing or advertisement identifies
28 whether or not the retailer, seller, or marketplace facilitator
29 collects sales and use tax.

30 (B) Receives a commission, fee, or other consideration
31 from the retailer, seller, or marketplace facilitator for the
32 listing or advertisement.

33 (C) Provides referrals to a retailer, seller, or
34 marketplace facilitator, or an affiliate of a retailer, seller,
35 or marketplace facilitator.

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1 (D) Does not collect money or other consideration from the
2 customer for the transaction.

3 (ii) “*Referrer*” does not include any of the following:

4 (A) A person primarily engaged in the business of printing
5 or publishing a newspaper.

6 (B) A person who does not provide the retailer’s, seller’s,
7 or marketplace facilitator’s shipping terms and who does
8 not advertise whether a retailer, seller, or marketplace
9 facilitator collects sales or use tax.

10 (4) This paragraph only applies to referrals by a referrer
11 and shall not preclude the applicability of other provisions
12 of this section to a person who is a referrer and is also a
13 retailer, a marketplace facilitator, or a marketplace seller.

14 *f.* (1) A retailer that makes Iowa sales through the use of
15 a solicitor. For purposes of this paragraph, “*solicitor*” means
16 a person that directly or indirectly solicits business for a
17 retailer.

18 (2) (a) A retailer is deemed to have a solicitor in
19 this state if the retailer enters into an agreement with a
20 resident under which the resident, for a commission, fee, or
21 other similar consideration, directly or indirectly refers
22 potential customers, whether by link on an internet site,
23 or otherwise, to the retailer. This determination may be
24 rebutted by a showing of proof that the resident with whom the
25 retailer has an agreement did not engage in any solicitation
26 in this state on behalf of the retailer that would satisfy the

27 nexus requirement of the United States Constitution during the
28 calendar year in question.

29 (b) This subparagraph (2) shall not apply to a retailer that
30 has Iowa gross revenue from Iowa sales of ten thousand dollars
31 or less for an immediately preceding calendar year or a current
32 calendar year.

33 (c) For purposes of this subparagraph (2):

34 (i) "*Iowa gross revenue*" means gross revenue from Iowa
35 sales to purchasers who were referred to the retailer by all

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1 solicitors who are residents.

2 (ii) "*Resident*" includes an individual who is a resident
3 of this state, as defined in section 422.4, and any business
4 that owns any tangible or intangible property with a situs in
5 this state, or that has one or more employees performing or
6 providing services for the business in this state.

7 (d) This paragraph "*f*" does not apply to chapter 422 and
8 does not expand or contract the state's jurisdiction to tax a
9 trade or business under chapter 422.

10 g. A retailer that owns, controls, rents, licenses, makes
11 available, or uses any tangible or intangible property in this
12 state or with a situs in this state, to make or otherwise
13 facilitate a retail sale.

14 h. (1) Any person that enters into a contract or agreement
15 with a governmental entity, including but not limited to
16 contracts for the provision of financial assistance or
17 incentives such as a tax credit, forgivable loan, grant, tax
18 rebate, or any other thing of value. For purposes of this
19 subparagraph, "*governmental entity*" means any unit of government
20 in the executive, legislative, or judicial branch, or any
21 political subdivision of the state, including but not limited
22 to a city, county, township, or school district.

23 (2) Every bid submitted and each contract or agreement
24 executed by a state agency shall contain a certification by
25 the bidder or contractor stating that the bidder or contractor
26 is registered with the department pursuant to this chapter
27 and will collect and remit Iowa sales and use tax due under
28 this chapter. In the certification, the bidder or contractor
29 shall also acknowledge that the state agency may declare the
30 contractor or bid void if the certification is false or becomes
31 false. Fraudulent certification, by act or omission, may
32 result in the state agency or its representative filing for
33 damages for breach of contract.

34 i. Any affiliate of any person that is required to collect
35 and remit sales and use tax under this chapter, provided the

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1 affiliate makes retail sales.
 2 Sec. 212. **NEW SECTION. 423.14B Sales and use tax reporting**
 3 **requirements — penalties.**

4 1. For purposes of this section, “*Iowa sales*” and
 5 “*marketplace facilitator*” all mean the same as defined in
 6 section 423.14A.

7 2. The department may, in its discretion, adopt rules
 8 pursuant to chapter 17A establishing and imposing notice and
 9 reporting requirements related to Iowa sales for retailers,
 10 including but not limited to marketplace facilitators,
 11 who do not collect and remit sales and use tax under this
 12 chapter. The rules may include but are not limited to rules
 13 requiring retailers, including but not limited to marketplace
 14 facilitators, to do any of the following:

15 a. Notify purchasers at the time of an Iowa sales
 16 transaction of sales and use tax obligations under this
 17 chapter.

18 b. Provide purchasers with periodic reports of purchases
 19 that are Iowa sales.

20 c. Provide the department with annual reports that include
 21 but are not limited to information relating to purchases,
 22 purchasers, and Iowa sales.

23 3. a. The department may adopt rules pursuant to chapter
 24 17A establishing and imposing penalties as described in and
 25 subject to the dollar limitations of paragraph “b”, provided
 26 that any such penalty shall include a procedure for waiver
 27 of the penalty upon a showing of reasonable cause for such
 28 failure.

29 b. (1) The department may impose penalties for failure to
 30 provide a notification to a purchaser in the manner and form
 31 prescribed by the department by rule. Such penalties shall not
 32 exceed five dollars for each failure.

33 (2) The department may impose penalties for failure to
 34 provide a purchaser with a periodic report of purchases in the
 35 manner and form prescribed by the department by rule. Such

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1 penalties shall not exceed ten dollars for each failure.

2 (3) The department may impose penalties for failure to
 3 provide the department with an annual report in the manner
 4 and form prescribed by the department. Such penalties shall
 5 not exceed an amount per annual report equal to ten dollars
 6 multiplied by the number of purchasers for whom information
 7 should have been but was not included in the annual report.

8 Sec. 213. Section 423.15, unnumbered paragraph 1, Code
 9 2018, is amended to read as follows:

10 All sales of ~~products~~ tangible personal property, services,
 11 or specified digital products, except those sales enumerated
 12 in section 423.16, shall be sourced according to this section

13 by sellers obligated to collect Iowa sales and use tax. The
 14 sourcing rules described in this section apply to sales of
 15 tangible personal property, specified digital goods products,
 16 and all services other than telecommunications services. This
 17 section only applies to determine a seller's obligation to pay
 18 or collect and remit a Iowa sales or use tax with respect to
 19 the seller's sale of a product. This section does not affect
 20 the obligation of a purchaser or lessee to remit tax on the use
 21 of the product to the taxing jurisdictions in which the use
 22 occurs. A seller's obligation to collect Iowa sales tax or
 23 Iowa use tax only occurs if the sale is sourced to this state.
 24 ~~Whether Iowa sales tax applies to a sale sourced to Iowa shall~~
 25 ~~be determined based on the location at which the sale is~~
 26 ~~consummated by delivery or, in the case of a service, where the~~
 27 ~~first use of the service occurs~~ made by a seller subject to
 28 section 423.1, subsection 48, or section 423.14A.

29 Sec. 214. Section 423.15, subsection 1, paragraph e, Code
 30 2018, is amended to read as follows:

31 e. When paragraphs "a", "b", "c", and "d" do not apply,
 32 including the circumstance where the seller is without
 33 sufficient information to apply the previous rules, then the
 34 location will be determined by the address from which tangible
 35 personal property was shipped, from which the specified digital

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1 good product or the computer software delivered electronically
 2 was first available for transmission by the seller, or from
 3 which the service was provided disregarding for these purposes
 4 any location that merely provided the digital transfer of the
 5 product sold.

6 Sec. 215. Section 423.22, Code 2018, is amended to read as
 7 follows:

8 **423.22 Taxation in another state.**

9 If any person who causes tangible personal property or
 10 specified digital products to be brought into this state or
 11 who uses in this state services enumerated in section 423.2
 12 has already paid a tax in another state in respect to the sale
 13 or use of the property or the performance of the service, or
 14 an occupation tax in respect to the property or service, in
 15 an amount less than the tax imposed by subchapter II or III,
 16 the provisions of those subchapters shall apply, but at a rate
 17 measured by the difference only between the rate fixed by
 18 subchapter II or III and the rate by which the previous tax on
 19 the sale or use, or the occupation tax, was computed. If the
 20 tax imposed and paid in the other state is equal to or more than
 21 the tax imposed by those subchapters, then a tax is not due in
 22 this state on the personal property or service.

23 Sec. 216. Section 423.29, subsection 1, Code 2018, is
 24 amended to read as follows:

25 1. Every seller who is a retailer and who is making taxable
 26 sales of tangible personal property or specified digital

27 products in Iowa shall, at the time of ~~selling the property~~
28 ~~making the sale~~, collect the sales tax. Every seller who
29 is a retailer ~~maintaining a place of business in this state~~
30 that is not otherwise required to collect sales tax under the
31 provisions of this chapter and who is selling tangible personal
32 property or specified digital products for use in Iowa shall,
33 at the time of making the sale, whether within or without the
34 state, collect the use tax. Sellers required to collect sales
35 or use tax shall give to any purchaser a receipt for the tax

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1 collected in the manner and form prescribed by the director.
2 Sec. 217. Section 423.30, subsection 1, Code 2018, is
3 amended to read as follows:
4 1. The director may, upon application, authorize the
5 collection of the use tax by any seller who is a retailer not
6 maintaining a place of business within this state and not
7 registered under the agreement, who, to the satisfaction of
8 the director, furnishes adequate security to ensure collection
9 and payment of the tax. Such sellers shall be issued, without
10 charge, permits to collect tax subject to any regulations
11 which the director shall prescribe. When so authorized, it
12 shall be the duty of foreign sellers to collect the tax upon
13 all tangible personal property and specified digital products
14 sold, to the retailer's knowledge, for use within this state,
15 in the same manner and subject to the same requirements as a
16 retailer maintaining a place of business within this state.
17 The authority and permit may be canceled when, at any time, the
18 director considers the security inadequate, or that tax can
19 more effectively be collected from the person using property
20 in this state.
21 Sec. 218. Section 423.31, subsection 1, Code 2018, is
22 amended to read as follows:
23 1. Each person subject to this section and section 423.36
24 and in accordance with the provisions of this section and
25 section 423.36 shall, on or before the last day of the month
26 following the close of each calendar quarter during which
27 such person is or has become or ceased being subject to the
28 provisions of this section and section 423.36, make, sign, and
29 file a return for the calendar quarter in the form as may be
30 required. Returns shall show information relating to sales
31 prices including ~~goods, wares,~~ tangible personal property,
32 specified digital products, and services converted to the
33 use of such person, the amounts of sales prices excluded and
34 exempt from the tax, the amounts of sales prices subject to
35 tax, a calculation of tax due, and any other information for

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1 the period covered by the return as may be required. Returns
 2 shall be signed by the retailer or the retailer's authorized
 3 agent and must be certified by the retailer to be correct in
 4 accordance with forms and rules prescribed by the director.

5 Sec. 219. Section 423.31, subsection 5, paragraph a, Code
 6 2018, is amended to read as follows:

7 a. Upon making application and receiving approval from
 8 the director, a ~~parent corporation person~~ and its ~~affiliated~~
 9 ~~corporations affiliates~~ that make retail sales of tangible
 10 personal property, specified digital products, or taxable
 11 enumerated services may make deposits and file a consolidated
 12 sales tax return for the affiliated group, pursuant to rules
 13 adopted by the director. A ~~parent corporation person~~ and each
 14 affiliate ~~corporation~~ that files a consolidated return are
 15 jointly and severally liable for all tax, penalty, and interest
 16 found due for the tax period for which a consolidated return is
 17 filed or required to be filed.

18 Sec. 220. Section 423.32, subsection 1, paragraph b, Code
 19 2018, is amended to read as follows:

20 b. The deposit form is due on or before the twentieth day of
 21 the month following the month of collection, except a deposit
 22 is not required for the third month of the calendar quarter,
 23 and the total quarterly amount, less the amounts deposited for
 24 the first two months of the quarter, is due with the quarterly
 25 report on the last day of the month following the month of
 26 collection. At that time, the retailer shall file with the
 27 department a return for the preceding quarterly period in the
 28 form prescribed by the director showing the purchase price of
 29 the tangible personal property, specified digital products, and
 30 services sold by the retailer during the preceding quarterly
 31 period, the use of which is subject to the use tax imposed
 32 by this chapter, and other information the director deems
 33 necessary for the proper administration of the use tax.

34 Sec. 221. Section 423.33, subsection 3, Code 2018, is
 35 amended to read as follows:

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1 3. *Event sponsor's liability for sales tax.* A person
 2 sponsoring a flea market or a craft, antique, coin, or stamp
 3 show or similar event shall obtain from every retailer selling
 4 tangible personal property, specified digital products,
 5 or taxable services at the event proof that the retailer
 6 possesses a valid sales tax permit or secure from the retailer
 7 a statement, taken in good faith, that tangible personal
 8 property, specified digital products, or services offered for
 9 sale are not subject to sales tax. Failure to do so renders
 10 a sponsor of the event liable for payment of any sales tax,
 11 interest, and penalty due and owing from any retailer selling
 12 property or services at the event. Sections 423.31, 423.32,

13 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply to the
14 sponsors. For purposes of this subsection, a "person sponsoring
15 a flea market or a craft, antique, coin, or stamp show or similar
16 event" does not include an organization which sponsors an
17 event determined to qualify as an event involving casual sales
18 pursuant to section 423.3, subsection 39, or the state fair or
19 a fair as defined in section 174.1.

20 Sec. 222. Section 423.33, Code 2018, is amended by adding
21 the following new subsection:

22 **NEW SUBSECTION.** 4. *Liability of affiliates.*

23 a. Notwithstanding any other provision of law to the
24 contrary, if any retailer required to collect and remit sales
25 and use tax pursuant to sections 423.14, 423.14A, and 423.29,
26 or any other provision of this chapter, fails to do so, all
27 affiliates that directly, indirectly, or constructively control
28 the retailer shall be jointly and severally liable for any tax,
29 penalty, and interest under this chapter, regardless of whether
30 the affiliate is a retailer.

31 b. Pursuant to paragraph "a", the department may elect
32 to assess the full amount of any tax, penalty, and interest
33 against the retailer, an affiliate of the retailer described
34 in paragraph "a", or any combination of the retailer and the
35 retailer's affiliates described in paragraph "a".

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1 c. Notwithstanding any other provision of law to the
2 contrary, the department has the discretion to deem an
3 affiliate of a retailer an agent or alter ego of that retailer.

4 d. Notwithstanding any other provision of law to the
5 contrary, the department has the discretion to disregard or
6 look through any organizational structure of an enterprise in
7 order to assess and collect any tax, penalty, and interest
8 against an affiliate that is acting to benefit an affiliate or
9 an enterprise of which the affiliate is a part.

10 Sec. 223. Section 423.34, Code 2018, is amended to read as
11 follows:

12 **423.34 Liability of user.**

13 Any person who uses any tangible personal property,
14 specified digital products, or services enumerated in section
15 423.2 upon which the use tax has not been paid, either to the
16 county treasurer or to a retailer or direct to the department
17 as required by this subchapter, shall be liable for the payment
18 of tax, and shall on or before the last day of the month next
19 succeeding each quarterly period pay the use tax upon all
20 property or services used by the person during the preceding
21 quarterly period in the manner and accompanied by such returns
22 as the director shall prescribe. All of the provisions of
23 sections 423.32 and 423.33 with reference to the returns and
24 payments shall be applicable to the returns and payments
25 required by this section.

26 Sec. 224. Section 423.36, subsection 1, Code 2018, is

27 amended to read as follows:

28 1. A person shall not engage in or transact business as a
29 retailer making taxable sales of tangible personal property,
30 specified digital products, or furnishing services within
31 this state or as a retailer making taxable sales of tangible
32 personal property, specified digital products, or furnishing
33 services for use within this state, unless a permit has been
34 issued to the retailer under this section, except as provided
35 in subsection 7. Every person desiring to engage in or

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1 transact business as a retailer shall file with the department
2 an application for a permit to collect sales or use tax. Every
3 application for a sales or use tax permit shall be made upon
4 a form prescribed by the director and shall set forth any
5 information the director may require. The application shall
6 be signed by an owner of the business if a natural person; in
7 the case of a retailer which is an association or partnership,
8 by a member or partner; and in the case of a retailer which
9 is a corporation, by an executive officer or some person
10 specifically authorized by the corporation to sign the
11 application, to which shall be attached the written evidence of
12 the person's authority.

13 Sec. 225. Section 423.36, subsection 2, paragraph a, Code
14 2018, is amended to read as follows:

15 a. Notwithstanding subsection 1, if any person will make
16 taxable sales of tangible personal property, specified digital
17 products, or furnish services to any state agency, that person
18 shall, prior to the sale, apply for and receive a permit to
19 collect sales or use tax pursuant to this section. A state
20 agency shall not purchase tangible personal property, specified
21 digital products, or services from any person unless that
22 person has a valid, unexpired permit issued pursuant to this
23 section and is in compliance with all other requirements in
24 this chapter imposed upon retailers, including but not limited
25 to the requirement to collect and remit sales and use tax and
26 file sales and use tax returns.

27 Sec. 226. Section 423.36, subsection 7, paragraph b, Code
28 2018, is amended to read as follows:

29 b. Persons engaged in selling tangible personal property,
30 specified digital products, or furnishing services shall not be
31 required to obtain or retain a sales tax permit for a place of
32 business at which taxable sales of tangible personal property,
33 specified digital products, or taxable performance of services
34 will not occur.

35 Sec. 227. Section 423.36, subsection 9, paragraph a, Code

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1 2018, is amended to read as follows:

2 *a.* Except as provided in paragraph “*b*”, purchasers, users,
3 and consumers of tangible personal property, specified digital
4 products, or enumerated services taxed pursuant to subchapter
5 II or III of this chapter or chapter 423B may be authorized,
6 pursuant to rules adopted by the director, to remit tax owed
7 directly to the department instead of the tax being collected
8 and paid by the seller. To qualify for a direct pay tax permit,
9 the purchaser, user, or consumer must accrue a tax liability
10 of more than four thousand dollars in tax under subchapters
11 II and III in a semimonthly period and make deposits and file
12 returns pursuant to section 423.31. This authority shall not
13 be granted or exercised except upon application to the director
14 and then only after issuance by the director of a direct pay
15 tax permit.

16 Sec. 228. Section 423.40, subsection 2, Code 2018, is
17 amended to read as follows:

18 2. *a.* Any person who knowingly sells tangible personal
19 property, specified digital products, tickets or admissions
20 to places of amusement and athletic events, or gas, water,
21 electricity, or communication service at retail, or engages in
22 the furnishing of services enumerated in section 423.2, in this
23 state without procuring a permit to collect tax, as provided
24 in section 423.36, or who violates section 423.24 and the
25 officers of any corporation who so act are guilty of a serious
26 misdemeanor.

27 *b.* A person who knowingly sells tangible personal property,
28 specified digital products, tickets or admissions to places of
29 amusement and athletic events, or gas, water, electricity, or
30 communication service at retail, or engages in the furnishing
31 of services enumerated in section 423.2, in this state after
32 the person’s sales tax permit has been revoked and before it
33 has been restored as provided in section 423.36, subsection 6,
34 and the officers of any corporation who so act are guilty of an
35 aggravated misdemeanor.

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1 Sec. 229. Section 423.41, Code 2018, is amended to read as
2 follows:

3 **423.41 Books — examination.**

4 Every retailer required or authorized to collect taxes
5 imposed by this chapter and every person using in this state
6 tangible personal property, specified digital products,
7 services, or the product of services shall keep records,
8 receipts, invoices, and other pertinent papers as the director
9 shall require, in the form that the director shall require,
10 for as long as the director has the authority to examine and
11 determine tax due. The director or any duly authorized agent
12 of the department may examine the books, papers, records,

13 and equipment of any person ~~either~~ selling tangible personal
 14 property, specified digital products, or services or liable
 15 for the tax imposed by this chapter, and investigate the
 16 character of the business of any person in order to verify
 17 the accuracy of any return made, or if a return was not made
 18 by the person, ascertain and determine the amount due under
 19 this chapter. These books, papers, and records shall be made
 20 available within this state for examination upon reasonable
 21 notice when the director deems it advisable and so orders. If
 22 the taxpayer maintains any records in an electronic format,
 23 the taxpayer shall comply with reasonable requests by the
 24 director or the director's authorized agents to provide those
 25 electronic records in a standard record format. The preceding
 26 requirements shall likewise apply to users and persons
 27 furnishing services enumerated in section 423.2.

28 Sec. 230. Section 423.45, subsection 4, paragraphs a, b, and
 29 e, Code 2018, are amended to read as follows:

30 a. The department shall issue or the seller may separately
 31 provide exemption certificates in the form prescribed by the
 32 director, including certificates not made of paper, which
 33 conform to the requirements of paragraph "c", to assist
 34 retailers in properly accounting for nontaxable sales of
 35 tangible personal property, specified digital products,

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1 or services to purchasers for a nontaxable purpose. The
 2 department shall also allow the use of exemption certificates
 3 for those circumstances in which a sale is taxable but the
 4 seller is not obligated to collect tax from the buyer.

5 b. The sales tax liability for all sales of tangible
 6 personal property and specified digital products and all sales
 7 of services is upon the seller and the purchaser unless the
 8 seller takes from the purchaser a valid exemption certificate
 9 stating under penalty of perjury that the purchase is for a
 10 nontaxable purpose and is not a retail sale as defined in
 11 section 423.1, or the seller is not obligated to collect tax
 12 due, or unless the seller takes a fuel exemption certificate
 13 pursuant to subsection 5. If the tangible personal property,
 14 specified digital products, or services are purchased tax free
 15 pursuant to a valid exemption certificate and the tangible
 16 personal property, specified digital products, or services are
 17 used or disposed of by the purchaser in a nonexempt manner, the
 18 purchaser is solely liable for the taxes and shall remit the
 19 taxes directly to the department and sections 423.31, 423.32,
 20 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 shall apply
 21 to the purchaser.

22 e. If the circumstances change and as a result the tangible
 23 personal property, specified digital products, or services are
 24 used or disposed of by the purchaser in a nonexempt manner or
 25 the purchaser becomes obligated to pay the tax, the purchaser
 26 is liable solely for the taxes and shall remit the taxes

27 directly to the department in accordance with this subsection.
28 Sec. 231. Section 423.57, Code 2018, is amended to read as
29 follows:

30 **423.57 Statutes applicable.**

31 The director shall administer this subchapter as it relates
32 to the taxes imposed in this chapter in the same manner and
33 subject to all the provisions of, and all of the powers,
34 duties, authority, and restrictions contained in sections
35 423.14, 423.14A, 423.14B, 423.15, 423.16, 423.17, 423.19,

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1 423.20, 423.21, 423.22, 423.23, 423.24, 423.25, 423.29, 423.31,
2 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,
3 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection
4 1, and sections 423.45, 423.46, and 423.47.

5 Sec. 232. Section 423.58, Code 2018, is amended to read as
6 follows:

7 **423.58 Collection, permit, and tax return exemption for**
8 **certain out-of-state businesses.**

9 Notwithstanding sections 423.14, 423.14A, 423.14B, 423.29,
10 423.31, 423.32, and 423.36, a person meeting the requirements
11 of section 29C.24 is not required to obtain a sales or use tax
12 permit, collect and remit sales and use tax, or make and file
13 applicable sales or use tax returns, as provided in section
14 29C.24, subsection 3, paragraph "a", subparagraph (2).

15 Sec. 233. Section 423B.5, subsection 1, Code 2018, is
16 amended to read as follows:

17 1. A local sales and services tax at the rate of not more
18 than one percent may be imposed by a county on the sales price
19 taxed by the state under chapter 423, subchapter II. A local
20 sales and services tax shall be imposed on the same basis as
21 the state sales and services tax or in the case of the use of
22 natural gas, natural gas service, electricity, or electric
23 service on the same basis as the state use tax and shall not
24 be imposed on the sale of any property or on any service not
25 taxed by the state, except the tax shall not be imposed on
26 the sales price from the sale of motor fuel or special fuel
27 as defined in chapter 452A which is consumed for highway use
28 or in watercraft or aircraft if the fuel tax is paid on the
29 transaction and a refund has not or will not be allowed, on the
30 sales price from the sale of equipment by the state department
31 of transportation, or on the sales price from the sale or use
32 of natural gas, natural gas service, electricity, or electric
33 service in a city or county where the sales price from the sale
34 of natural gas or electric energy is subject to a franchise
35 fee or user fee during the period the franchise or user fee

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1 is imposed. A local sales and services tax is applicable
 2 to transactions within those incorporated and unincorporated
 3 areas of the county where it is imposed and, which transactions
 4 include but are not limited to sales sourced pursuant to
 5 section 423.15, 423.17, 423.19, or 423.20, to a location within
 6 that city or unincorporated area of the county. The tax shall
 7 be collected by all persons required to collect state sales
 8 taxes. All cities contiguous to each other shall be treated
 9 as part of one incorporated area and the tax would be imposed
 10 in each of those contiguous cities only if the majority of
 11 those voting in the total area covered by the contiguous cities
 12 favors its imposition. In the case of a local sales and
 13 services tax submitted to the registered voters of two or more
 14 contiguous counties as provided in section 423B.1, subsection
 15 4, paragraph "c", all cities contiguous to each other shall be
 16 treated as part of one incorporated area, even if the corporate
 17 boundaries of one or more of the cities include areas of more
 18 than one county, and the tax shall be imposed in each of those
 19 contiguous cities only if a majority of those voting on the tax
 20 in the total area covered by the contiguous cities favored its
 21 imposition.

22 Sec. 234. Section 423B.6, subsection 2, paragraph b, Code
 23 2018, is amended to read as follows:

24 b. The ordinance of a county board of supervisors imposing
 25 a local sales and services tax shall adopt by reference the
 26 applicable provisions of the appropriate sections of chapter
 27 423. All powers and requirements of the director to administer
 28 the state sales tax law and use tax law are applicable to the
 29 administration of a local sales and services tax law and the
 30 local excise tax, including but not limited to the provisions
 31 of section 422.25, subsection 4, sections 422.30, 422.67,
 32 and 422.68, section 422.69, subsection 1, sections 422.70
 33 through 422.75, section 423.14, subsection 1 and subsection
 34 2, paragraphs "b" through "e", and sections 423.14A, 423.15,
 35 423.23, 423.24, 423.25, 423.31 through 423.35, 423.37 through

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1 423.42, 423.46, and 423.47. Local officials shall confer
 2 with the director of revenue for assistance in drafting the
 3 ordinance imposing a local sales and services tax. A certified
 4 copy of the ordinance shall be filed with the director as soon
 5 as possible after passage.

6 Sec. 235. LEGISLATIVE INTENT. It is the intent of the
 7 general assembly that the provisions of this division of this
 8 Act amending the definition of "place of business" in section
 9 423.1, subsection 37, and "sales" in section 423.1, subsection
 10 50, enacting definitions of "sold at retail in the state" in
 11 section 423.1, subsection 55A, and "subscription" in section
 12 423.1, subsection 57A, and amending the enumerated service of

13 pay television in 423.2, subsection 6, paragraph “a”, are
14 conforming amendments consistent with current state law, and
15 that the amendments do not change the application of current
16 law but instead reflect current law both before and after the
17 enactment of this division of this Act.

18 Sec. 236. RELATIONSHIP TO EXISTING LAW FOR TAXATION OF
19 SPECIFIED DIGITAL PRODUCTS. The provisions of this division of
20 this Act relating to the imposition of tax on the sale or use of
21 “specified digital products”, as defined in this division of
22 this Act, shall not be construed as affecting the taxability
23 or nontaxability under other provisions of existing law of
24 sales or uses occurring prior to the enactment of this division
25 of this Act of products meeting the definition of “specified
26 digital products”, as defined in this division of this Act.

27 Sec. 237. EFFECTIVE DATE. Except as otherwise provided
28 in this division of this Act, this division of this Act takes
29 effect January 1, 2019.

30 Sec. 238. EFFECTIVE DATE. The following, being deemed of
31 immediate importance, take effect upon enactment:

32 1. The sections of this division of this Act amending
33 section 423.1, subsections 37 and 50.

34 2. The sections of this division of this Act enacting
35 section 423.1, subsections 55A and 57A.

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1 3. The section of this division of this Act amending section
2 423.3, subsection 47, paragraph “d”, subparagraph (4).

3 4. The provision amending the enumerated service of pay
4 television to include but not be limited to streaming video,
5 video on-demand, and pay-per-view, in the section of this
6 division of this Act amending section 423.2, subsection 6, by
7 designating paragraph “a”.

8 5. The section of this division of this Act entitled
9 “legislative intent” which describes the intent of the general
10 assembly with respect to certain amendments in this division of
11 this Act to the definition of “place of business” in section
12 423.1, subsection 37, “sales” in section 423.1, subsection 50,
13 the enactment of a definition for “subscription” in section
14 423.1, subsection 57A, and “sold at retail” in section 423.1,
15 subsection 55A, and amendments to the enumerated service of pay
16 television in section 423.2, subsection 6, paragraph “a”.

17 Sec. 239. EFFECTIVE DATE. The following take effect July
18 1, 2018:

19 1. The section of this division of this Act amending section
20 423.2, subsection 1, paragraph “a”, subparagraph (1).

21 2. The provisions adding photography and retouching to the
22 list of enumerated services subject to the sales tax in the
23 section of this division of this Act amending section 423.2,
24 subsection 6, by enacting paragraphs “bo” and “bp”.

25 3. The section of this division of this Act enacting section
26 423.2, subsection 8, paragraph “d”.

27 4. The section of this division of this Act amending section
28 423.5, subsection 1, paragraph "a".

29 DIVISION XII

30 APPROVAL AND IMPOSITION OF LOCAL OPTION SALES AND SERVICES TAX

31 Sec. 240. Section 423B.1, subsection 2, paragraph b,
32 subparagraph (3), Code 2018, is amended to read as follows:

33 (3) The tax once imposed shall continue to be imposed until
34 the county-imposed tax is ~~reduced or increased in rate or~~
35 repealed, and ~~then~~ the city-imposed tax shall also be ~~reduced~~

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1 ~~or increased in rate or repealed in the same amount and be~~
2 effective on the same date.

3 Sec. 241. Section 423B.1, subsections 3, 4, and 5, Code
4 2018, are amended to read as follows:

5 3. a. ~~A local option tax shall be imposed only after an~~
6 ~~election at which~~ If a majority of those voting on the question
7 of imposition of a local option tax favors imposition and the
8 local option tax shall then be imposed at the rate specified
9 on the ballot until repealed as provided in subsection 6,
10 paragraph "a" this chapter.

11 b. If the tax is a local vehicle tax imposed by a county,
12 it shall apply to all incorporated and unincorporated areas of
13 the county.

14 c. (1) If the tax is a local sales and services tax
15 imposed by a county, it shall only apply to those incorporated
16 areas and the unincorporated area of that county in which a
17 majority of those voting in the area on the tax favors its
18 imposition. For purposes of the local sales and services tax,
19 all cities contiguous to each other shall be treated as part of
20 one incorporated area and the tax would be imposed in each of
21 those contiguous cities only if the majority of those voting
22 in the total area covered by the contiguous cities favors its
23 imposition. ~~In the case of a local sales and services tax~~
24 ~~submitted to the registered voters of two or more contiguous~~
25 ~~counties as provided in subsection 4, paragraph "c", all cities~~
26 ~~contiguous to each other shall be treated as part of one~~
27 ~~incorporated area, even if the corporate boundaries of one or~~
28 ~~more of the cities include areas of more than one county, and~~
29 ~~the tax shall be imposed in each of those contiguous cities~~
30 ~~only if a majority of those voting on the tax in the total area~~
31 ~~covered by the contiguous cities favored its imposition.~~ For
32 purposes of the local sales and services tax, a city is not
33 contiguous to another city if the only road access between the
34 two cities is through another state.

35 (2) The treatment of contiguous cities as one incorporated

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1 area for the purpose of determining whether a majority of those
 2 voting favors imposition does not apply to elections on the
 3 question of imposition of a local sales and services tax in
 4 all or a portion of a county that is a qualified county if the
 5 election occurs on or after January 1, 2019. For purposes
 6 of this chapter, "qualified county" means a county with a
 7 population in excess of four hundred thousand, a county with
 8 a population of at least one hundred thirty thousand but not
 9 more than one hundred thirty-one thousand, or a county with a
 10 population of at least sixty thousand but not more than seventy
 11 thousand, according to the 2010 federal decennial census.

12 4. a. (1) ~~A~~ The county board of supervisors shall direct
 13 within thirty days the county commissioner of elections to
 14 submit the question of imposition of a local vehicle tax ~~or~~
 15 ~~a local sales and services tax~~ to the registered voters of
 16 the incorporated and unincorporated areas of the county upon
 17 receipt of a petition; requesting imposition of a local vehicle
 18 tax ~~or a local sales and services tax~~, signed by eligible
 19 electors of the whole county equal in number to five percent of
 20 the persons in the whole county who voted at the last preceding
 21 general election. ~~In the case of a local vehicle tax, the~~ The
 22 petition requesting imposition shall specify the rate of tax
 23 and the classes, if any, that are to be exempt. If more than
 24 one valid petition is received, the earliest received petition
 25 shall be used.

26 (2) The county board of supervisors shall direct within
 27 thirty days the county commissioner of elections to submit the
 28 question of imposition of a local sales and services tax to the
 29 registered voters of the incorporated and unincorporated areas
 30 of the county upon receipt of a petition requesting imposition
 31 of a local sales and services tax, signed by eligible electors
 32 of the whole county equal in number to five percent of the
 33 persons in the whole county who voted at the last preceding
 34 general election. If more than one valid petition is received,
 35 the earliest received petition shall be used.

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1 (3) In lieu of the petition requirement of subparagraph
 2 (2), the county board of supervisors for a county that is a
 3 qualified county shall direct within thirty days the county
 4 commissioner of elections to submit the question of imposition
 5 of a local sales and services tax to the registered voters of a
 6 city, or the portion thereof located in the county, or to the
 7 registered voters of the unincorporated area of the county upon
 8 receipt by the board of supervisors of a petition requesting
 9 imposition of a local sales and services tax, signed by
 10 eligible electors of the city, or the portion thereof located
 11 in the county, or eligible electors of the unincorporated area
 12 of the county, as applicable, equal in number to five percent

13 of the persons in the city, or applicable portion thereof, or
 14 in the unincorporated area of the county who voted at the last
 15 preceding general election. If more than one valid petition
 16 is received for a city or for the unincorporated area of the
 17 county, the earliest received petition shall be used. This
 18 subparagraph applies to petitions received on or after January
 19 1, 2019.

20 b. (1) The question of the imposition of a local sales
 21 and services tax shall be submitted to the registered voters
 22 of the incorporated and unincorporated areas of the county
 23 upon receipt by the county commissioner of elections of the
 24 motion or motions, requesting such submission, adopted by
 25 the governing body or bodies of the city or cities located
 26 within the county or of the county, for the unincorporated
 27 areas of the county, representing at least one half of the
 28 population of the county. Upon adoption of such motion, the
 29 governing body of the city or county, for the unincorporated
 30 areas, shall submit the motion to the county commissioner of
 31 elections and in the case of the governing body of the city
 32 shall notify the board of supervisors of the adoption of the
 33 motion. The county commissioner of elections shall keep a file
 34 on all the motions received and, upon reaching the population
 35 requirements, shall publish notice of the ballot proposition

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1 concerning the imposition of the local sales and services tax.
 2 A motion ceases to be valid at the time of the holding of the
 3 regular election for the election of members of the governing
 4 body ~~which that~~ adopted the motion. The county commissioner of
 5 elections shall eliminate from the file any motion that ceases
 6 to be valid.

7 (2) In lieu of the motion requirements of subparagraph (1),
 8 the question of the imposition of a local sales and services
 9 tax shall be submitted to the registered voters of a city
 10 located in a county that is a qualified county, or the portion
 11 thereof located in the county, or to the registered voters
 12 of the unincorporated area of a county that is a qualified
 13 county upon receipt by the county commissioner of elections of
 14 a motion requesting such submission, adopted by the governing
 15 body of the city or the county for the unincorporated area of
 16 the county, as applicable. Upon adoption of such motion, the
 17 governing body of the city or county for the unincorporated
 18 area shall submit the motion to the county commissioner of
 19 elections. The county commissioner of elections shall publish
 20 notice of the ballot proposition concerning the imposition of
 21 the local sales and services tax. This subparagraph applies to
 22 motions received by the county commissioner of elections on or
 23 after January 1, 2019.

24 (3) The ~~manner~~ methods provided under this paragraph for the
 25 submission of the question of imposition of a local sales and
 26 services tax ~~is an alternative~~ are alternatives to the ~~manner~~

27 methods provided in paragraph "a".
28 e. Upon receipt of petitions or motions calling for the
29 submission of the question of the imposition of a local sales
30 and services tax as described in paragraph "a" or "b", the
31 boards of supervisors of two or more contiguous counties in
32 which the question is to be submitted may enter into a joint
33 agreement providing that for purposes of this chapter, a
34 city whose corporate boundaries include areas of more than
35 one county shall be treated as part of the county in which a

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1 majority of the residents of the city reside. In such event,
2 the county commissioners of elections from each such county
3 shall cooperate in the selection of a single date upon which
4 the election shall be held, and for all purposes of this
5 chapter relating to the imposition, repeal, change of use,
6 or collection of the tax, such a city shall be deemed to be
7 part of the county in which a majority of the residents of the
8 city reside. A copy of the joint agreement shall be provided
9 promptly to the director of revenue.

10 5. a. The county commissioner of elections shall submit
11 the question of imposition of a local option tax at an election
12 held on a date specified in section 39.2, subsection 4,
13 paragraph "a" or "b", as applicable. The election shall not be
14 held sooner than sixty days after publication of notice of the
15 ballot proposition.

16 b. The ballot proposition shall specify the type and rate of
17 tax and, in the case of a vehicle tax, the classes that will be
18 exempt and, in the case of a local sales and services tax, the
19 date it will be imposed which date shall not be earlier than
20 ninety days following the election. The ballot proposition
21 shall also specify the approximate amount of local option tax
22 revenues that will be used for property tax relief, subject to
23 the requirement of section 423B.7, subsection 7, paragraph "b",
24 and shall contain a statement as to the specific purpose or
25 purposes for which the revenues shall otherwise be expended.
26 If the county board of supervisors or governing body of the
27 city, as applicable, decides under subsection 6 to specify a
28 date on which the local option sales and services tax shall
29 automatically be repealed, the date of the repeal shall also be
30 specified on the ballot.

31 c. The rate of the vehicle tax shall be in increments of one
32 dollar per vehicle as set by the petition seeking to impose the
33 tax.

34 d. The rate of a local sales and services tax shall ~~not be~~
35 ~~more than~~ one percent ~~as set by the governing body.~~

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1 e. The state commissioner of elections shall establish by
2 rule the form for the ballot proposition which form shall be
3 uniform throughout the state.

4 Sec. 242. Section 423B.1, subsection 6, paragraph a,
5 subparagraph (1), Code 2018, is amended by striking the
6 subparagraph.

7 Sec. 243. Section 423B.1, subsection 6, paragraph a,
8 subparagraphs (2) and (3), Code 2018, are amended to read as
9 follows:

10 (2) ~~(a) The~~ A local option tax may be repealed or the
11 rate ~~of the local vehicle tax~~ increased or decreased or the
12 use ~~thereof of a local option tax~~ changed after an election at
13 which a majority of those voting on the question of repeal or
14 rate or use change ~~favored favors~~ the repeal or rate or use
15 change.

16 (b) The date on which the repeal, rate, or use change is
17 to take effect shall not be earlier than ninety days following
18 the election. The election at which the question of repeal
19 or rate or use change is offered shall be called and held in
20 the same manner and under the same conditions as provided in
21 subsections 4 and 5 for the election on the imposition of the
22 local option tax. However, in the case of a local sales and
23 services tax where the tax has not been imposed countywide, the
24 question of repeal or imposition ~~or rate~~ or use change shall
25 be voted on only by the registered voters of the areas of the
26 county where the tax has been imposed or has not been imposed,
27 as appropriate.

28 ~~(c) However, the~~ The governing body of the ~~incorporated~~
29 ~~area city~~ or unincorporated area where the local sales and
30 services tax is imposed may, upon its own motion, request the
31 county commissioner of elections to hold an election in the
32 ~~incorporated city, or portion thereof located in the county,~~
33 or unincorporated area, as appropriate, on the question of the
34 change in use of local sales and services tax revenues. The
35 election may be held at any time but not sooner than sixty days

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1 following publication of the ballot proposition. If a majority
2 of those voting in the ~~incorporated city, or portion thereof~~
3 located in the county, or unincorporated area on the change in
4 use favors the change, the governing body of that area shall
5 change the use to which the revenues shall be used. The ballot
6 proposition shall list the present use of the revenues, the
7 proposed use, and the date after which revenues received will
8 be used for the new use.

9 (3) When submitting the question of the imposition of a
10 local sales and services tax, the ~~county~~ board of supervisors
11 or if the election is initiated under subsection 4, paragraph
12 "a", subparagraph (3), or subsection 4, paragraph "b",

13 subparagraph (2), the governing board of a city, may direct
 14 that the question contain a provision for the repeal, without
 15 election, of the local sales and services tax on a specific
 16 date, which date shall be as provided in section 423B.6,
 17 subsection 1.

18 Sec. 244. Section 423B.1, subsection 7, paragraph b, Code
 19 2018, is amended to read as follows:

20 *b.* Costs of local option tax elections shall be apportioned
 21 among jurisdictions within the county voting on the question
 22 at the same election on a pro rata basis in proportion to the
 23 number of registered voters in each taxing jurisdiction voting
 24 on the question and the total number of registered voters in
 25 all of the taxing jurisdictions voting on the question.

26 Sec. 245. Section 423B.1, subsection 8, Code 2018, is
 27 amended by striking the subsection.

28 Sec. 246. Section 423B.1, subsections 9 and 10, Code 2018,
 29 are amended to read as follows:

30 9. a. In a county that has imposed a local option sales and
 31 services tax, the board of supervisors shall, notwithstanding
 32 any contrary provision of this chapter, repeal the local
 33 option sales and services tax in the unincorporated areas or
 34 in an incorporated city area in which the tax has been imposed
 35 upon adoption of ~~its~~ the board's own motion for repeal in the

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1 unincorporated areas or upon receipt of a motion adopted by
 2 the governing body of that incorporated city area requesting
 3 repeal. The board of supervisors shall repeal the local
 4 option sales and services tax effective on the ~~later of the~~
 5 ~~date of the adoption of the repeal motion or the earliest date~~
 6 specified in section 423B.6, subsection 1, following adoption
 7 of the motion. For purposes of this ~~subsection~~ paragraph,
 8 incorporated city area includes an incorporated city which is
 9 contiguous to another incorporated city.

10 *b.* If imposition of the local option sales and services tax
 11 is initiated under subsection 4, paragraph "a", subparagraph
 12 (3), or subsection 4, paragraph "b", subparagraph (2),
 13 notwithstanding any contrary provision of this chapter, the
 14 board of supervisors may repeal the local sales and services
 15 tax in a city, or portion thereof located in the county, upon
 16 receipt of a motion adopted by the governing board of the city
 17 requesting the repeal. The board of supervisors shall repeal
 18 the local sales and services tax effective on the earliest date
 19 specified in section 423B.6, subsection 1, following adoption
 20 of the motion.

21 10. Notwithstanding subsection 9 or any other contrary
 22 provision of this chapter, a local option sales and services
 23 tax shall not be repealed ~~or reduced in rate~~ if obligations are
 24 outstanding which are payable as provided in section 423B.9,
 25 unless funds sufficient to pay the principal, interest, and
 26 premium, if any, on the outstanding obligations at and prior

27 to maturity have been properly set aside and pledged for that
28 purpose.

29 Sec. 247. Section 423B.5, subsections 1 and 4, Code 2018,
30 are amended to read as follows:

31 1. A local sales and services tax ~~at the rate of not more~~
32 ~~than one percent~~ may be imposed by a county on the sales price
33 taxed by the state under chapter 423, subchapter II. A local
34 sales and services tax shall be imposed on the same basis as
35 the state sales and services tax or in the case of the use of

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1 natural gas, natural gas service, electricity, or electric
2 service on the same basis as the state use tax and shall not
3 be imposed on the sale of any property or on any service not
4 taxed by the state, except the tax shall not be imposed on
5 the sales price from the sale of motor fuel or special fuel
6 as defined in chapter 452A which is consumed for highway use
7 or in watercraft or aircraft if the fuel tax is paid on the
8 transaction and a refund has not or will not be allowed,
9 on the sales price from the sale of equipment by the state
10 department of transportation, or on the sales price from the
11 sale or use of natural gas, natural gas service, electricity,
12 or electric service in a city or county where the sales price
13 from the sale of natural gas or electric energy is subject to
14 a franchise fee or user fee during the period the franchise
15 or user fee is imposed. A local sales and services tax is
16 applicable to transactions within those incorporated cities
17 and unincorporated areas of the county where it is imposed and
18 shall be collected by all persons required to collect state
19 sales taxes. ~~All cities contiguous to each other shall be~~
20 ~~treated as part of one incorporated area and the tax would be~~
21 ~~imposed in each of those contiguous cities only if the majority~~
22 ~~of those voting in the total area covered by the contiguous~~
23 ~~cities favors its imposition. In the case of a local sales and~~
24 ~~services tax submitted to the registered voters of two or more~~
25 ~~contiguous counties as provided in section 423B.1, subsection~~
26 ~~4, paragraph "c", all cities contiguous to each other shall be~~
27 ~~treated as part of one incorporated area, even if the corporate~~
28 ~~boundaries of one or more of the cities include areas of more~~
29 ~~than one county, and the tax shall be imposed in each of those~~
30 ~~contiguous cities only if a majority of those voting on the~~
31 ~~tax in the total area covered by the contiguous cities favored~~
32 ~~its imposition. However, a local sales and services tax is~~
33 not applicable to transactions sourced under chapter 423 to a
34 place of business, as defined in section 423.1, of a retailer
35 if such place of business is located in part within a city or

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1 unincorporated area of the county where the tax is not imposed.
 2 4. If a local sales and services tax is imposed by a county
 3 pursuant to this chapter, a local excise tax at the same rate
 4 shall be imposed by the county on the purchase price of natural
 5 gas, natural gas service, electricity, or electric service
 6 subject to tax under chapter 423, subchapter III, and not
 7 exempted from tax by any provision of chapter 423, subchapter
 8 III. The local excise tax is applicable only to the use of
 9 natural gas, natural gas service, electricity, or electric
 10 service within those ~~incorporated cities~~ and unincorporated
 11 areas of the county where it is imposed and, except as
 12 otherwise provided in this chapter, shall be collected and
 13 administered in the same manner as the local sales and services
 14 tax. For purposes of this chapter, "*local sales and services*
 15 *tax*" shall also include the local excise tax.

16 Sec. 248. Section 423B.6, subsection 1, paragraph c, Code
 17 2018, is amended to read as follows:

18 c. The imposition of ~~or a rate change for~~ a local sales and
 19 services tax shall not be applied to purchases from a printed
 20 catalog wherein a purchaser computes the local tax based on
 21 rates published in the catalog unless a minimum of one hundred
 22 twenty days' notice of the imposition ~~or rate change~~ has been
 23 given to the seller from the catalog and the first day of a
 24 calendar quarter has occurred on or after the one hundred
 25 twentieth day.

26 Sec. 249. Section 423B.7, subsection 1, Code 2018, is
 27 amended to read as follows:

28 1. a. Except as provided in ~~paragraph~~ paragraphs "b" and
 29 "c", the director shall credit the local sales and services
 30 tax receipts and interest and penalties from a county-imposed
 31 tax to the county's account in the local sales and services
 32 tax fund ~~and from a city imposed tax under section 423B.1,~~
 33 ~~subsection 2, to the city's account in the local sales~~
 34 ~~and services tax fund for the county in which the tax was~~
 35 collected. If the director is unable to determine from which

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1 county any of the receipts were collected, those receipts shall
 2 be allocated among the possible counties based on allocation
 3 rules adopted by the director.

4 b. ~~Notwithstanding paragraph "a", the~~ The director shall
 5 credit the designated amount of the increase in local sales
 6 and services tax receipts, as computed in section 423B.10,
 7 collected in an urban renewal area of an eligible city that has
 8 adopted an ordinance pursuant to section 423B.10, subsection
 9 2, into a special city account in the local sales and services
 10 tax fund.

11 c. The director shall credit the local sales and services
 12 tax receipts and interest and penalties from a city-imposed tax

13 under section 423B.1, subsection 2, to the city's account in
 14 the local sales and services tax fund.
 15 Sec. 250. Section 423B.7, subsection 7, Code 2018, is
 16 amended to read as follows:
 17 7. a. Local Subject to the requirement of paragraph "b".
 18 local sales and services tax moneys received by a city or
 19 county may be expended for any lawful purpose of the city or
 20 county.
 21 b. Each county located in whole or in part in a qualified
 22 county and each qualified county for the unincorporated area
 23 for which the imposition of the local sales and services tax
 24 in the city or portion thereof or the unincorporated area,
 25 as applicable, was approved at election on or after January
 26 1, 2019, shall use not less than fifty percent of the moneys
 27 received from the qualified county's account in the local sales
 28 and services tax fund for property tax relief.
 29 Sec. 251. Section 423B.8, subsection 1, paragraph a, Code
 30 2018, is amended to read as follows:
 31 a. The goods, wares, or merchandise are incorporated into
 32 an improvement to real estate in fulfillment of a written
 33 contract fully executed prior to the date of the imposition ~~or~~
 34 ~~increase in rate~~ of a local sales and services tax under this
 35 chapter. The refund shall not apply to equipment transferred

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1 in fulfillment of a mixed construction contract.
 2 Sec. 252. IMPLEMENTATION. This division of this Act shall
 3 not affect the imposition of local option taxes in effect on
 4 the effective date of this division of this Act and such taxes
 5 shall continue to be imposed until their repeal pursuant to
 6 chapter 423B. The law regarding repeal in effect at the time
 7 of the repeal governs the repeal of the local option taxes.
 8 Sec. 253. EFFECTIVE DATE. This division of this Act takes
 9 effect January 1, 2019.
 10 DIVISION XIII
 11 HOTEL AND MOTEL EXCISE TAX AND AUTOMOBILE RENTAL EXCISE TAX
 12 CHANGES
 13 Sec. 254. Section 423A.2, subsection 1, Code 2018, is
 14 amended to read as follows:
 15 1. For the purposes of this chapter, unless the context
 16 otherwise requires:
 17 a. "Affiliate" means the same as defined in section 423.1.
 18 ~~a. b.~~ "Department" means the department of revenue.
 19 b. "Lessor" means any person engaged in the business of
 20 renting lodging to users.
 21 c. "Facilitate" or "facilitation" includes brokering,
 22 coordinating, or in any way arranging for the rental of lodging
 23 by users.
 24 d. "Facilitation fee" means any consideration, by whatever
 25 name called, that a lodging facilitator or lodging platform
 26 charges to a user for facilitating the user's rental of

27 lodging. “Facilitation fee” does not include any commission
28 a lodging provider pays to a lodging facilitator or a lodging
29 platform for facilitating the rental of lodging.
30 e. “Lodging” means rooms, apartments, or sleeping
31 quarters in a hotel, motel, inn, public lodging house, rooming
32 house, cabin, apartment, residential property, or manufactured
33 or mobile home which is tangible personal property, or in a
34 tourist court, or in any place where sleeping accommodations
35 are furnished to transient guests for rent, whether with or

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1 without meals. Lodging does not include conference, meeting,
2 or banquet rooms that are not used for or offered as part of
3 sleeping accommodations.
4 f. “Lodging facilitator” means a person or any affiliate of
5 a person, other than a lodging provider or a lodging platform,
6 that facilitates the renting of lodging and collects or
7 processes the sales price charged to the user.
8 g. “Lodging platform” means a person or any affiliate of
9 a person, other than a lodging provider, that facilitates the
10 renting of lodging by doing all of the following:
11 (1) The person or an affiliate of the person owns, operates,
12 or controls a lodging marketplace that allows a lodging
13 provider who is not an affiliate of the person to offer or
14 list lodging for rent on the marketplace. For purposes of
15 this subparagraph, it is immaterial whether or not the lodging
16 provider has a tax permit under this chapter or in what manner
17 the lodging is classified for property tax or zoning purposes.
18 (2) The person or an affiliate of the person collects or
19 processes the sales price charged to the user.
20 h. “Lodging provider” means any of the following:
21 (1) A person or any affiliate of a person that owns,
22 operates, or manages lodging and makes the lodging available
23 for rent through the person or any affiliate, or through a
24 lodging platform or a lodging facilitator.
25 (2) A person or any affiliate of a person who possesses or
26 acquires a right to or interest in any lodging with an intent
27 to rent the lodging to another person through the person or
28 any affiliate, or through a lodging platform or a lodging
29 facilitator.
30 i. “Person” means the same as the term is defined in
31 section 423.1.
32 e. j. “Renting”, “rental”, or “rent” means a transfer
33 of use, possession, or control of lodging for a fixed or
34 indeterminate term for consideration and includes any kind of
35 direct or indirect charge for such lodging or its use.

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1 ~~f. k.~~ "Sales price" means ~~the all~~ consideration charged
 2 for the renting and facilitation of renting of lodging and
 3 ~~means the same as the term is defined in section 423.1 before~~
 4 taxes, including but not limited to facilitation fees, cleaning
 5 fees, linen fees, towel fees, nonrefundable deposits, and any
 6 other direct or indirect charge made or consideration provided
 7 in connection with the renting and facilitation of renting of
 8 lodging.

9 ~~g. l.~~ "User" means a person to whom lodging is rented.

10 Sec. 255. Section 423A.3, Code 2018, is amended to read as
 11 follows:

12 **423A.3 State-imposed hotel and motel tax.**

13 A tax of five percent is imposed upon the sales price for
 14 the renting of any lodging if the ~~renting occurs~~ lodging is
 15 located in this state. The tax shall be collected by any
 16 lessor of lodging from the user of that lodging and remitted
 17 as provided in section 423A.5A. The lessor shall add the tax
 18 to the sales price of the lodging, and the state imposed tax,
 19 when collected, shall be stated as a distinct item, separate
 20 and apart from the sales price of the lodging and the local tax
 21 imposed, if any, under section 423A.4.

22 Sec. 256. Section 423A.4, Code 2018, is amended by adding
 23 the following new subsection:

24 NEW SUBSECTION. 5. The locally imposed hotel and motel tax
 25 shall be collected and remitted as provided in section 423A.5A.

26 Sec. 257. Section 423A.5, Code 2018, is amended to read as
 27 follows:

28 **423A.5 Exemptions.**

29 ~~1.~~ There are exempted from the provisions of this chapter
 30 and from the computation of any amount of tax imposed by
 31 ~~section 423A.3 this chapter~~ all of the following:

32 ~~a. 1.~~ The sales price from the renting of lodging which is
 33 rented by the same person for a period of more than thirty-one
 34 consecutive days.

35 ~~b. 2.~~ The sales price from the renting of sleeping rooms

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1 in dormitories ~~and in memorial unions~~ at all universities and
 2 colleges located in the state of Iowa.

3 ~~2.~~ There is exempted from the provisions of this chapter and
 4 from the computation of any amount of tax imposed by section
 5 423A.4 all of the following:

6 ~~a.~~ ~~1.~~ The sales price from the renting of lodging or rooms
 7 exempt under subsection ~~1.~~

8 ~~b.~~ ~~2.~~ The sales price of lodging furnished to the guests of
 9 a religious institution if the property is exempt under section
 10 427.1, subsection 8, and the purpose of renting is to provide a
 11 place for a religious retreat or function and not a place for
 12 transient guests generally.

13 Sec. 258. NEW SECTION. **423A.5A Collection and remittance**
14 **of hotel and motel tax.**

15 1. For purposes of this section:

16 a. "*Discount room charge*" means the amount a lodging
17 provider charges a lodging facilitator for lodging, excluding
18 any applicable tax.

19 b. "*Travel package*" means lodging bundled with one or more
20 separate components such as air transportation, car rental, or
21 similar items and charged for a single retail price.

22 2. This section shall govern the collection and remittance
23 of all taxes imposed under this chapter.

24 3. Unless otherwise provided in this section, the
25 state-imposed tax under section 423A.3 and any locally
26 imposed tax under section 423A.4 shall be collected by the
27 lodging provider from the user of that lodging and shall be
28 remitted to the department. The lodging provider shall add
29 the state-imposed tax to the sales price of the lodging and
30 the tax, when collected, shall be stated as a distinct item,
31 separate and apart from the sales price of the lodging and from
32 the locally imposed tax, if any. The lodging provider shall
33 add the locally imposed tax, if any, to the sales price of
34 the lodging and the tax, when collected, shall be stated as a
35 distinct item, separate and apart from the sales price of the

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1 lodging and from the state-imposed tax.

2 4. If a transaction for the rental of lodging involves a
3 lodging facilitator, all of the following shall occur in the
4 order prescribed:

5 a. The lodging facilitator shall collect the taxes imposed
6 under this chapter on any sales price that the user pays to the
7 lodging facilitator in the same manner as a lodging provider
8 under subsection 3.

9 b. (1) Unless otherwise required by rule or order of the
10 department, the lodging facilitator shall remit to the lodging
11 provider that portion of the taxes collected on the sales price
12 that represents the discount room charge.

13 (2) No assessment shall be made against a lodging
14 facilitator for tax due on a discount room charge if the
15 lodging facilitator collected the tax and remitted it to a
16 lodging provider that has a valid tax permit required under
17 this chapter. This subparagraph shall not apply if the lodging
18 facilitator and lodging provider are affiliates, or if the
19 department requires the lodging facilitator to remit taxes
20 collected on that portion of the sales price that represents
21 the discount room charge directly to the department.

22 c. The lodging facilitator shall remit any remaining tax it
23 collected to the department.

24 d. (1) The lodging provider shall collect and remit to the
25 department any taxes the lodging facilitator remitted to the
26 lodging provider, and shall collect and remit to the department

27 any taxes due on any amount of sales price the user paid to the
28 lodging provider.

29 (2) No assessment shall be made against a lodging provider
30 for any tax due on a discount room charge that was not remitted
31 to the lodging provider by a lodging facilitator. This
32 subparagraph shall not apply if the lodging provider and
33 lodging facilitator are affiliates.

34 e. Notwithstanding any other provision of this section
35 to the contrary, if a lodging facilitator and its affiliates

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1 facilitate total rentals under this chapter and chapter
2 423C that are equal to or less than an aggregate amount of
3 sales price and rental price of ten thousand dollars for an
4 immediately preceding calendar year or a current calendar year,
5 or in ten or fewer separate transactions for an immediately
6 preceding calendar year or a current calendar year, the lodging
7 facilitator shall not be required to collect tax on the amount
8 of sales price that represents the lodging facilitator's
9 facilitation fee.

10 5. If a transaction for the rental of lodging involves a
11 lodging platform, the lodging platform shall collect and remit
12 the taxes imposed under this chapter in the same manner as a
13 lodging provider under subsection 3.

14 6. If a transaction for the rental of lodging is part of a
15 travel package, the portion of the total price that represents
16 the sales price for the rental of lodging may be determined by
17 the person required under this section to collect the taxes
18 from the person's books and records that are kept in the
19 regular course of business including but not limited to books
20 and records kept for non-tax purposes.

21 Sec. 259. Section 423A.6, subsection 4, Code 2018, is
22 amended to read as follows:

23 4. Section 422.25, subsection 4, sections 422.30, 422.67,
24 and 422.68, section 422.69, subsection 1, sections 422.70,
25 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
26 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
27 423.35, 423.37 through 423.42, and 423.47, consistent with the
28 provisions of this chapter, apply with respect to the taxes
29 authorized under this chapter, in the same manner and with the
30 same effect as if the state and local hotel and motel taxes
31 were retail sales taxes within the meaning of those statutes.
32 Notwithstanding this subsection, the director shall provide
33 for quarterly filing of returns and for other than quarterly
34 filing of returns both as prescribed in section 423.31. The
35 director may require all persons who are engaged in the

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1 business of deriving any sales price subject to tax under this
 2 chapter to register with the department. All taxes collected
 3 under this chapter by a retailer, lodging provider, lodging
 4 facilitator, lodging platform, or any ~~individual~~ other person
 5 are deemed to be held in trust for the state of Iowa and the
 6 local jurisdictions imposing the taxes.

7 Sec. 260. Section 423C.2, Code 2018, is amended to read as
 8 follows:

9 **423C.2 Definitions.**

10 For purposes of this chapter, unless the context otherwise
 11 requires:

12 1. "Affiliate" means the same as defined in section 423.1.

13 ~~4.~~ 2. "Automobile" means a motor vehicle subject to
 14 registration in any state designed primarily for carrying
 15 nine passengers or less, excluding motorcycles and motorized
 16 bicycles.

17 3. "Automobile provider" means any of the following:

18 a. A person or any affiliate of a person that owns or
 19 controls an automobile and makes the automobile available for
 20 rent through the person or any affiliate, or through a rental
 21 platform or rental facilitator.

22 b. A person or any affiliate of a person who possesses or
 23 acquires a right or interest in any automobile with an intent
 24 to rent the automobile to another person through the person
 25 or any affiliate, or through a rental platform or a rental
 26 facilitator.

27 ~~2.~~ 4. "Department" means the department of revenue.

28 3. "Lessor" means a person engaged in the business of
 29 renting automobiles to users. "Lessor" includes a motor vehicle
 30 dealer licensed pursuant to chapter 322 who rents automobiles
 31 to users. For this purpose, the objective of making a profit
 32 is not necessary to make the renting activity a business.

33 5. "Facilitate" or "facilitation" includes brokering,
 34 coordinating, or in any way arranging for the rental of
 35 automobiles by users.

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1 6. "Facilitation fee" means any consideration, by whatever
 2 name called, that a rental facilitator or a rental platform
 3 charges to a user for facilitating the user's rental of an
 4 automobile. "Facilitation fee" does not include any commission
 5 an automobile provider pays to a rental facilitator or a rental
 6 platform for facilitating the rental of an automobile.

7 4. 7. "Person" means person as defined in section 423.1.

8 ~~5.~~ 8. "Rental", "renting", or "rent" means a transfer
 9 of the use, control, or possession or right to use, control,
 10 or possession of an automobile to a user for a valuable
 11 consideration for a period of sixty days or less.

12 9. "Rental facilitator" means a person or any affiliate of a

13 person, other than an automobile provider or a rental platform,
 14 that facilitates the renting of an automobile and collects or
 15 processes the rental price charged to the user.

16 10. “Rental platform” means a person or any affiliate of a
 17 person, other than an automobile provider, that facilitates the
 18 renting of an automobile by doing all of the following:

19 a. The person or an affiliate of the person owns, operates,
 20 or controls an automobile rental marketplace that allows an
 21 automobile provider who is not an affiliate of the person to
 22 offer or list an automobile for rent on the marketplace. For
 23 purposes of this paragraph, it is immaterial whether or not
 24 the automobile provider has a tax permit under this chapter or
 25 chapter 423 or whether the automobile is owned by a natural
 26 person or by a business entity.

27 b. The person or an affiliate of the person collects or
 28 processes the rental price charged to the user.

29 ~~6.~~ 11. “Rental price” means the all consideration charged
 30 for the renting and facilitation of renting of an automobile
 31 valued in money, and means the same as “sales price” as
 32 defined in section 423.1 before taxes, including but not
 33 limited to facilitation fees, reservation fees, services fees,
 34 nonrefundable deposits, and any other direct or indirect charge
 35 made or consideration provided in connection with the renting

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1 or facilitation of renting of an automobile.

2 ~~7.~~ 12. “User” means a person to whom the possession or
 3 the right to possession of an automobile is transferred for
 4 a period of sixty days or less for a valuable consideration
 5 which is paid by the user or by another person an automobile is
 6 rented.

7 Sec. 261. Section 423C.3, Code 2018, is amended to read as
 8 follows:

9 **423C.3 Tax on rental of automobiles — collection and**
 10 **remittance of tax.**

11 1. For purposes of this section:

12 a. “Discount rental charge” means the amount an automobile
 13 provider charges to a rental facilitator for the rental of an
 14 automobile, excluding any applicable tax.

15 b. “Travel package” means an automobile rental bundled
 16 with one or more separate components such as lodging, air
 17 transportation, or similar items and charged for a single
 18 retail price.

19 ~~4.~~ 2. A tax of five percent is imposed upon the rental
 20 price of an automobile if the rental transaction is subject to
 21 the sales and services tax under chapter 423, subchapter II, or
 22 the use tax under chapter 423, subchapter III. The tax shall
 23 not be imposed on any rental transaction not taxable under the
 24 state sales and services tax, as provided in section 423.3, or
 25 the state use tax, as provided in section 423.6, on automobile
 26 rental receipts.

27 ~~2. 3. The lesser~~ This subsection shall govern the
28 collection and remittance of the tax imposed under subsection
29 2.
30 a. Unless otherwise provided in this subsection, the
31 automobile provider shall collect the tax by adding the tax to
32 the rental price of the automobile-
33 ~~3. The~~ and the tax, when collected, shall be stated as a
34 distinct item separate and apart from the rental price of the
35 automobile and the sales and services tax imposed under chapter

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1 423, subchapter II, or the use tax imposed under chapter 423,
2 subchapter III.
3 b. If a transaction for the rental of an automobile involves
4 a rental facilitator, all of the following shall occur in the
5 order prescribed:
6 (1) The rental facilitator shall collect the tax on any
7 rental price that the user pays to the rental facilitator in
8 the same manner as an automobile provider under paragraph "a".
9 (2) (a) Unless otherwise required by rule or order of
10 the department, the rental facilitator shall remit to the
11 automobile provider that portion of the tax collected on the
12 rental price that represents the discount rental charge.
13 (b) No assessment shall be made against a rental facilitator
14 for tax due on a discount rental charge if the rental
15 facilitator collected the tax and remitted it to an automobile
16 provider that has a valid tax permit required under this
17 chapter or under chapter 423. This subparagraph division shall
18 not apply if the rental facilitator and automobile provider
19 are affiliates, or if the department requires the rental
20 facilitator to remit taxes collected on that portion of the
21 sales price that represents the discount rental charge directly
22 to the department.
23 (3) The rental facilitator shall remit any remaining tax it
24 collected to the department.
25 (4) (a) The automobile provider shall collect and remit
26 to the department any taxes the rental facilitator remitted to
27 the automobile provider, and shall collect and remit to the
28 department any taxes due on any amount of rental price the user
29 paid to the automobile provider.
30 (b) No assessment shall be made against an automobile
31 provider for any tax due on a discount rental charge that
32 was not remitted to the automobile provider by a rental
33 facilitator. This subparagraph division shall not apply if the
34 automobile provider and the rental facilitator are affiliates.
35 (5) Notwithstanding any other provision of this paragraph

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1 to the contrary, if a rental facilitator and its affiliates
 2 facilitate total rentals under this chapter and chapter
 3 423A that are equal to or less than an aggregate amount of
 4 rental price and sales price of ten thousand dollars for an
 5 immediately preceding calendar year or a current calendar year,
 6 or in ten or fewer separate transactions for an immediately
 7 preceding calendar year or a current calendar year, the
 8 rental facilitator shall not be required to collect tax on the
 9 amount of sales price that represents the rental facilitator's
 10 facilitation fee.

11 c. (1) If a transaction for the rental of an automobile
 12 involves a rental platform, other than a rental platform
 13 described in subparagraph (2), the rental platform shall
 14 collect and remit the tax imposed under this chapter in the
 15 same manner as an automobile provider under paragraph "a".

16 (2) A rental platform is not required to collect and remit
 17 the tax imposed under this chapter in the same manner as an
 18 automobile provider under paragraph "a" if the rental platform
 19 meets all of the following requirements:

20 (a) The only sales the rental platform and its affiliates
 21 facilitate that are subject to tax under chapter 423 are sales
 22 of a transportation service under section 423.2, subsection 6,
 23 paragraph "bf", or section 423.5, subsection 1, paragraph "e",
 24 consisting of the rental of vehicles subject to registration
 25 which are registered for a gross weight of thirteen tons or
 26 less for a period of sixty days or less.

27 (b) The rental platform operates a peer-to-peer automobile
 28 sharing marketplace.

29 (3) For any rental transaction for which the rental platform
 30 is required to or elects to collect and remit the tax under
 31 this chapter, the rental platform shall also be liable for the
 32 collection and remittance of any sales or use tax due on that
 33 transaction under section 423.2, subsection 6, paragraph "bf",
 34 or section 423.5, subsection 1, paragraph "e", notwithstanding
 35 any other provision to the contrary in chapter 423.

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1 (4) For any rental transaction for which the rental platform
 2 is not required to collect and remit the tax under this chapter
 3 as provided under subparagraph (2), the automobile provider
 4 shall be solely liable for any amount of uncollected or
 5 unremitted tax under this chapter.

6 Sec. 262. LEGISLATIVE INTENT. It is the intent of the
 7 general assembly that the provision of this division of this
 8 Act amending the definition of "lodging" in section 423A.2,
 9 subsection 1, is a conforming amendment consistent with
 10 current state law, and that the amendment does not change the
 11 application of current law but instead reflects current law
 12 both before and after the enactment of this division of this

13 Act.

14 Sec. 263. EFFECTIVE DATE. Except as otherwise provided
15 in this division of this Act, this division of this Act takes
16 effect January 1, 2019.

17 Sec. 264. EFFECTIVE DATE. The following, being deemed of
18 immediate importance, take effect upon enactment:

19 1. The provision amending the definition of "lodging" in the
20 section of this division of this Act amending section 423A.2,
21 subsection 1.

22 2. The section of this division of this Act entitled
23 "legislative intent" which describes the intent of the general
24 assembly with respect to the amendment in this division of
25 this Act to the definition of "lodging" in section 423A.2,
26 subsection 1.>

27 2. Title page, by striking lines 1 through 8 and inserting
28 <An Act relating to state and local revenue and finance by
29 modifying the individual and corporate income taxes, the
30 franchise tax, tax credits, the sales and use taxes and
31 local option sales tax, the hotel and motel excise tax, the
32 automobile rental excise tax, the Iowa educational savings plan
33 trust, providing for other properly related matters, making
34 penalties applicable, and including immediate and contingent
35 effective date and retroactive and other applicability

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1 provisions.>

RANDY FEENSTRA

S-5303

1 Amend House File 631, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 1, line 3, by striking <2017> and inserting <2018>
- 4 2. Page 1, line 21, by striking <2018> and inserting <2019>
- 5 3. Page 1, line 30, by striking <2017> and inserting <2018>
- 6 4. Page 2, line 2, by striking <2017> and inserting <2018>
- 7 5. Page 2, line 4, by striking <2017> and inserting <2018>
- 8 6. Page 2, line 31, by striking <2017> and inserting <2018>
- 9 7. Page 2, line 35, by striking <2017> and inserting <2018>
- 10 8. Page 3, line 10, by striking <2017> and inserting <2018>
- 11 9. Page 3, line 16, by striking <2017> and inserting <2018>
- 12 10. Page 3, line 27, by striking <2017> and inserting <2018>
- 13 11. Page 4, line 25, by striking <2020> and inserting <2021>
- 14 12. Page 4, after line 25 by inserting:
15 <Sec. ____. Section 483A.8, subsection 7, Code 2018, is
16 amended to read as follows:
17 7. A person who is issued a youth deer hunting license ~~and~~
18 ~~does not take a deer during the youth deer hunting season~~ may
19 use the deer hunting license and ~~unused~~ tag during any ~~other~~
20 ~~firearm~~ ~~established deer hunting season~~ ~~that is established by~~

- 21 ~~the commission to take a deer of either sex using the method of~~
 22 ~~take authorized by rule for each season being hunted. If the~~
 23 ~~tag is filled during one of the seasons, the license will not~~
 24 ~~be valid in subsequent seasons.>~~
 25 13. Page 4, line 26, by striking <2017> and inserting <2018>
 26 14. Page 5, line 3, by striking <2017> and inserting <2018>
 27 15. Page 6, line 7, by striking <2017> and inserting <2018>
 28 16. Page 6, line 11, by striking <2017> and inserting <2018>
 29 17. Page 6, line 15, by striking <2017> and inserting <2018>
 30 18. Page 6, line 30, by striking <2017> and inserting <2018>
 31 19. Page 6, line 35, by striking <2017> and inserting <2018>
 32 20. Page 7, line 19, by striking <2017> and inserting <2018>
 33 21. Page 8, line 18, by striking <2017> and inserting <2018>
 34 22. Page 9, line 9, by striking <2017> and inserting <2018>
 35 23. Page 9, line 17, by striking <2017> and inserting <2018>

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- 1 24. Page 9, line 29, by striking <2017> and inserting <2018>
 2 25. Page 10, line 16, by striking <2017> and inserting
 3 <2018>
 4 26. Page 11, line 3, by striking <2017> and inserting <2018>
 5 27. Page 11, line 20, by striking <2017> and inserting
 6 <2018>
 7 28. Page 11, line 27, by striking <2017> and inserting
 8 <2018>
 9 29. Page 11, line 33, by striking <2017> and inserting
 10 <2018>
 11 30. Page 12, line 8, by striking <2017> and inserting <2018>
 12 31. Page 12, line 11, by striking <2017> and inserting
 13 <2018>
 14 32. Page 12, line 14, by striking <2017> and inserting
 15 <2018>
 16 33. Page 12, by striking line 15 and inserting <2018, is
 17 subject to the provisions of Code 2018. This Act does>
 18 34. Page 12, line 17, by striking <2017> and inserting
 19 <2018>
 20 35. By renumbering as necessary.

DAN DAWSON

S-5304

HOUSE AMENDMENT TO
 SENATE AMENDMENT TO
 HOUSE FILE 2493

- 1 Amend the Senate amendment, H-8467, to House File 2493, as
 2 amended, passed, and reprinted by the House, as follows:
 3 1. By striking page 1, line 31, through page 2, line 19, and
 4 inserting:
 5 <INDEPENDENT INVESTIGATION OF IOWA FINANCE AUTHORITY

6 Sec. ____ FINANCIAL AND SEXUAL HARASSMENT INVESTIGATIONS
 7 OF IOWA FINANCE AUTHORITY. The independent investigators who
 8 have been selected to conduct an investigation of the Iowa
 9 finance authority shall each submit a report with a summary of
 10 the results of the independent investigator's investigation
 11 to the general assembly no later than December 1, 2018. The
 12 financial investigation shall include an analysis of all
 13 expenses reimbursed by the state to the former director of
 14 the authority and all employees of the authority for the
 15 period January 1, 2011, through June 30, 2018. Such expenses
 16 shall include all travel, lodging, meals, beverages, personal
 17 services, entertainment, office expenses, and all other
 18 expenditures not included in the authority's budget. The
 19 financial investigation shall also include an analysis of any
 20 personal financial or other personal accounts used by the
 21 former authority director or any employee of the authority to
 22 collect agency fees or other moneys collected by the authority.
 23 The sexual harassment investigation shall include a review
 24 of any conduct of current and former authority employees in
 25 violation of a state human resources policy or an authority
 26 personnel policy that is related to the termination of the
 27 former director of the authority.>
 28 2. By renumbering as necessary.

S-5305

HOUSE AMENDMENT TO
 SENATE AMENDMENT TO
 HOUSE FILE 2492

1 Amend the Senate amendment, H-8466, to House File 2492, as
 2 amended, passed, and reprinted by the House, as follows:
 3 1. Page 2, after line 9 by inserting:
 4 <__. Page 20, line 28, by striking <1,000,000> and
 5 inserting <1,500,000>

S-5306

1 Amend Senate File 2418 as follows:
 2 1. Page 1, by striking lines 30 through 33 and inserting:
 3 <~~4. Of the funds appropriated in this section, at least~~
 4 ~~\$125,000 shall be used to fund the unmet needs identified~~
 5 ~~through Iowa's aging and disability resource center network.~~>
 6 2. Page 6, line 2, by striking <12.00> and inserting <~~12.00~~
 7 13.00>
 8 3. Page 10, line 15, by striking <~~4,865.152~~> and inserting
 9 <~~4,970.152~~>
 10 4. Page 11, line 20, by striking <~~\$437,829~~> and inserting
 11 <~~\$542,829~~>
 12 5. Page 25, after line 32 by inserting:
 13 <Sec. ____ 2017 Iowa Acts, chapter 174, section 48,
 14 subsection 4, is amended by striking the subsection.>

15 6. Page 26, line 8, by striking <1,337,946.375> and
 16 inserting <1,337,841.375>
 17 7. Page 29, line 23, by striking <\$300,000> and inserting
 18 <\$195,000>
 19 8. Page 29, line 26, by striking <nonprofit>
 20 9. Page 29, lines 34 and 35, by striking <as of June 1,
 21 2018>
 22 10. Page 32, line 31, by striking <\$723,000> and inserting
 23 <\$573,000>
 24 11. Page 33, by striking lines 6 through 15 and inserting:
 25 <b. Of the funds allocated in this subsection, \$12,500
 26 \$25,000 shall be used for the public purpose of continuation
 27 of a grant to a nonprofit provider of child welfare services
 28 provider headquartered that has been in existence for more than
 29 115 years, is located in a county with a population between
 30 205,000 200,000 and 215,000 in 220,000 according to the latest
 31 certified federal census ~~that provides multiple services~~
 32 ~~including but not limited to, is licensed as a psychiatric~~
 33 ~~medical institution for children, shelter, residential~~
 34 ~~treatment, after school programs, and provides school-based~~
 35 ~~programming, and an Asperger's syndrome program,~~ to be used for

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1 support services for children with autism spectrum disorder and
 2 their families.>
 3 12. Page 34, line 30, by striking <40,816.831> and inserting
 4 <40,816.931>
 5 13. Page 48, after line 16 by inserting:
 6 <Sec. __. 2017 Iowa Acts, chapter 174, section 70,
 7 subsection 7, is amended to read as follows:
 8 7. a. For the purposes of this subsection, “combined
 9 reimbursement rate” means the combined service and maintenance
 10 reimbursement rate ~~for a service level under the department’s~~
 11 ~~reimbursement methodology. Effective July 1, 2018, the~~
 12 ~~combined reimbursement rate for a group foster care service~~
 13 ~~level shall be the amount designated in this subsection.~~
 14 ~~However, if a group foster care provider’s reimbursement rate~~
 15 ~~for a service level as of June 30, 2018, is more than the rate~~
 16 ~~designated in this subsection, the provider’s reimbursement~~
 17 ~~shall remain at the higher rate.~~
 18 b. Unless a group foster care provider is subject to the
 19 exception provided in paragraph “a”, effective July 1, 2018,
 20 the combined reimbursement rates for the service levels under
 21 the department’s reimbursement methodology shall be as follows:
 22 (1) ~~For service level, community—D1, the daily rate shall~~
 23 ~~be at least \$84.17.~~
 24 (2) ~~For service level, comprehensive—D2, the daily rate~~
 25 ~~shall be at least \$119.09.~~
 26 (3) ~~For service level, enhanced—D3, the daily rate shall~~
 27 ~~be at least \$131.09 established by contract.>~~
 28 14. Page 74, by striking lines 13 through 21 and inserting:

29 ~~<c. During the period of April 2, 2013, through July 1,~~
30 ~~2013, the~~ The department shall work with any county that has
31 not agreed to be part of a region in accordance with paragraph
32 “a” and with the regions forming around the county to resolve
33 issues preventing the county from joining a region. ~~By July~~
34 ~~1, 2013, a~~ A county that has not agreed to be part of a region
35 in accordance with paragraph “a” shall be assigned by the

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1 department to a region, unless exempted ~~pursuant to subsection~~
2 ~~1 prior to July 1, 2014.>~~
3 15. Page 86, line 12, by striking <331.424A> and inserting
4 <331.432>
5 16. Page 86, line 15, by striking <not comprised of revenue
6 generated by a levy>
7 17. Page 91, after line 12 by inserting:
8 <3A. a. For the purposes of this section, an entity that
9 performs abortions or that maintains or operates a facility
10 where abortions are performed shall not be interpreted to
11 include a nonpublic entity that is a distinct location of
12 a nonprofit health care delivery system, if the distinct
13 location provides family planning services but does not perform
14 abortions or maintain or operate as a facility where abortions
15 are performed.
16 b. The department of public health shall adopt rules
17 pursuant to chapter 17A to require that as a condition of
18 receiving funds under this section, each distinct location of
19 a nonprofit health care delivery system shall apply for and
20 be awarded funds as a separate provider, shall be assigned a
21 distinct provider identification number, and shall complete an
22 attestation that abortions are not performed at the distinct
23 location.
24 c. For the purposes of this section, “nonprofit health
25 care delivery system” means an Iowa nonprofit corporation
26 that controls, directly or indirectly, a regional health
27 care network consisting of hospital facilities and various
28 ambulatory and clinic locations that provide a range of
29 primary, secondary, and tertiary inpatient, outpatient, and
30 physician services.>
31 18. Page 91, line 31, by striking <contract> and inserting
32 <project period>
33 19. Page 92, line 12, by striking <contract> and inserting
34 <project period>
35 20. By renumbering as necessary.

MARK COSTELLO

S-5307

1 Amend the House amendment, S-5300, to Senate File 2416, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 6 through 12 and inserting:
 4 <Sec. ___. HARASSMENT TRAINING. The department of
 5 administrative services shall provide annual in-person training
 6 to all executive branch state employees relating to harassment
 7 awareness, prevention, retaliation, and reporting, including
 8 sexual harassment. Upon the completion of such training,
 9 participants shall acknowledge in writing their attendance and
 10 receipt of the department's policies and procedures regarding
 11 harassment awareness, prevention, retaliation, and reporting.
 12 The department of administrative services shall also provide
 13 specialized training to all supervisors and managers in the
 14 executive branch relating to the prevention and investigation
 15 of harassment, and shall require participants to acknowledge
 16 their attendance of such training in writing.>

LIZ MATHIS

S-5308

1 Amend Senate File 2418 as follows:
 2 1. Page 111, after line 12 by inserting:
 3 <DIVISION ___
 4 MEDICAID MANAGED CARE — LONG-TERM SERVICES AND SUPPORTS
 5 Sec. ___. TERMINATION OF MEDICAID MANAGED CARE CONTRACTS
 6 RELATIVE TO LONG-TERM SERVICES AND SUPPORTS POPULATION —
 7 TRANSITION TO FEE-FOR-SERVICE. The department of human
 8 services shall, upon the effective date of this division
 9 of this Act, provide written notice in accordance with the
 10 termination provisions of the contract, to each managed care
 11 organization with whom the department executed a contract to
 12 administer the Iowa high quality health care initiative as
 13 established by the department, to terminate such contracts as
 14 applicable to the Medicaid long-term services and supports
 15 population, following a sixty-day transition period. The
 16 department shall transfer the long-term services and supports
 17 population to fee-for-service program administration. The
 18 transition shall be based on a transition plan developed by
 19 the department and submitted to the council on human services
 20 and the medical assistance advisory council for review. The
 21 department of human services shall seek any Medicaid state plan
 22 or waiver amendments necessary to complete the transition.
 23 Sec. ___. EFFECTIVE DATE. This division of this Act, being
 24 deemed of immediate importance, takes effect upon enactment.>
 25 2. By renumbering as necessary.

PAM JOCHUM
 AMANDA RAGAN
 LIZ MATHIS
 NATE BOULTON

S-5309

- 1 Amend Senate File 2418 as follows:
2 1. Page 26, line 8, by striking <1,337,946.375> and
3 inserting <1,337,646.375>
4 2. Page 29, by striking lines 22 through 35.
5 3. By renumbering as necessary.

JEFF DANIELSON
WILLIAM A. DOTZLER, JR.
ROBERT E. DVORSKY
JOE BOLKCOM

S-5310

- 1 Amend the amendment, S-5302, to Senate File 2417 as follows:
2 1. By striking page 1, line 1, through page 150, line 1, and
3 inserting:
4 <Amend Senate File 2417 as follows:
5 1. By striking everything after the enacting clause and
6 inserting:
7 <DIVISION I
8 INTEREST ACCRUAL ON CERTAIN TAX REFUNDS
9 Section 1. Section 15.335, subsection 8, Code 2018, is
10 amended to read as follows:
11 8. Any credit in excess of the tax liability for the
12 taxable year shall be refunded with interest ~~computed under~~
13 ~~section 422.25 in accordance with section 421.60, subsection~~
14 ~~2, paragraph "e."~~ In lieu of claiming a refund, a taxpayer may
15 elect to have the overpayment shown on its final, completed
16 return credited to the tax liability for the following year.
17 Sec. 2. NEW SECTION. 421.6 Definition of return.
18 For purposes of this title, unless the context otherwise
19 requires, "return" means any tax or information return,
20 amended return, declaration of estimated tax, or claim for
21 refund that is required by, provided for, or permitted under,
22 the provisions of this title and which is filed with the
23 department by, on behalf of, or with respect to any person.
24 "Return" includes any amendment or supplement to these items,
25 including supporting schedules, attachments, or lists which are
26 supplemental to or part of the filed return.
27 Sec. 3. Section 421.60, subsection 2, paragraph e, Code
28 2018, is amended to read as follows:
29 e. ~~Unless otherwise provided by law, all~~ All Iowa taxes
30 which are administered by the department and which result in
31 a refund shall accrue interest at the rate in effect under
32 section 421.7 from the first day of the second calendar month
33 following the date of payment or the date the return upon
34 which the refund is claimed was due to be filed, including any
35 extensions, or was filed, whichever is the latest.

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1 Sec. 4. Section 422.10, subsection 4, Code 2018, is amended
2 to read as follows:

3 4. Any credit in excess of the tax liability imposed by
4 section 422.5 less the amounts of nonrefundable credits allowed
5 under this division for the taxable year shall be refunded
6 with interest ~~computed under section 422.25 in accordance~~
7 with section 421.60, subsection 2, paragraph "e". In lieu of
8 claiming a refund, a taxpayer may elect to have the overpayment
9 shown on the taxpayer's final, completed return credited to the
10 tax liability for the following taxable year.

11 Sec. 5. Section 422.16, subsection 9, Code 2018, is amended
12 to read as follows:

13 9. The amount of any overpayment of the individual income
14 tax liability of the employee taxpayer, nonresident, or other
15 person which may result from the withholding and payment of
16 withheld tax by the employer or withholding agent to the
17 department under subsections 1 and 12, as compared to the
18 individual income tax liability of the employee taxpayer,
19 nonresident, or other person properly and correctly determined
20 under the provisions of section 422.4, to and including section
21 422.25, may be credited against any income tax or installment
22 thereof then due the state of Iowa and any balance of one
23 dollar or more shall be refunded to the employee taxpayer,
24 nonresident, or other person with interest ~~at the rate in~~
25 ~~effect under section 421.7 for each month or fraction of a~~
26 ~~month, the interest to begin to accrue on the first day of~~
27 ~~the second calendar month following the date the return was~~
28 ~~due to be filed or was filed, whichever is the later date~~
29 in accordance with section 421.60, subsection 2, paragraph
30 "e". Amounts less than one dollar shall be refunded to the
31 taxpayer, nonresident, or other person only upon written
32 application, in accordance with section 422.73, and only if
33 the application is filed within twelve months after the due
34 date of the return. Refunds in the amount of one dollar
35 or more provided for by this subsection shall be paid by

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1 the treasurer of state by warrants drawn by the director of
2 the department of administrative services, or an authorized
3 employee of the department, and the taxpayer's return of
4 income shall constitute a claim for refund for this purpose,
5 except in respect to amounts of less than one dollar. There
6 is appropriated, out of any funds in the state treasury not
7 otherwise appropriated, a sum sufficient to carry out the
8 provisions of this subsection.

9 Sec. 6. Section 422.25, subsection 3, Code 2018, is amended
10 to read as follows:

11 3. a. If the amount of the tax as determined by the
12 department is less than the amount paid, the excess shall be

13 refunded with interest, ~~the interest to begin to accrue on the~~
 14 ~~first day of the second calendar month following the date of~~
 15 ~~payment or the date the return was due to be filed, or the~~
 16 ~~extended due date by which the return was due to be filed if~~
 17 ~~ninety percent of the tax was paid by the original due date,~~
 18 ~~or was filed, whichever is the latest, at the rate in effect~~
 19 ~~under section 421.7 counting each fraction of a month as an~~
 20 ~~entire month under the rules proscribed by the director. If~~
 21 ~~an overpayment of tax results from a net operating loss or~~
 22 ~~net capital loss which is carried back to a prior year, the~~
 23 ~~overpayment, for purposes of computing interest on refunds,~~
 24 ~~shall be considered as having been made on the date a claim~~
 25 ~~for refund or amended return carrying back the net operating~~
 26 ~~loss or net capital loss is filed with the department or on the~~
 27 ~~first day of the second calendar month following the date of~~
 28 ~~the actual payment of the tax, whichever is later. However, in~~
 29 accordance with section 421.60, subsection 2, paragraph "e",
 30 b. Notwithstanding section 421.60, subsection 2, paragraph
 31 "e", and paragraph "a" of this subsection, when the net
 32 operating loss or net capital loss carryback to a prior year
 33 eliminates or reduces an underpayment of tax due for an earlier
 34 year, the full amount of the underpayment of tax shall bear
 35 interest at the rate in effect under section 421.7 for each

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1 month counting each fraction of a month as an entire month from
 2 the due date of the tax for the earlier year to the last day of
 3 the taxable year in which the net operating loss or net capital
 4 loss occurred.

5 Sec. 7. Section 422.28, Code 2018, is amended to read as
 6 follows:

7 **422.28 Revision of tax.**

8 A taxpayer may appeal to the director for revision of
 9 the tax, interest, or penalties assessed at any time within
 10 sixty days from the date of the notice of the assessment of
 11 tax, additional tax, interest, or penalties. The director
 12 shall grant a hearing and if, upon the hearing, the director
 13 determines that the tax, interest, or penalties are excessive
 14 or incorrect, the director shall revise them according to
 15 the law and the facts and adjust the computation of the tax,
 16 interest, or penalties accordingly. The director shall notify
 17 the taxpayer by mail of the result of the hearing and shall
 18 refund to the taxpayer the amount, if any, paid in excess of
 19 the tax, interest, or penalties found by the director to be
 20 due, with interest accruing ~~from the first day of the second~~
 21 ~~calendar month following the date of payment by the taxpayer~~
 22 ~~at the rate in effect under section 421.7 for each month~~
 23 ~~or fraction of a month in accordance with section 421.60,~~
 24 subsection 2, paragraph "e".

25 Sec. 8. Section 422.33, subsection 5, paragraph f, Code
 26 2018, is amended to read as follows:

27 *f.* Any credit in excess of the tax liability for the
28 taxable year shall be refunded with interest ~~computed under~~
29 ~~section 422.25 in accordance with section 421.60, subsection~~
30 ~~2, paragraph "e"~~. In lieu of claiming a refund, a taxpayer may
31 elect to have the overpayment shown on its final, completed
32 return credited to the tax liability for the following taxable
33 year.

34 Sec. 9. Section 422.33, subsection 9, paragraph a, Code
35 2018, is amended to read as follows:

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1 *a.* The taxes imposed under this division shall be reduced by
2 an assistive device tax credit. A small business purchasing,
3 renting, or modifying an assistive device or making workplace
4 modifications for an individual with a disability who is
5 employed or will be employed by the small business is eligible,
6 subject to availability of credits, to receive this assistive
7 device tax credit which is equal to fifty percent of the
8 first five thousand dollars paid during the tax year for the
9 purchase, rental, or modification of the assistive device
10 or for making the workplace modifications. Any credit in
11 excess of the tax liability shall be refunded with interest
12 ~~computed under section 422.25 in accordance with section~~
13 ~~421.60, subsection 2, paragraph "e"~~. In lieu of claiming a
14 refund, a taxpayer may elect to have the overpayment shown on
15 the taxpayer's final, completed return credited to the tax
16 liability for the following tax year. If the small business
17 elects to take the assistive device tax credit, the small
18 business shall not deduct for Iowa tax purposes any amount of
19 the cost of an assistive device or workplace modifications
20 which is deductible for federal income tax purposes.

21 Sec. 10. Section 422.91, Code 2018, is amended to read as
22 follows:

23 **422.91 Credit for estimated tax.**

24 1. Any amount of estimated tax paid is a credit against
25 the amount of tax due on a final, completed return, and any
26 overpayment of five dollars or more shall be refunded to the
27 taxpayer with interest, ~~the interest to begin to accrue on~~
28 ~~the first day of the second calendar month following the date~~
29 ~~of payment or the date the return was due to be filed or was~~
30 ~~filed, whichever is the latest, at the rate established under~~
31 ~~section 421.7 in accordance with section 421.60, subsection 2,~~
32 paragraph "e", and the return constitutes a claim for refund for
33 this purpose. Amounts less than five dollars shall be refunded
34 to the taxpayer only upon written application in accordance
35 with section 422.73, and only if the application is filed

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1 within twelve months after the due date for the return.
2 2. In lieu of claiming a refund, the taxpayer may elect
3 to have the overpayment shown on its final, completed return
4 for the taxable year credited to the tax liability for the
5 following taxable year.

6 Sec. 11. Section 423.4, subsection 1, paragraph c, Code
7 2018, is amended to read as follows:

8 c. Refunds authorized under this subsection shall accrue
9 interest ~~at the rate in effect under section 421.7 from the~~
10 ~~first day of the second calendar month following the date the~~
11 ~~refund claim is received by the department in accordance with~~
12 section 421.60, subsection 2, paragraph "e".

13 Sec. 12. Section 423.4, subsection 6, paragraph c,
14 subparagraph (2), Code 2018, is amended to read as follows:

15 (2) Refunds authorized under this subsection shall accrue
16 interest ~~at the rate in effect under section 421.7 from the~~
17 ~~first day of the second calendar month following the date the~~
18 ~~refund claim is received by the department in accordance with~~
19 section 421.60, subsection 2, paragraph "e".

20 Sec. 13. Section 450.94, subsection 3, Code 2018, is amended
21 to read as follows:

22 3. If the amount paid is greater than the correct tax,
23 penalty, and interest due, the department shall refund the
24 excess with interest. ~~Interest shall be computed at the rate~~
25 ~~in effect under section 421.7, under the rules prescribed by~~
26 ~~the director counting each fraction of a month as an entire~~
27 ~~month and the interest shall begin to accrue on the first day~~
28 ~~of the second calendar month following the date of payment~~
29 ~~or on the date the return was due to be filed or was filed,~~
30 ~~whichever is the latest in accordance with section 421.60,~~
31 subsection 2, paragraph "e". However, the director shall
32 not allow a claim for refund or credit that has not been
33 filed with the department within three years after the tax
34 payment upon which a refund or credit is claimed became due,
35 or one year after the tax payment was made, whichever time is

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1 later. A determination by the department of the amount of
2 tax, penalty, and interest due, or the amount of refund for
3 excess tax paid, is final unless the person aggrieved by the
4 determination appeals to the director for a revision of the
5 determination within sixty days from the date of the notice
6 of determination of tax, penalty, and interest due or refund
7 owing or unless the taxpayer contests the determination by
8 paying the tax, interest, and penalty and timely filing a claim
9 for refund. The director shall grant a hearing, and upon the
10 hearing the director shall determine the correct tax, penalty,
11 and interest or refund due, and notify the appellant of the
12 decision by mail. The decision of the director is final unless

13 the appellant seeks judicial review of the director's decision
 14 under section 450.59 within sixty days after the date of the
 15 notice of the director's decision.

16 Sec. 14. Section 452A.65, subsection 1, Code 2018, is
 17 amended to read as follows:

18 1. In addition to the tax or additional tax, the taxpayer
 19 shall pay a penalty as provided in section 421.27. The
 20 taxpayer shall also pay interest on the tax or additional
 21 tax at the rate in effect under section 421.7 counting each
 22 fraction of a month as an entire month, computed from the date
 23 the return was required to be filed. If the amount of the tax
 24 as determined by the appropriate state agency is less than the
 25 amount paid, the excess shall be refunded with interest, ~~the~~
 26 ~~interest to begin to accrue on the first day of the second~~
 27 ~~calendar month following the date of payment or the date the~~
 28 ~~return was due to be filed or was filed, whichever is the~~
 29 ~~latest, at the rate in effect under section 421.7 counting~~
 30 ~~each fraction of a month as an entire month under the rules~~
 31 ~~prescribed by the appropriate state agency in accordance with~~
 32 ~~section 421.60, subsection 2, paragraph "e".~~ Claims for
 33 refund filed under sections 452A.17 and 452A.21 shall accrue
 34 interest beginning with the first day of the second calendar
 35 month following the date the refund claim is received by the

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1 department.

2 Sec. 15. EFFECTIVE DATE. This division of this Act, being
 3 deemed of immediate importance, takes effect upon enactment.

4 Sec. 16. RETROACTIVE APPLICABILITY. This division of this
 5 Act applies retroactively to January 1, 2018, for tax years
 6 beginning on or after that date, and for refunds issued on or
 7 after that date.

8 DIVISION II 9 TAX PENALTIES

10 Sec. 17. Section 421.27, subsection 6, Code 2018, is amended
 11 to read as follows:

12 6. *Improper receipt of ~~refund or credit~~ payments.* A person
 13 who makes an erroneous application for refund, ~~or~~ credit,
 14 ~~reimbursement, rebate, or other payment~~ shall be liable for any
 15 overpayment received or tax liability reduced plus interest
 16 at the rate in effect under section 421.7. In addition, a
 17 person who willfully makes a false or frivolous application
 18 for refund, ~~or~~ credit, ~~reimbursement, rebate, or other payment~~
 19 with intent to evade tax or with intent to receive a refund,
 20 ~~or~~ credit, ~~reimbursement, rebate, or other payment~~ to which
 21 the person is not entitled is guilty of a fraudulent practice
 22 and is liable for a penalty equal to seventy-five percent of
 23 the refund, ~~or~~ credit, ~~reimbursement, rebate, or other payment~~
 24 being claimed. Payments, penalties, and interest due under
 25 this subsection may be collected and enforced in the same
 26 manner as the tax imposed.

27 Sec. 18. Section 425.29, Code 2018, is amended to read as
28 follows:

29 **425.29 False claim — penalty.**

30 A person who makes a false affidavit for the purpose
31 of obtaining credit or reimbursement provided for in this
32 division or who knowingly receives the credit or reimbursement
33 without being legally entitled to it or makes claim for the
34 credit or reimbursement in more than one county in the state
35 without being legally entitled to it is guilty of a fraudulent

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1 practice. The claim for credit or reimbursement shall be
2 disallowed in full and if the claim has been paid the amount
3 shall be recovered in the manner provided in section 425.27.
4 The department of revenue may impose penalties under section
5 421.27. The department of revenue shall send a notice of
6 disallowance of the claim.

7 Sec. 19. LEGISLATIVE INTENT. It is the intent of the
8 general assembly that the provisions of this division of this
9 Act are conforming amendments consistent with current state
10 law, and that the amendments do not change the application of
11 current law but instead reflect current law both before and
12 after the enactment of this division of this Act.

13 Sec. 20. EFFECTIVE DATE. This division of this Act, being
14 deemed of immediate importance, takes effect upon enactment.

15 DIVISION III

16 MISCELLANEOUS TAX PROVISIONS

17 Sec. 21. Section 34A.7B, subsection 13, Code 2018, is
18 amended to read as follows:

19 13. The department shall transfer all ~~remitted~~ reported
20 prepaid wireless 911 surcharges to the treasurer of state
21 for deposit in the 911 emergency communications fund created
22 under section 34A.7A, subsection 2, within thirty days of
23 receipt after deducting an amount, not to exceed two percent of
24 collected surcharges, that shall be retained by the department
25 to reimburse its direct costs of administering the collection
26 and remittance of prepaid wireless 911 surcharges.

27 Sec. 22. Section 421.17, subsection 2, paragraph d, Code
28 2018, is amended to read as follows:

29 *d.* To facilitate uniformity and equalization of
30 assessments throughout the state of Iowa and to facilitate
31 transfers of funds to local governments, the director may
32 use geographic information system technology and may require
33 assessing authorities and local governments that have adopted
34 compatible technology to provide information to the department
35 electronically using electronic geographic information

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1 system file formats. The department of revenue shall act on
 2 behalf of political subdivisions and the state to deliver a
 3 consolidated response to the boundary and annexation survey
 4 and provide legal boundary geography data to the United States
 5 census bureau. The department shall coordinate with political
 6 subdivisions and the state to ensure that consistent, accurate,
 7 and integrated geography is provided to the United States
 8 census bureau. The office of the chief information officer
 9 shall provide geographic information system and technical
 10 support to the department to facilitate the exchange.

11 Sec. 23. Section 421.19, Code 2018, is amended to read as
 12 follows:

13 **421.19 Counsel.**

14 1. It shall be the duty of the attorney general and of
 15 the county attorneys in their respective counties to commence
 16 and prosecute actions, prosecutions, and complaints, when
 17 so directed by the director of revenue and to represent the
 18 director in any litigation arising from the discharge of the
 19 director's duties.

20 2. If the department has information that indicates a
 21 taxpayer intentionally filed a false claim, affidavit, return,
 22 or other information with intent to evade tax or to obtain
 23 a refund, credit, or other benefit from the department, the
 24 department may notify federal, state, or local law enforcement
 25 and may disclose state returns, state return information,
 26 state investigative or audit information, or any other state
 27 information to such law enforcement, notwithstanding sections
 28 422.20 and 422.72.

29 3. Notwithstanding sections 422.20 and 422.72, the
 30 department may disclose state returns, state return
 31 information, state investigative or audit information, or any
 32 other state information under this section.

33 Sec. 24. **NEW SECTION. 421.71 Class actions — implied right**
 34 **of action — private cause of action immunity.**

35 1. *Class actions prohibited.* No class action may be brought

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1 against the department, a taxpayer, or a person required to
 2 collect any tax imposed under this title, in any court, agency,
 3 or other adjudicative body, or in any other forum, based on
 4 any act or omission arising from or related to any provision
 5 of this title.

6 2. *No implied right of action.* Nothing in this title shall
 7 be construed as creating or providing an implied private right
 8 of action or any private common law claim against any taxpayer,
 9 or against any person required to collect any tax imposed under
 10 this title, in any court, agency, or other adjudicative body,
 11 or in any other forum. This subsection shall not apply to or
 12 otherwise limit any claim, action, mandate, power, remedy, or

13 discretion of the department, or an agent or designee of the
14 department.

15 3. *Private cause of action immunity for overpayment of*
16 *certain taxes.*

17 a. A taxpayer, or any person required to collect taxes
18 imposed under chapters 423, 423A, 423B, 423C, and 423D, and
19 chapter 423G, as enacted in 2018 Iowa Acts, Senate File 512,
20 shall be immune from any private cause of action arising from
21 or related to the overpayment of taxes imposed under chapters
22 423, 423A, 423B, 423C, and 423D, and chapter 423G, as enacted
23 in 2018 Iowa Acts, Senate File 512, that are collected and
24 remitted to the department.

25 b. Nothing in this subsection shall apply to or otherwise
26 limit any of the following:

27 (1) Any claim, action, mandate, power, remedy, or
28 discretion of the department, or an agent or designee of the
29 department.

30 (2) A taxpayer's right to seek a refund from the department
31 related to taxes imposed under chapters 423, 423A, 423B,
32 423C, and 423D, and chapter 423G, as enacted in 2018 Iowa
33 Acts, Senate File 512, that are collected from or paid by the
34 taxpayer.

35 Sec. 25. Section 423G.5, subsection 1, as enacted by 2018

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1 Iowa Acts, Senate File 512, section 15, is amended to read as
2 follows:

3 1. The director of revenue shall administer the water
4 service tax as nearly as possible in conjunction with the
5 administration of the state sales and use tax law, except that
6 portion of the law that implements the streamlined sales and
7 use tax agreement. The director shall provide appropriate
8 forms, or provide on the regular state tax forms, for reporting
9 water service tax liability, and for ease of administration may
10 require water service tax liability to be identified, reported,
11 and remitted to the department as sales and use tax liability,
12 provided the department has the ability to properly identify
13 such amounts as water service tax revenues upon receipt.

14 Sec. 26. Section 423G.6, subsection 2, paragraphs a, b, and
15 c, as enacted by 2018 Iowa Acts, Senate File 512, section 16,
16 are amended to read as follows:

17 a. For revenues ~~collected~~ reported on or after July 1, 2018,
18 but before August 1, 2019, one-twelfth of the revenues to the
19 water quality infrastructure fund created in section 8.57B,
20 and one-twelfth of the revenues to the water quality financial
21 assistance fund created in section 16.134A.

22 b. For revenues ~~collected~~ reported on or after August 1,
23 2019, but before August 1, 2020, one-sixth of the revenues to
24 the water quality infrastructure fund created in section 8.57B,
25 and one-sixth of the revenues to the water quality financial
26 assistance fund created in section 16.134A.

27 c. For revenues ~~collected~~ reported on or after August 1,
 28 2020, one-half of the revenues to the water quality financial
 29 assistance fund created in section 16.134A.
 30 Sec. 27. IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF AND
 31 CONTRIBUTIONS — CREDIT TO GENERAL FUND. Notwithstanding
 32 section 68A.601 or 422.12J, or any other provision of law to
 33 the contrary, any amount of contribution to the Iowa election
 34 campaign fund in section 68A.602 designated on an individual
 35 income tax return for any tax year and filed on or after

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1 January 1, 2018, is void and shall be disregarded, and such
 2 contribution amount shall be credited to the general fund and
 3 not to the Iowa election campaign fund.
 4 Sec. 28. EFFECTIVE DATE. The following, being deemed of
 5 immediate importance, take effect upon enactment:
 6 1. The section of this division of this Act relating to the
 7 Iowa election campaign fund tax checkoff and contributions.
 8 2. The section of this division of this Act enacting section
 9 421.71.
 10 Sec. 29. RETROACTIVE APPLICABILITY. The following applies
 11 retroactively to January 1, 2018, for individual income tax
 12 returns filed on or after that date:
 13 The section of this division of this Act relating to the Iowa
 14 election campaign fund tax checkoff and contributions.
 15 DIVISION IV
 16 TAX CREDITS
 17 Sec. 30. Section 15E.52, subsection 8, Code 2018, is amended
 18 to read as follows:
 19 8. The board shall not certify an innovation fund after June
 20 30, ~~2018~~ 2023.
 21 Sec. 31. Section 403.19A, subsection 3, paragraph c,
 22 subparagraph (2), Code 2018, is amended to read as follows:
 23 (2) The pilot project city and the economic development
 24 authority shall not enter into a withholding agreement after
 25 June 30, ~~2018~~ 2019.
 26 Sec. 32. Section 422.10, subsection 1, Code 2018, is amended
 27 by adding the following new paragraph:
 28 NEW PARAGRAPH. *0a.* An individual shall only be eligible for
 29 the credit provided in this section if the business conducting
 30 the research meets all of the following requirements:
 31 (1) (a) The business is engaged in the manufacturing,
 32 life sciences, software engineering, or aviation and aerospace
 33 industry.
 34 (b) Persons that shall not be considered to be engaged in
 35 the manufacturing, life sciences, software engineering, or

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1 aviation and aerospace industry, and thus are not eligible
 2 for the credit, include but are not limited to all of the
 3 following:
 4 (i) A person engaged in agricultural production as defined
 5 in section 423.1.
 6 (ii) A person who is a contractor, subcontractor, builder,
 7 or a contractor-retailer that engages in commercial and
 8 residential repair and installation, including but not limited
 9 to heating or cooling installation and repair, plumbing and
 10 pipe fitting, security system installation, and electrical
 11 installation and repair. For purposes of this subparagraph
 12 subdivision, “*contractor-retailer*” means a business that makes
 13 frequent retail sales to the public or to other contractors and
 14 that also engages in the performance of construction contracts.
 15 (iii) A finance or investment company.
 16 (iv) A retailer.
 17 (v) A wholesaler.
 18 (vi) A transportation company.
 19 (vii) A publisher.
 20 (viii) An agricultural cooperative association as defined
 21 in section 502.102.
 22 (ix) A real estate company.
 23 (x) A collection agency.
 24 (xi) An accountant.
 25 (xii) An architect.
 26 (2) The business claims and is allowed a research credit
 27 for such qualified research expenses under section 41 of the
 28 Internal Revenue Code for the same taxable year as it is
 29 claiming the credit provided in this section.
 30 Sec. 33. Section 422.10, subsection 3, Code 2018, is amended
 31 by adding the following new paragraph:
 32 NEW PARAGRAPH. 0a. For purposes of this section, “*base*
 33 *amount*” means the product of the fixed-based percentage times
 34 the average annual gross receipts of the taxpayer for the four
 35 taxable years preceding the taxable year for which the credit

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1 is being determined, but in no event shall the base amount be
 2 less than fifty percent of the qualified research expenses for
 3 the credit year.
 4 Sec. 34. Section 422.10, subsection 3, paragraph a, Code
 5 2018, is amended to read as follows:
 6 a. For purposes of this section, “~~base amount~~”, “*basic*
 7 *research payment*”; and “*qualified research expense*” mean the
 8 same as defined for the federal credit for increasing research
 9 activities under section 41 of the Internal Revenue Code,
 10 except that for the alternative simplified credit such amounts
 11 are for research conducted within this state.
 12 Sec. 35. Section 422.11S, subsection 6, paragraph a, Code

13 2018, is amended to read as follows:

14 *a. "Eligible student"* means a student who is a member of a
 15 household whose total annual income during the calendar year
 16 before the student receives a tuition grant for purposes of
 17 this section does not exceed an amount equal to ~~three~~ four
 18 times the most recently published federal poverty guidelines in
 19 the federal register by the United States department of health
 20 and human services.

21 Sec. 36. Section 422.11S, subsection 8, paragraph a,
 22 subparagraph (2), Code 2018, is amended to read as follows:

23 (2) *"Total approved tax credits"* means for the tax year
 24 beginning in the 2006 calendar year, two million five hundred
 25 thousand dollars, for the tax year beginning in the 2007
 26 calendar year, five million dollars, for tax years beginning
 27 on or after January 1, 2008, but before January 1, 2012, seven
 28 million five hundred thousand dollars, for tax years beginning
 29 on or after January 1, 2012, but before January 1, 2014, eight
 30 million seven hundred fifty thousand dollars, and for tax years
 31 beginning on or after January 1, 2014, but before January 1,
 32 2019, twelve million dollars, and for tax years beginning on or
 33 after January 1, 2019, thirteen million dollars.

34 Sec. 37. Section 422.33, subsection 5, Code 2018, is amended
 35 by adding the following new paragraph:

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1 NEW PARAGRAPH. *0e.* A corporation shall only be
 2 eligible for the credit provided in this subsection if the
 3 business conducting the research meets all of the following
 4 requirements:

5 (1) (a) The business is engaged in the manufacturing,
 6 life sciences, software engineering, or aviation and aerospace
 7 industry.

8 (b) Persons that shall not be considered to be engaged in
 9 the manufacturing, life sciences, software engineering, or
 10 aviation and aerospace industry, and thus are not eligible
 11 for the credit, include but are not limited to all of the
 12 following:

13 (i) A person engaged in agricultural production as defined
 14 in section 423.1.

15 (ii) A person who is a contractor, subcontractor, builder,
 16 or a contractor-retailer that engages in commercial and
 17 residential repair and installation, including but not limited
 18 to heating or cooling installation and repair, plumbing and
 19 pipe fitting, security system installation, and electrical
 20 installation and repair. For purposes of this subparagraph
 21 subdivision, *"contractor-retailer"* means a business that makes
 22 frequent retail sales to the public or to other contractors and
 23 that also engages in the performance of construction contracts.

24 (iii) A finance or investment company.

25 (iv) A retailer.

26 (v) A wholesaler.

- 27 (vi) A transportation company.
28 (vii) A publisher.
29 (viii) An agricultural cooperative association as defined
30 in section 502.102.
31 (ix) A real estate company.
32 (x) A collection agency.
33 (xi) An accountant.
34 (xii) An architect.
35 (2) The business claims and is allowed a research credit

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1 for such qualified research expenses under section 41 of the
2 Internal Revenue Code for the same taxable year as it is
3 claiming the credit provided in this subsection.
4 Sec. 38. Section 422.33, subsection 5, paragraph e, Code
5 2018, is amended by adding the following new subparagraph:
6 NEW SUBPARAGRAPH. (01) For purposes of this section, “*base*
7 *amount*” means the product of the fixed-based percentage times
8 the average annual gross receipts of the taxpayer for the four
9 taxable years preceding the taxable year for which the credit
10 is being determined, but in no event shall the base amount be
11 less than fifty percent of the qualified research expenses for
12 the credit year.
13 Sec. 39. Section 422.33, subsection 5, paragraph e,
14 subparagraph (1), Code 2018, is amended to read as follows:
15 (1) For purposes of this subsection, “*base amount*”, “*basic*
16 *research payment*”, and “*qualified research expense*” mean the
17 same as defined for the federal credit for increasing research
18 activities under section 41 of the Internal Revenue Code,
19 except that for the alternative simplified credit such amounts
20 are for research conducted within this state.
21 Sec. 40. 2019 INTERIM TAX CREDIT STUDY.
22 1. The legislative council is requested to authorize a
23 study committee to evaluate tax credits available under Iowa
24 law, including Iowa’s utilization of tax credits as a tool
25 for promoting and supporting economic growth and development.
26 The study committee shall also consider new or different
27 tax credits or incentive programs, or tax rate or structure
28 changes, that will foster economic growth and improve Iowa’s
29 overall tax and economic development climate. The study
30 committee shall make recommendations that the committee
31 believes will improve predictability for the state’s budget,
32 improve accountability to the taxpayers of Iowa, maximize
33 flexibility in utilization, and place Iowa in the best position
34 for attracting and retaining workers and businesses in the
35 future. In developing recommendations, the study committee

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1 shall place significant emphasis on directing tax credits,
2 incentive programs, or tax rate or structure changes toward
3 Iowa workers and programs to strengthen Iowa's workforce by
4 incentivizing efforts to expand Iowans' skills and capabilities
5 in high-demand career fields.

6 2. The study committee shall consist of five members of
7 the senate, three of whom shall be appointed by the majority
8 leader of the senate and two of whom shall be appointed by
9 the minority leader of the senate, and five members of the
10 house of representatives, three of whom shall be appointed by
11 the speaker of the house of representatives and two of whom
12 shall be appointed by the minority leader of the house of
13 representatives.

14 3. The study committee shall meet during the 2019
15 legislative interim to make recommendations for consideration
16 during the 2020 legislative session in a report submitted to
17 the general assembly.

18 Sec. 41. LEGISLATIVE INTENT. It is the intent of the
19 general assembly that the provisions of this division of this
20 Act enacting section 422.10, subsection 3, paragraph "0a",
21 amending section 422.10, subsection 3, paragraph "a", enacting
22 section 422.33, subsection 5, paragraph e, subparagraph (01),
23 and amending section 422.33, subsection 5, paragraph "e",
24 subparagraph (1), are conforming amendments consistent with
25 current state law, and that the amendments do not change the
26 application of current law but instead reflect current law both
27 before and after the enactment of this division of this Act.

28 Sec. 42. REPEAL. Sections 422.10A and 422.111, Code 2018,
29 are repealed.

30 Sec. 43. EFFECTIVE DATE. The following, being deemed of
31 immediate importance, take effect upon enactment:

32 1. The section of this division of this Act amending section
33 15E.52, subsection 8.

34 2. The section of this division of this Act enacting section
35 422.10, subsection 1, paragraph "0a".

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1 3. The section of this division of this Act enacting section
2 422.10, subsection 3, paragraph "0a".

3 4. The section of this division of this Act amending section
4 422.10, subsection 3, paragraph "a".

5 5. The section of this division of this Act enacting section
6 422.33, subsection 5, paragraph "0e".

7 6. The section of this division of this Act enacting section
8 422.33, subsection 5, paragraph "e", subparagraph (01).

9 7. The section of this division of this Act amending section
10 422.33, subsection 5, paragraph "e", subparagraph (1).

11 8. The section of this division of this Act entitled
12 "legislative intent" which describes the intent of the general

13 assembly with respect to certain amendments in this division of
 14 this Act to sections 422.10 and 422.33.
 15 Sec. 44. EFFECTIVE DATE. The following take effect January
 16 1, 2019:

17 1. The sections of this division of this Act amending
 18 section 422.11S.

19 2. The section of this division of this Act repealing
 20 sections 422.10A and 422.11I.

21 Sec. 45. RETROACTIVE APPLICABILITY. The following apply
 22 retroactively to January 1, 2017, for tax years beginning on
 23 or after that date:

24 1. The section of this division of this Act enacting section
 25 422.10, subsection 1, paragraph "0a".

26 2. The section of this division of this Act enacting section
 27 422.33, subsection 5, paragraph "0e".

28 Sec. 46. APPLICABILITY. The following applies to tax
 29 years beginning on or after January 1, 2019, and to qualified
 30 geothermal heat pump property installations occurring on or
 31 after January 1, 2019:

32 The section of this division of this Act repealing sections
 33 422.10A and 422.11I.

34 DIVISION V

35 TAXPAYERS TRUST FUND AND TAXPAYERS TRUST FUND TAX CREDIT

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1 Sec. 47. Section 8.55, subsection 2, paragraph a, Code 2018,
 2 is amended to read as follows:

3 a. The first sixty million dollars of the difference
 4 between the actual net revenue for the general fund of the
 5 state for the fiscal year and the adjusted revenue estimate for
 6 the fiscal year shall be transferred to the ~~taxpayers trust~~
 7 taxpayer relief fund created in section 8.57E.

8 Sec. 48. Section 8.57E, Code 2018, is amended to read as
 9 follows:

10 **8.57E ~~Taxpayers trust~~ Taxpayer relief fund.**

11 1. A ~~taxpayers trust~~ taxpayer relief fund is created. The
 12 fund shall be separate from the general fund of the state and
 13 the balance in the fund shall not be considered part of the
 14 balance of the general fund of the state. The moneys credited
 15 to the fund are not subject to section 8.33 and shall not
 16 be transferred, used, obligated, appropriated, or otherwise
 17 encumbered except as provided in this section.

18 2. Moneys in the ~~taxpayers trust~~ taxpayer relief fund shall
 19 only be used pursuant to appropriations or transfers made by
 20 the general assembly for tax relief, including but not limited
 21 to increases in the general retirement income exclusion under
 22 section 422.7, subsection 31, or reductions in income tax
 23 rates. During each fiscal year beginning on or after July 1,
 24 2014, in which the balance of the taxpayers trust fund equals
 25 or exceeds thirty million dollars, there is transferred from
 26 the taxpayers trust fund to the Iowa taxpayers trust fund tax

27 ~~credit fund created in section 422.11E, the entire balance of~~
 28 ~~the taxpayers trust fund to be used for the Iowa taxpayers~~
 29 ~~trust fund tax credit in accordance with section 422.11E,~~
 30 ~~subsection 5.~~
 31 3. a. Moneys in the ~~taxpayers trust~~ taxpayer relief
 32 fund may be used for cash flow purposes during a fiscal year
 33 provided that any moneys so allocated are returned to the fund
 34 by the end of that fiscal year.
 35 b. Except as provided in section 8.58, the ~~taxpayers trust~~

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1 taxpayer relief fund shall be considered a special account for
 2 the purposes of section 8.53 in determining the cash position
 3 of the general fund of the state for the payment of state
 4 obligations.
 5 4. Notwithstanding section 12C.7, subsection 2, interest or
 6 earnings on moneys deposited in the ~~taxpayers trust~~ taxpayer
 7 relief fund shall be credited to the fund.
 8 Sec. 49. Section 8.58, Code 2018, is amended to read as
 9 follows:
 10 **8.58 Exemption from automatic application.**
 11 1. To the extent that moneys appropriated under section
 12 8.57 do not result in moneys being credited to the general
 13 fund under section 8.55, subsection 2, moneys appropriated
 14 under section 8.57 and moneys contained in the cash reserve
 15 fund, rebuild Iowa infrastructure fund, environment first fund,
 16 Iowa economic emergency fund, ~~taxpayers trust~~ taxpayer relief
 17 fund, and state bond repayment fund shall not be considered
 18 in the application of any formula, index, or other statutory
 19 triggering mechanism which would affect appropriations,
 20 payments, or taxation rates, contrary provisions of the Code
 21 notwithstanding.
 22 2. To the extent that moneys appropriated under section
 23 8.57 do not result in moneys being credited to the general fund
 24 under section 8.55, subsection 2, moneys appropriated under
 25 section 8.57 and moneys contained in the cash reserve fund,
 26 rebuild Iowa infrastructure fund, environment first fund, Iowa
 27 economic emergency fund, ~~taxpayers trust~~ taxpayer relief fund,
 28 and state bond repayment fund shall not be considered by an
 29 arbitrator or in negotiations under chapter 20.
 30 Sec. 50. Section 257.21, subsection 2, Code 2018, is amended
 31 to read as follows:
 32 2. The instructional support income surtax shall be imposed
 33 on the state individual income tax for the calendar year during
 34 which the school's budget year begins, or for a taxpayer's
 35 fiscal year ending during the second half of that calendar year

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1 and after the date the board adopts a resolution to participate
 2 in the program or the first half of the succeeding calendar
 3 year, and shall be imposed on all individuals residing in the
 4 school district on the last day of the applicable tax year.

5 As used in this section, “*state individual income tax*” means
 6 the taxes computed under section 422.5, less the amounts of
 7 nonrefundable credits allowed under chapter 422, division II,
 8 ~~except for the Iowa taxpayers trust fund tax credit allowed~~
 9 ~~under section 422.11E.~~

10 Sec. 51. Section 422D.2, Code 2018, is amended to read as
 11 follows:

12 **422D.2 Local income surtax.**

13 A county may impose by ordinance a local income surtax as
 14 provided in section 422D.1 at the rate set by the board of
 15 supervisors, of up to one percent, on the state individual
 16 income tax of each individual residing in the county at the
 17 end of the individual’s applicable tax year. However, the
 18 cumulative total of the percents of income surtax imposed on
 19 any taxpayer in the county shall not exceed twenty percent.
 20 The reason for imposing the surtax and the amount needed
 21 shall be set out in the ordinance. The surtax rate shall be
 22 set to raise only the amount needed. For purposes of this
 23 section, “*state individual income tax*” means the tax computed
 24 under section 422.5, less the amounts of nonrefundable credits
 25 allowed under chapter 422, division II, ~~except for the Iowa~~
 26 ~~taxpayers trust fund tax credit allowed under section 422.11E.~~

27 Sec. 52. REPEAL. Section 422.11E, Code 2018, is repealed.

28 Sec. 53. EFFECTIVE DATE. This division of this Act, being
 29 deemed of immediate importance, takes effect upon enactment.

30 Sec. 54. RETROACTIVE APPLICABILITY. The following apply
 31 retroactively to January 1, 2018, for tax years beginning on
 32 or after that date:

33 1. The section of this division of this Act amending section
 34 257.21.

35 2. The section of this division of this Act repealing

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1 section 422.11E.

2 3. The section of this division of this Act amending section
 3 422D.2.

4 DIVISION VI

5 TAXPAYERS TRUST FUND TRANSFER CAP

6 Sec. 55. Section 8.55, subsection 2, paragraph a, Code 2018,
 7 is amended to read as follows:

8 *a.* ~~The first sixty million dollars of the~~ difference between
 9 the actual net revenue for the general fund of the state for
 10 the fiscal year and the adjusted revenue estimate for the
 11 fiscal year shall be transferred to the taxpayers trust fund
 12 created in section 8.57E.

13 Sec. 56. EFFECTIVE DATE. This division of this Act takes
14 effect July 1, 2019.

15 Sec. 57. APPLICABILITY. This division of this Act is first
16 applicable to calculate the state general fund expenditure
17 limitation for the fiscal year beginning July 1, 2020.

18 DIVISION VII

19 INDIVIDUAL INCOME TAX CHANGES BEGINNING IN TAX YEAR 2018

20 Sec. 58. Section 422.7, Code 2018, is amended by adding the
21 following new subsections:

22 NEW SUBSECTION. 51. *a.* Notwithstanding any other provision
23 of law to the contrary, the increased expensing allowance under
24 section 179 of the Internal Revenue Code, as amended by Pub.
25 L. No. 115-97, §13101, applies in computing net income for
26 state tax purposes for tax years beginning on or after January
27 1, 2018, subject to the limitations in this subsection for tax
28 years beginning prior to January 1, 2020.

29 *b.* If the taxpayer has taken the increased expensing
30 allowance under section 179 of the Internal Revenue Code,
31 as amended by Pub. L. No. 115-97, §13101, for purposes of
32 computing federal adjusted gross income for tax years beginning
33 on or after January 1, 2018, but before January 1, 2020, then
34 the taxpayer shall make the following adjustments to federal
35 adjusted gross income when computing net income for state tax

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1 purposes for the same tax year:

2 (1) Add the total amount of expense deduction taken on
3 section 179 property allowable for federal tax purposes under
4 section 179 of the Internal Revenue Code, as amended by Pub.
5 L. No. 115-97, §13101.

6 (2) (a) For tax years beginning on or after January
7 1, 2018, but before January 1, 2019, subtract the amount
8 of expense deduction on section 179 property allowable for
9 federal tax purposes under section 179 of the Internal Revenue
10 Code, as amended by Pub. L. No. 115-97, §13101, not to exceed
11 seventy thousand dollars. The subtraction in this subparagraph
12 division shall be reduced, but not below zero, by the amount by
13 which the total cost of section 179 property placed in service
14 by the taxpayer during the tax year exceeds two hundred eighty
15 thousand dollars.

16 (b) For tax years beginning on or after January 1, 2019,
17 but before January 1, 2020, subtract the amount of expense
18 deduction on section 179 property allowable for federal tax
19 purposes under section 179 of the Internal Revenue Code, as
20 amended by Pub. L. No. 115-97, §13101, not to exceed one
21 hundred thousand dollars. The subtraction in this subparagraph
22 division shall be reduced, but not below zero, by the amount by
23 which the total cost of section 179 property placed in service
24 by the taxpayer during the tax year exceeds four hundred
25 thousand dollars.

26 (3) Any other adjustments to gains or losses necessary to

27 reflect adjustments made in subparagraphs (1) and (2).
28 c. The director shall adopt rules pursuant to chapter 17A
29 to administer this subsection.
30 NEW SUBSECTION. 52. a. For tax years beginning on or
31 after January 1, 2018, but before January 1, 2020, a taxpayer
32 may elect to take advantage of this subsection in lieu of
33 subsection 51, but only if the taxpayer's total expensing
34 allowance deduction for federal tax purposes under section 179
35 of the Internal Revenue Code, as amended by Pub. L. No. 115-97,

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1 §13101, that is allocated to the taxpayer from one or more
2 partnerships, S corporations, or limited liability companies
3 electing to have the income taxed directly to the individual
4 exceeds seventy thousand dollars for a tax year beginning
5 during the 2018 calendar year, or exceeds one hundred thousand
6 dollars for a tax year beginning during the 2019 calendar year,
7 and would, except as provided in this subsection, be limited
8 for purposes of computing net income for state tax purposes
9 pursuant to subsection 51.
10 b. A taxpayer who elects to take advantage of this
11 subsection shall make the following adjustments to federal
12 adjusted gross income when computing net income for state tax
13 purposes:
14 (1) Add the total amount of section 179 expense
15 deduction allocated to the taxpayer from all partnerships, S
16 corporations, or limited liability companies electing to have
17 the income taxed directly to the individual, to the extent the
18 allocated amount was allowed as a deduction to the taxpayer
19 for federal tax purposes for the tax year under section 179 of
20 the Internal Revenue Code, as amended by Pub. L. No. 115-97,
21 §13101.
22 (2) From the amount added in subparagraph (1), do the
23 following:
24 (a) For tax years beginning on or after January 1, 2018,
25 but before January 1, 2019, subtract the first seventy thousand
26 dollars of expensing allowance deduction on section 179
27 property.
28 (b) For tax years beginning on or after January 1, 2019,
29 but before January 1, 2020, subtract the first one hundred
30 thousand dollars of expensing allowance deduction on section
31 179 property.
32 (3) The remaining amount, equal to the difference between
33 the amount added in subparagraph (1), and the amount subtracted
34 in subparagraph (2), may be deducted by the taxpayer but such
35 deduction shall be amortized equally over five tax years

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1 beginning in the following tax year.

2 (4) Any other adjustments to gains or losses necessary to
3 reflect adjustments made in subparagraphs (1) through (3).

4 c. A taxpayer who elects to take advantage of this
5 subsection shall not take the increased expensing allowance
6 under section 179 of the Internal Revenue Code, as amended by
7 Pub. L. No. 115-97, §13101, for any section 179 property placed
8 in service by the taxpayer in computing adjusted gross income
9 for state tax purposes. If the taxpayer has taken any such
10 deduction for purposes of computing federal adjusted gross
11 income, the taxpayer shall make the following adjustments to
12 federal adjusted gross income when computing net income for
13 state tax purposes:

14 (1) Add the total amount of expense deduction for federal
15 tax purposes taken on section 179 property placed in service by
16 the taxpayer under section 179 of the Internal Revenue Code, as
17 amended by Pub. L. No. 115-97, §13101.

18 (2) Subtract the amount of depreciation allowable on such
19 property under the modified accelerated cost recovery system
20 described in section 168 of the Internal Revenue Code, without
21 regard to section 168(k) of the Internal Revenue Code. The
22 taxpayer shall continue to take depreciation on the applicable
23 property in future tax years to the extent allowed under the
24 modified accelerated cost recovery system described in section
25 168 of the Internal Revenue Code, without regard to section
26 168(k) of the Internal Revenue Code.

27 (3) Any other adjustments to gains or losses necessary to
28 reflect the adjustments made in subparagraphs (1) and (2).

29 d. The election made under this subsection is for one tax
30 year and the taxpayer may elect or not elect to take advantage
31 of this subsection in any subsequent tax year. However, not
32 electing to take advantage of this subsection in a subsequent
33 tax year shall not affect the taxpayer's ability to claim the
34 tax deduction under paragraph "b", subparagraph (3), that
35 originated from a previous tax year.

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1 e. The director shall adopt rules pursuant to chapter 17A
2 to administer this subsection.

3 Sec. 59. Section 422.9, subsection 2, paragraph h, Code
4 2018, is amended to read as follows:

5 h. For purposes of calculating the deductions in this
6 subsection that are authorized under the Internal Revenue Code,
7 and to the extent that any of such deductions is determined by
8 an individual's federal adjusted gross income, the individual's
9 federal adjusted gross income is computed in accordance with
10 section 422.7, subsections 39, 39A, 39B, 51, 52, and 53.

11 Sec. 60. TAX-FREE IRA DISTRIBUTIONS TO CERTAIN PUBLIC
12 CHARITIES FOR INDIVIDUALS SEVENTY AND ONE-HALF YEARS OF AGE

13 OR OLDER. Notwithstanding any other provision of law to the
14 contrary, for tax years beginning during the 2018 calendar
15 year, the exclusion from federal adjusted gross income for
16 certain qualified charitable distributions from an individual
17 retirement plan provided in section 408(d)(8) of the Internal
18 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
19 §112, applies in computing net income for state tax purposes.

20 Sec. 61. STATE SALES AND USE TAX DEDUCTION.

21 Notwithstanding any other provision of law to the contrary, for
22 tax years beginning during the 2018 calendar year, a taxpayer
23 who elects to itemize deductions for state tax purposes under
24 section 422.9, subsection 2, is allowed to take the deduction
25 for state sales and use tax in lieu of the deduction for state
26 and local income taxes under section 164(b)(5) of the Internal
27 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
28 §106, in computing taxable income for state tax purposes, but
29 only if the taxpayer elected to deduct state sales and use
30 taxes in lieu of state and local income taxes for federal tax
31 purposes for the same tax year.

32 Sec. 62. EARNED INCOME TAX CREDIT FOR 2018.

33 Notwithstanding the definition of “Internal Revenue Code”
34 in section 422.3, for tax years beginning during the 2018
35 calendar year, any reference to the term “Internal Revenue

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1 Code” in section 422.12B shall mean the Internal Revenue Code
2 of 1954, prior to the date of its redesignation as the Internal
3 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
4 the Internal Revenue Code of 1986 as amended and in effect on
5 January 1, 2016, but shall not be construed to include any
6 amendment to the Internal Revenue Code enacted after January 1,
7 2016, including any amendment with retroactive applicability
8 or effectiveness.

9 Sec. 63. ACCOUNTING METHOD AND OTHER MISCELLANEOUS
10 COUPLING PROVISIONS FOR TAX YEAR 2018. Notwithstanding any

11 other provision of law to the contrary, amendments to the
12 Internal Revenue Code enacted in Pub. L. No. 115-97, §13102,
13 §13221, §13504, §13541, §13543, §13611, and §13613, apply in
14 calculating federal adjusted gross income or federal taxable
15 income, as applicable, for state tax purposes for purposes of
16 chapter 422 for tax years beginning during the 2018 calendar
17 year to the extent those amendments affect the calculation of
18 federal adjusted gross income or federal taxable income, as
19 applicable, for federal tax purposes for tax years beginning
20 during the 2018 calendar year.

21 Sec. 64. TEACHER EXPENSE DEDUCTION. Notwithstanding
22 any other provision of law to the contrary, for tax years
23 beginning during the 2018 calendar year, a taxpayer is allowed
24 to take the deduction for certain expenses of elementary and
25 secondary school teachers allowed under section 62(a)(2)(D) of
26 the Internal Revenue Code, as amended by Pub. L. No. 114-113,

27 division Q, §104, in computing net income for state tax
 28 purposes.
 29 Sec. 65. EFFECTIVE DATE. This division of this Act, being
 30 deemed of immediate importance, takes effect upon enactment.
 31 Sec. 66. RETROACTIVE APPLICABILITY. Except as otherwise
 32 provided in this division of this Act, this division of this
 33 Act applies retroactively to January 1, 2018, for tax years
 34 beginning on or after that date, but before January 1, 2019.
 35 Sec. 67. RETROACTIVE APPLICABILITY. The following apply

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1 retroactively to January 1, 2018, for tax years beginning on
 2 or after that date:
 3 1. The section of this division of this Act enacting section
 4 422.7, subsections 51 and 52.
 5 2. The section of this division of this Act amending section
 6 422.9, subsection 2, paragraph “h”.
 7 DIVISION VIII
 8 INDIVIDUAL AND CORPORATE INCOME TAX AND FRANCHISE TAX CHANGES
 9 BEGINNING IN TAX YEAR 2019
 10 Sec. 68. Section 15.335, subsection 7, paragraph b, Code
 11 2018, is amended by striking the paragraph and inserting in
 12 lieu thereof the following:
 13 *b. For purposes of this section, “Internal Revenue Code”*
 14 *means the same as defined in section 422.3.*
 15 Sec. 69. Section 422.3, subsection 5, Code 2018, is amended
 16 to read as follows:
 17 5. “Internal Revenue Code” means one of the following:
 18 a. For tax years beginning during the 2019 calendar year,
 19 “Internal Revenue Code” means the Internal Revenue Code of
 20 1954, prior to the date of its redesignation as the Internal
 21 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 22 the Internal Revenue Code of 1986 as amended and in effect on
 23 January 1, 2015 March 24, 2018. This definition shall not be
 24 construed to include any amendment to the Internal Revenue Code
 25 enacted after the date specified in the preceding sentence,
 26 including any amendment with retroactive applicability or
 27 effectiveness.
 28 b. For tax years beginning on or after January 1, 2020,
 29 “Internal Revenue Code” means the Internal Revenue Code of
 30 1954, prior to the date of its redesignation as the Internal
 31 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
 32 Internal Revenue Code of 1986, as amended.
 33 Sec. 70. Section 422.4, subsection 16, Code 2018, is amended
 34 to read as follows:
 35 16. The words “taxable income” mean the net income as

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1 defined in section 422.7 minus the deductions allowed by
 2 section 422.9, in the case of individuals; in the case of
 3 estates or trusts, the words “taxable income” mean the taxable
 4 income ~~(without a deduction for personal exemption)~~ as
 5 computed for federal income tax purposes under the Internal
 6 Revenue Code, but with the following adjustments ~~specified in~~
 7 ~~section 422.7 plus the Iowa income tax deducted in computing~~
 8 ~~the federal taxable income and minus federal income taxes as~~
 9 ~~provided in section 422.9.:~~

- 10 a. Add back the personal exemption deduction taken in
 11 computing federal taxable income.
 12 b. Make the adjustments specified in section 422.7.
 13 c. Add back Iowa income tax deducted in computing federal
 14 taxable income.
 15 d. Subtract federal income taxes as provided in section
 16 422.9.
 17 e. Add back the following percentage of the qualified
 18 business income deduction under section 199A of the Internal
 19 Revenue Code taken in calculating federal taxable income for
 20 the applicable tax year:

- 21 (1) For tax years beginning on or after January 1, 2019, but
 22 before January 1, 2021, seventy-five percent.
 23 (2) For tax years beginning during the 2021 calendar year,
 24 fifty percent.
 25 (3) For tax years beginning on or after January 1, 2022,
 26 twenty-five percent.

27 Sec. 71. Section 422.5, subsection 1, Code 2018, is amended
 28 to read as follows:

29 1. a. A tax is imposed upon every resident and nonresident
 30 of the state which tax shall be levied, collected, and paid
 31 annually upon and with respect to the entire taxable income
 32 as defined in this division at rates as ~~follows:~~ provided in
 33 section 422.5A.

34 a. ~~On all taxable income from zero through one thousand~~
 35 ~~dollars, thirty six hundredths of one percent.~~

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- 1 ~~b.~~ ~~On all taxable income exceeding one thousand dollars but~~
 2 ~~not exceeding two thousand dollars, seventy two hundredths of~~
 3 ~~one percent.~~
 4 ~~e.~~ ~~On all taxable income exceeding two thousand dollars~~
 5 ~~but not exceeding four thousand dollars, two and forty three~~
 6 ~~hundredths percent.~~
 7 ~~d.~~ ~~On all taxable income exceeding four thousand dollars but~~
 8 ~~not exceeding nine thousand dollars, four and one half percent.~~
 9 ~~e.~~ ~~On all taxable income exceeding nine thousand dollars~~
 10 ~~but not exceeding fifteen thousand dollars, six and twelve~~
 11 ~~hundredths percent.~~
 12 ~~f.~~ ~~On all taxable income exceeding fifteen thousand dollars~~

13 ~~but not exceeding twenty thousand dollars, six and forty eight~~
 14 ~~hundredths percent.~~
 15 ~~g. On all taxable income exceeding twenty thousand dollars~~
 16 ~~but not exceeding thirty thousand dollars, six and eight tenths~~
 17 ~~percent.~~
 18 ~~h. On all taxable income exceeding thirty thousand dollars~~
 19 ~~but not exceeding forty five thousand dollars, seven and~~
 20 ~~ninety two hundredths percent.~~
 21 ~~i. On all taxable income exceeding forty five thousand~~
 22 ~~dollars, eight and ninety eight hundredths percent.~~
 23 ~~j. b.~~ (1) The tax imposed upon the taxable income of a
 24 nonresident shall be computed by reducing the amount determined
 25 pursuant to ~~paragraphs "a" through "i"~~ paragraph "a" by the
 26 amounts of nonrefundable credits under this division and by
 27 multiplying this resulting amount by a fraction of which the
 28 nonresident's net income allocated to Iowa, as determined in
 29 section 422.8, subsection 2, paragraph "a", is the numerator and
 30 the nonresident's total net income computed under section 422.7
 31 is the denominator. This provision also applies to individuals
 32 who are residents of Iowa for less than the entire tax year.
 33 (2) (a) The tax imposed upon the taxable income of a
 34 resident shareholder in an S corporation or of an estate
 35 or trust with a situs in Iowa that is a shareholder in an S

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1 corporation, which S corporation has in effect for the tax
 2 year an election under subchapter S of the Internal Revenue
 3 Code and carries on business within and without the state,
 4 may be computed by reducing the amount determined pursuant
 5 to ~~paragraphs "a" through "i"~~ paragraph "a" by the amounts of
 6 nonrefundable credits under this division and by multiplying
 7 this resulting amount by a fraction of which the resident's
 8 or estate's or trust's net income allocated to Iowa, as
 9 determined in section 422.8, subsection 2, paragraph "b", is
 10 the numerator and the resident's or estate's or trust's total
 11 net income computed under section 422.7 is the denominator. If
 12 a resident shareholder, or an estate or trust with a situs in
 13 Iowa that is a shareholder, has elected to take advantage of
 14 this subparagraph (2), and for the next tax year elects not to
 15 take advantage of this subparagraph, the resident or estate or
 16 trust shareholder shall not reelect to take advantage of this
 17 subparagraph for the three tax years immediately following the
 18 first tax year for which the shareholder elected not to take
 19 advantage of this subparagraph, unless the director consents to
 20 the reelection. This subparagraph also applies to individuals
 21 who are residents of Iowa for less than the entire tax year.
 22 (b) This subparagraph (2) shall not affect the amount of
 23 the taxpayer's checkoffs under this division, the credits from
 24 tax provided under this division, and the allocation of these
 25 credits between spouses if the taxpayers filed separate returns
 26 or separately on combined returns.

27 Sec. 72. Section 422.5, subsection 2, paragraph a, Code
28 2018, is amended to read as follows:
29 a. There is imposed upon every resident and nonresident of
30 this state, including estates and trusts, the greater of the
31 tax determined in subsection 1, paragraphs "a" through "j," or
32 the state alternative minimum tax equal to seventy-five percent
33 of the maximum state individual income tax rate for the tax
34 year, rounded to the nearest one-tenth of one percent, times
35 the state alternative minimum taxable income of the taxpayer as

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1 computed under this subsection.
2 Sec. 73. NEW SECTION. 422.5A Tax rates.
3 The tax imposed in section 422.5 shall be calculated at the
4 following rates:
5 1. On all taxable income from 0 through \$1,000, the rate of
6 0.33 percent.
7 2. On all taxable income exceeding \$1,000 but not exceeding
8 \$2,000, the rate of 0.67 percent.
9 3. On all taxable income exceeding \$2,000 but not exceeding
10 \$4,000, the rate of 2.25 percent.
11 4. On all taxable income exceeding \$4,000 but not exceeding
12 \$9,000, the rate of 4.14 percent.
13 5. On all taxable income exceeding \$9,000 but not exceeding
14 \$15,000, the rate of 5.63 percent.
15 6. On all taxable income exceeding \$15,000 but not exceeding
16 \$20,000, the rate of 5.96 percent.
17 7. On all taxable income exceeding \$20,000 but not exceeding
18 \$30,000, the rate of 6.25 percent.
19 8. On all taxable income exceeding \$30,000 but not exceeding
20 \$45,000, the rate of 7.44 percent.
21 9. On all taxable income exceeding \$45,000, the rate of 8.53
22 percent.
23 Sec. 74. Section 422.5, subsection 6, Code 2018, is amended
24 to read as follows:
25 6. Upon determination of the latest cumulative inflation
26 factor, the director shall multiply each dollar amount set
27 forth in ~~subsection 1, paragraphs "a" through "j"~~ section
28 422.5A by this cumulative inflation factor, shall round
29 off the resulting product to the nearest one dollar, and
30 shall incorporate the result into the income tax forms and
31 instructions for each tax year.
32 Sec. 75. Section 422.7, subsection 39A, unnumbered
33 paragraph 1, Code 2018, is amended by striking the unnumbered
34 paragraph and inserting in lieu thereof the following:
35 The additional first-year depreciation allowance authorized

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1 in section 168(k) of the Internal Revenue Code does not
2 apply in computing net income for state tax purposes. If the
3 taxpayer has taken the additional first-year depreciation
4 allowance for purposes of computing federal adjusted gross
5 income, then the taxpayer shall make the following adjustments
6 to federal adjusted gross income when computing net income for
7 state tax purposes:

8 Sec. 76. Section 422.7, Code 2018, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 59. *a.* The rules for nonrecognition
11 of gain or loss from exchanges of real property held for
12 productive use or investment and not held primarily for sale,
13 as provided in section 1031 of the Internal Revenue Code, apply
14 for state income tax purposes with regard to exchanges of real
15 property.

16 *b.* (1) The rules for nonrecognition of gain or loss
17 from exchanges of property other than real property held for
18 productive use or investment as provided in section 1031 of the
19 Internal Revenue Code, as amended up to and including December
20 21, 2017, apply for state income tax purposes for tax years
21 beginning during the 2019 calendar year, notwithstanding any
22 other provision of law to the contrary. If the taxpayer's
23 federal adjusted gross income includes gain or loss from
24 property, other than real property described in paragraph "a",
25 and the taxpayer elects to have this paragraph apply, the
26 following adjustments shall be made:

27 (a) (i) Subtract the total amount of gain related to the
28 sale or exchange of the property as properly reported for
29 federal tax purposes under the Internal Revenue Code.

30 (ii) Add back any gain related to the sale or exchange
31 of the property to the extent such gain does not qualify for
32 deferral under section 1031 of the Internal Revenue Code, as
33 amended up to and including December 21, 2017, which gain
34 shall be calculated using the taxpayer's adjusted basis in the
35 property for state tax purposes.

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1 (b) (i) Add the total amount of loss related to the sale or
2 exchange of the property as properly reported for federal tax
3 purposes under the Internal Revenue Code.

4 (ii) Subtract any loss related to the sale or exchange
5 of the property to the extent such loss does not qualify for
6 deferral under section 1031 of the Internal Revenue Code, as
7 amended up to and including December 21, 2017, which loss
8 shall be calculated using the taxpayer's adjusted basis in the
9 property for state tax purposes.

10 (c) Any other adjustments to gains, losses, deductions, or
11 tax basis for the property given up or received in the sale or
12 exchange pursuant to rules adopted by the director.

13 (2) The director shall adopt rules pursuant to chapter 17A
14 to administer this paragraph.

15 c. This subsection is repealed January 1, 2020, for tax
16 years beginning on or after that date.

17 Sec. 77. Section 422.8, subsection 2, paragraph a, Code
18 2018, is amended to read as follows:

19 a. Nonresident's net income allocated to Iowa is the net
20 income, or portion of net income, which is derived from a
21 business, trade, profession, or occupation carried on within
22 this state or income from any property, trust, estate, or
23 other source within Iowa. However, income derived from a
24 business, trade, profession, or occupation carried on within
25 this state and income from any property, trust, estate, or
26 other source within Iowa shall not include distributions from
27 pensions, including defined benefit or defined contribution
28 plans, annuities, individual retirement accounts, and deferred
29 compensation plans or any earnings attributable thereto so long
30 as the distribution is directly related to an individual's
31 documented retirement and received while the individual is a
32 nonresident of this state. If a business, trade, profession,
33 or occupation is carried on partly within and partly without
34 the state, only the portion of the net income which is fairly
35 and equitably attributable to that part of the business,

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1 trade, profession, or occupation carried on within the state
2 is allocated to Iowa for purposes of section 422.5, subsection
3 1, paragraph ~~"a"~~ "b", and section 422.13 and income from any
4 property, trust, estate, or other source partly within and
5 partly without the state is allocated to Iowa in the same
6 manner, except that annuities, interest on bank deposits and
7 interest-bearing obligations, and dividends are allocated
8 to Iowa only to the extent to which they are derived from a
9 business, trade, profession, or occupation carried on within
10 the state. Net income described in section 29C.24, subsection
11 3, paragraph "a", subparagraph (3), and paragraph "b",
12 subparagraph (2), shall not be allocated and apportioned to the
13 state, as provided in section 29C.24.

14 Sec. 78. Section 422.9, unnumbered paragraph 1, Code 2018,
15 is amended to read as follows:

16 In computing taxable income of individuals, there shall be
17 deducted from net income the larger of the ~~following~~ amounts:
18 computed under subsection 1 or 2, plus the amount computed
19 under subsection 2A.

20 Sec. 79. Section 422.9, Code 2018, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 2A. a. The following percentage of the
23 qualified business income deduction under section 199A of the
24 Internal Revenue Code taken in calculating federal taxable
25 income for the applicable tax year:

26 (1) For tax years beginning on or after January 1, 2019, but

27 before January 1, 2021, twenty-five percent.

28 (2) For tax years beginning during the 2021 calendar year,
29 fifty percent.

30 (3) For tax years beginning on or after January 1, 2022,
31 seventy-five percent.

32 *b.* Notwithstanding paragraph “*a*”, and section 422.4,
33 subsection 16, paragraph “*e*”, for an entity electing or required
34 to file a composite return under section 422.13, subsection 5,
35 the deduction allowed under this subsection for purposes of the

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1 composite return shall be an amount equal to the applicable
2 percentage described in paragraph “*a*” of the deduction that
3 would be allowable for federal income tax purposes under
4 section 199A of the Internal Revenue Code by an individual
5 taxpayer reporting the same items of income and loss that are
6 included in the composite return.

7 Sec. 80. Section 422.9, subsection 2, paragraph i, Code
8 2018, is amended to read as follows:

9 *i.* The deduction for state sales and use taxes is allowable
10 only if the taxpayer elected to deduct the state sales and use
11 taxes in lieu of state income taxes under section 164 of the
12 Internal Revenue Code. A deduction for state sales and use
13 taxes is not allowed if the taxpayer has taken the deduction
14 for state income taxes or claimed the standard deduction under
15 section 63 of the Internal Revenue Code. This paragraph
16 applies to taxable years beginning after ~~December 31, 2003, and~~
17 ~~before January 1, 2008, and to taxable years beginning after~~
18 ~~December 31, 2009, and before January 1, 2015~~ December 31,
19 2018.

20 Sec. 81. Section 422.9, subsection 2, Code 2018, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. *l.* The limitation on the deduction of
23 certain taxes in section 164(b)(6) of the Internal Revenue
24 Code does not apply in computing taxable income for state tax
25 purposes. A taxpayer is allowed to deduct taxes in computing
26 taxable income as otherwise provided in this subsection without
27 regard to section 164(b)(6), as enacted by Pub. L. No. 115-97,
28 §11042.

29 Sec. 82. Section 422.9, subsection 3, paragraph d, Code
30 2018, is amended to read as follows:

31 *d.* Notwithstanding paragraph “*a*”, for a taxpayer who is
32 engaged in the trade or business of farming as defined in
33 section 263A(e)(4) of the Internal Revenue Code and has a loss
34 from farming as defined in section ~~172(b)(1)(F)~~ 172(b)(1)(B) of
35 the Internal Revenue Code including modifications prescribed by

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1 rule by the director, the Iowa loss from the trade or business
2 of farming is a net operating loss which may be carried back
3 five taxable years prior to the taxable year of the loss.

4 Sec. 83. Section 422.9, subsection 5, Code 2018, is amended
5 to read as follows:

6 5. A taxpayer affected by section 422.8 shall, ~~if the~~
7 ~~optional standard deduction is not used~~, be permitted to deduct
8 only such portion of the total referred to in ~~subsection~~
9 subsections 2 above and 2A as is fairly and equitably allocable
10 to Iowa under the rules prescribed by the director.

11 Sec. 84. Section 422.9, subsections 6 and 7, Code 2018, are
12 amended by striking the subsections.

13 Sec. 85. Section 422.10, subsection 3, paragraph b, Code
14 2018, is amended by striking the paragraph.

15 Sec. 86. Section 422.11B, Code 2018, is amended to read as
16 follows:

17 **422.11B Minimum tax credit.**

18 1. *a.* There is allowed as a credit against the tax
19 determined in section 422.5, subsection 1, ~~paragraphs “a”~~
20 ~~through “j”~~ for a tax year an amount equal to the minimum tax
21 credit for that tax year.

22 *b.* The minimum tax credit for a tax year is the excess,
23 if any, of the net minimum tax imposed for all prior tax
24 years beginning on or after January 1, 1987, over the amount
25 allowable as a credit under this section for those prior tax
26 years.

27 2. *a.* The allowable credit under subsection 1 for a tax
28 year shall not exceed the excess, if any, of the tax determined
29 in section 422.5, subsection 1, ~~paragraphs “a” through “j”~~ over
30 the state alternative minimum tax as determined in section
31 422.5, subsection 2.

32 *b.* The net minimum tax for a tax year is the excess, if any,
33 of the tax determined in section 422.5, subsection 2, for the
34 tax year over the tax determined in section 422.5, subsection
35 1, ~~paragraphs “a” through “j”~~ for the tax year.

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1 Sec. 87. Section 422.32, subsection 1, paragraph h, Code
2 2018, is amended to read as follows:

3 *h.* “Internal Revenue Code” means one of the following:

4 (1) For tax years beginning during the 2019 calendar year,
5 “Internal Revenue Code” means the Internal Revenue Code of
6 1954, prior to the date of its redesignation as the Internal
7 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
8 the Internal Revenue Code of 1986 as amended and in effect on
9 January 1, 2015 March 24, 2018. This definition shall not be
10 construed to include any amendment to the Internal Revenue Code
11 enacted after the date specified in the preceding sentence,
12 including any amendment with retroactive applicability or

13 effectiveness.

14 (2) For tax years beginning on or after January 1, 2020,
15 “Internal Revenue Code” means the Internal Revenue Code of
16 1954, prior to the date of its redesignation as the Internal
17 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
18 Internal Revenue Code of 1986, as amended.

19 Sec. 88. Section 422.33, subsection 1, paragraphs a, b, c,
20 and d, Code 2018, are amended to read as follows:

21 a. On the first twenty-five thousand dollars of taxable
22 income, or any part thereof, the rate of six percent for tax
23 years beginning prior to January 1, 2021, and the rate of
24 five and one-half percent for tax years beginning on or after
25 January 1, 2021.

26 b. On taxable income between twenty-five thousand dollars
27 and one hundred thousand dollars or any part thereof, the rate
28 of eight percent for tax years beginning prior to January 1,
29 2021, and the rate of five and one-half percent for tax years
30 beginning on or after January 1, 2021.

31 c. On taxable income between one hundred thousand dollars
32 and two hundred fifty thousand dollars or any part thereof, the
33 rate of ten percent for tax years beginning prior to January 1,
34 2021, and the rate of nine percent for tax years beginning on
35 or after January 1, 2021.

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1 d. On taxable income of two hundred fifty thousand dollars
2 or more, the rate of twelve percent for tax years beginning
3 prior to January 1, 2021, and the rate of nine and eight-tenths
4 percent for tax years beginning on or after January 1, 2021.

5 Sec. 89. Section 422.33, subsection 4, paragraph a, Code
6 2018, is amended to read as follows:

7 a. In addition to all taxes imposed under this division,
8 there is imposed upon each corporation doing business within
9 the state the greater of the tax determined in subsection 1,
10 paragraphs “a” through “d” or the state alternative minimum tax
11 equal to sixty percent of the maximum state corporate income
12 tax rate for the tax year, rounded to the nearest one-tenth of
13 one percent, of the state alternative minimum taxable income of
14 the taxpayer computed under this subsection.

15 Sec. 90. Section 422.33, subsection 4, paragraph b,
16 subparagraph (1), Code 2018, is amended to read as follows:

17 (1) Add items of tax preference included in federal
18 alternative minimum taxable income under section 57, except
19 subsections (a)(1) and (a)(5), of the Internal Revenue Code,
20 make the adjustments included in federal alternative minimum
21 taxable income under section 56, except subsections (a)(4) and
22 (d), of the Internal Revenue Code, and add losses as required
23 by section 58 of the Internal Revenue Code. In making the
24 adjustment under section 56(c)(1) of the Internal Revenue Code,
25 interest and dividends from federal securities and interest
26 and dividends from state and other political subdivisions and

27 from regulated investment companies exempt from federal income
28 tax under the Internal Revenue Code, net of amortization of
29 any discount or premium, shall be subtracted. For purposes of
30 this subparagraph, "Internal Revenue Code" means the Internal
31 Revenue Code of 1954, prior to the date of its redesignation
32 as the Internal Revenue Code of 1986 by the Tax Reform Act of
33 1986, or means the Internal Revenue Code of 1986 as amended and
34 in effect on December 21, 2017. This definition shall not be
35 construed to include any amendment to the Internal Revenue Code

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1 enacted after the date specified in the preceding sentence.
2 including any amendment with retroactive applicability or
3 effectiveness.
4 Sec. 91. Section 422.33, subsection 4, Code 2018, is amended
5 by adding the following new paragraph:
6 NEW PARAGRAPH. c. This subsection is repealed January 1,
7 2021, for tax years beginning on or after that date.
8 Sec. 92. Section 422.33, subsection 5, paragraph e,
9 subparagraph (2), Code 2018, is amended by striking the
10 subparagraph.
11 Sec. 93. Section 422.33, subsection 7, Code 2018, is amended
12 to read as follows:
13 7. a. (1) There For tax years beginning before January 1,
14 2022, there is allowed as a credit against the tax determined
15 in subsection 1 for a tax year an amount equal to the minimum
16 tax credit for that tax year.
17 (2) The minimum tax credit for a tax year is the excess,
18 if any, of the net minimum tax imposed for all prior tax years
19 beginning on or after January 1, 1987, but before January
20 1, 2021, over the amount allowable as a credit under this
21 subsection for those prior tax years.
22 b.(1) The allowable credit under paragraph "a" for a tax
23 year beginning before January 1, 2021, shall not exceed the
24 excess, if any, of the tax determined in subsection 1 over
25 the state alternative minimum tax as determined in subsection
26 4. The allowable credit under paragraph "a" for a tax year
27 beginning in the 2021 calendar year shall not exceed the tax
28 determined in subsection 1.
29 (2) The net minimum tax for a tax year is the excess, if
30 any, of the tax determined in subsection 4 for the tax year
31 over the tax determined in subsection 1 for the tax year.
32 c. This subsection is repealed January 1, 2022, for tax
33 years beginning on or after that date.
34 Sec. 94. Section 422.35, subsection 4, Code 2018, is amended
35 to read as follows:

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1 4. ~~a. Subtract~~ For tax years beginning before January 1,
 2 2022, subtract fifty percent of the federal income taxes paid
 3 ~~or accrued, as the case may be,~~ during the tax year to the
 4 extent payment is for a tax year beginning prior to January 1,
 5 2021, adjusted by any federal income tax refunds; and add the
 6 Iowa income tax deducted in computing said taxable income to
 7 the extent the tax was deducted for a tax year beginning prior
 8 to January 1, 2021.

9 b. Add the Iowa income tax deducted in computing federal
 10 taxable income.

11 Sec. 95. Section 422.35, Code 2018, is amended by adding the
 12 following new subsections:

13 NEW SUBSECTION. 14. a. The increased expensing allowance
 14 under section 179 of the Internal Revenue Code applies in
 15 computing net income for state tax purposes for tax years
 16 beginning on or after January 1, 2019, subject to the
 17 limitations in this subsection for tax years beginning on or
 18 after January 1, 2019, but before January 1, 2020.

19 b. If the taxpayer has taken the increased expensing
 20 allowance under section 179 of the Internal Revenue Code for
 21 purposes of computing federal taxable income for tax years
 22 beginning on or after January 1, 2019, but before January 1,
 23 2020, then the taxpayer shall make the following adjustments to
 24 federal taxable income when computing net income for state tax
 25 purposes for the same tax year:

26 (1) Add the total amount of expense deduction taken on
 27 section 179 property allowable for federal tax purposes under
 28 section 179 of the Internal Revenue Code.

29 (2) Subtract the amount of expense deduction on section
 30 179 property allowable for federal tax purposes under section
 31 179 of the Internal Revenue Code, not to exceed one hundred
 32 thousand dollars. The subtraction in this subparagraph shall
 33 be reduced, but not below zero, by the amount by which the
 34 total cost of section 179 property placed in service by the
 35 taxpayer during the tax year exceeds four hundred thousand

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1 dollars.

2 (3) Any other adjustments to gains or losses necessary to
 3 reflect adjustments made in subparagraphs (1) and (2).

4 c. The director shall adopt rules pursuant to chapter 17A
 5 to administer this subsection.

6 NEW SUBSECTION. 15. a. For tax years beginning on or
 7 after January 1, 2019, but before January 1, 2020, a taxpayer
 8 may elect to take advantage of this subsection in lieu of
 9 subsection 14, but only if the taxpayer's total expensing
 10 allowance deduction for federal tax purposes under section
 11 179 of the Internal Revenue Code that is allocated to the
 12 taxpayer from one or more partnerships or limited liability

13 companies electing to have the income taxed directly to the
14 owners exceeds one hundred thousand dollars and would, except
15 as provided in this subsection, be limited for purposes
16 of computing net income for state tax purposes pursuant to
17 subsection 14.

18 *b.* A taxpayer who elects to take advantage of this
19 subsection shall make the following adjustments to federal
20 taxable income when computing net income for state tax
21 purposes:

22 (1) Add the total amount of section 179 expense deduction
23 allocated to the taxpayer from all partnerships or limited
24 liability companies electing to have the income taxed directly
25 to the owners, to the extent the allocated amount was allowed
26 as a deduction to the taxpayer for federal tax purposes for the
27 tax year under section 179 of the Internal Revenue Code.

28 (2) From the amount added in subparagraph (1), subtract
29 the first one hundred thousand dollars of expensing allowance
30 deduction on section 179 property.

31 (3) The remaining amount, equal to the difference between
32 the amount added in subparagraph (1), and the amount subtracted
33 in subparagraph (2), may be deducted by the taxpayer but such
34 deduction shall be amortized equally over five tax years
35 beginning in the following tax year.

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1 (4) Any other adjustments to gains or losses necessary to
2 reflect adjustments made in subparagraphs (1) through (3).

3 *c.* A taxpayer who elects to take advantage of this
4 subsection shall not take the increased expensing allowance
5 under section 179 of the Internal Revenue Code for any section
6 179 property placed in service by the taxpayer in computing
7 taxable income for state tax purposes. If the taxpayer has
8 taken any such deduction for purposes of computing federal
9 taxable income, the taxpayer shall make the following
10 adjustments to federal taxable income when computing net income
11 for state tax purposes:

12 (1) Add the total amount of expense deduction for federal
13 tax purposes taken on section 179 property placed in service by
14 the taxpayer under section 179 of the Internal Revenue Code.

15 (2) Subtract the amount of depreciation allowable on such
16 property under the modified accelerated cost recovery system
17 described in section 168 of the Internal Revenue Code, without
18 regard to section 168(k) of the Internal Revenue Code. The
19 taxpayer shall continue to take depreciation on the applicable
20 property in future tax years to the extent allowed under the
21 modified accelerated cost recovery system described in section
22 168 of the Internal Revenue Code, without regard to section
23 168(k) of the Internal Revenue Code.

24 (3) Any other adjustments to gains or losses necessary to
25 reflect the adjustments made in subparagraphs (1) and (2).

26 *d.* The director shall adopt rules pursuant to chapter 17A

27 to administer this subsection.

28 Sec. 96. Section 422.35, subsection 19A, unnumbered
29 paragraph 1, Code 2018, is amended by striking the unnumbered
30 paragraph and inserting in lieu thereof the following:

31 The additional first-year depreciation allowance authorized
32 in section 168(k) of the Internal Revenue Code does not
33 apply in computing net income for state tax purposes. If the
34 taxpayer has taken the additional first-year depreciation
35 allowance for purposes of computing federal taxable income,

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1 then the taxpayer shall make the following adjustments to
2 federal taxable income when computing net income for state tax
3 purposes:

4 Sec. 97. EFFECTIVE DATE. This division of this Act takes
5 effect January 1, 2019.

6 Sec. 98. APPLICABILITY. This division of this Act applies
7 to tax years beginning on or after January 1, 2019.

8 DIVISION IX

9 FUTURE CONTINGENT INCOME AND CORPORATE TAX AND FRANCHISE TAX 10 CHANGES

11 Sec. 99. Section 12D.9, subsection 2, Code 2018, is amended
12 to read as follows:

13 2. State income tax treatment of the Iowa educational
14 savings plan trust shall be as provided in section 422.7,
15 subsections 18, 32, and 33.

16 Sec. 100. Section 217.39, Code 2018, is amended to read as
17 follows:

18 **217.39 Persecuted victims of World War II — reparations —**
19 **heirs.**

20 Notwithstanding any other law of this state, payments paid
21 to and income from lost property of a victim of persecution
22 for racial, ethnic, or religious reasons by Nazi Germany or
23 any other Axis regime or as an heir of such victim which is
24 ~~exempt from state income tax as provided~~ described in section
25 422.7, subsection 35, Code 2018, shall not be considered as
26 income or an asset for determining the eligibility for state or
27 local government benefit or entitlement programs. The proceeds
28 are not subject to recoupment for the receipt of governmental
29 benefits or entitlements, and liens, except liens for child
30 support, are not enforceable against these sums for any reason.

31 Sec. 101. Section 422.4, subsection 1, paragraphs b and c,
32 Code 2018, are amended to read as follows:

33 b. "*Cumulative inflation factor*" means the product of the
34 annual inflation factor for the ~~1988~~ calendar year beginning on
35 January 1 of the calendar year that this division of this Act

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1 takes effect and all annual inflation factors for subsequent
2 calendar years as determined pursuant to this subsection. The
3 cumulative inflation factor applies to all tax years beginning
4 on or after January 1 of the calendar year for which the latest
5 annual inflation factor has been determined.

6 c. The annual inflation factor for the ~~1988~~ calendar year
7 beginning on January 1 of the calendar year that this division
8 of this Act takes effect is one hundred percent.

9 Sec. 102. Section 422.4, subsection 2, Code 2018, is amended
10 by striking the subsection.

11 Sec. 103. Section 422.4, subsection 16, Code 2018, is
12 amended by striking the subsection and inserting in lieu
13 thereof the following:

14 16. “*Taxable income*” means, in the case of individuals,
15 the net income as defined in section 422.7 minus the deduction
16 allowed by section 422.9, if available. “*Taxable income*” means,
17 in the case of estates or trusts, the taxable income without
18 a deduction for personal exemption as computed for federal
19 income tax purposes under the Internal Revenue Code, but with
20 the adjustments specified in section 422.7, and the deduction
21 allowed by section 422.9, if available.

22 Sec. 104. Section 422.5, subsection 1, paragraph j,
23 subparagraph (2), subparagraph division (b), Code 2018, is
24 amended to read as follows:

25 (b) This subparagraph (2) shall not affect the amount of
26 the taxpayer’s checkoffs under this division, the credits from
27 tax provided under this division, and the allocation of these
28 credits between spouses if the taxpayers filed separate returns
29 ~~or separately on combined returns~~.

30 Sec. 105. Section 422.5, subsection 2, Code 2018, is amended
31 by striking the subsection.

32 Sec. 106. Section 422.5, subsections 3 and 3B, Code 2018,
33 are amended to read as follows:

34 3. a. The tax shall not be imposed on a resident or
35 nonresident whose net income, as defined in section 422.7, is

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1 thirteen thousand five hundred dollars or less in the case
2 of married persons filing jointly ~~or filing separately on a~~
3 ~~combined return~~, heads of household, and surviving spouses or
4 nine thousand dollars or less in the case of all other persons;
5 but in the event that the payment of tax under this division
6 would reduce the net income to less than thirteen thousand five
7 hundred dollars or nine thousand dollars as applicable, then
8 the tax shall be reduced to that amount which would result
9 in allowing the taxpayer to retain a net income of thirteen
10 thousand five hundred dollars or nine thousand dollars as
11 applicable. The preceding sentence does not apply to estates
12 or trusts. For the purpose of this subsection, the entire net

13 income, including any part of the net income not allocated
 14 to Iowa, shall be taken into account. For purposes of this
 15 subsection, net income includes all amounts of pensions or
 16 other retirement income, except for military retirement pay
 17 excluded under section 422.7, subsection 31A, paragraph "a",
 18 or section 422.7, subsection 31B, paragraph "a", received from
 19 any source which is not taxable under this division as a result
 20 of the government pension exclusions in section 422.7, or any
 21 other state law. In calculating net income for purposes of
 22 this subsection, any amount of itemized or standard deduction,
 23 personal exemption deduction, or qualified business income
 24 deduction that was allowed as a deduction in computing federal
 25 taxable income under the Internal Revenue Code shall be added
 26 back. If the combined net income of a husband and wife exceeds
 27 thirteen thousand five hundred dollars, neither of them shall
 28 receive the benefit of this subsection, and it is immaterial
 29 whether they file a joint return or separate returns. However,
 30 if a husband and wife file separate returns and have a combined
 31 net income of thirteen thousand five hundred dollars or less,
 32 neither spouse shall receive the benefit of this paragraph,
 33 if one spouse has a net operating loss and elects to carry
 34 back or carry forward the loss as provided under the Internal
 35 Revenue Code or in section 422.9, ~~subsection 3~~. A person who

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1 is claimed as a dependent by another person as defined in
 2 section 422.12 shall not receive the benefit of this subsection
 3 if the person claiming the dependent has net income exceeding
 4 thirteen thousand five hundred dollars or nine thousand dollars
 5 as applicable or the person claiming the dependent and the
 6 person's spouse have combined net income exceeding thirteen
 7 thousand five hundred dollars or nine thousand dollars as
 8 applicable.

9 b. In lieu of the computation in subsection 1 ~~or 2~~, or in
 10 paragraph "a" of this subsection, if the married persons',
 11 ~~filing jointly or filing separately on a combined return,~~
 12 head of household's, or surviving spouse's net income exceeds
 13 thirteen thousand five hundred dollars, the regular tax imposed
 14 under this division shall be the lesser of the maximum state
 15 individual income tax rate times the portion of the net income
 16 in excess of thirteen thousand five hundred dollars or the
 17 regular tax liability computed without regard to this sentence.
 18 Taxpayers electing to file separately shall compute the
 19 alternate tax described in this paragraph using the total net
 20 income of the husband and wife. The alternate tax described
 21 in this paragraph does not apply if one spouse elects to carry
 22 back or carry forward ~~the a net operating~~ loss as provided
 23 under the Internal Revenue Code or in section 422.9, ~~subsection~~
 24 ~~3~~.

25 3B. a. The tax shall not be imposed on a resident or
 26 nonresident who is at least sixty-five years old on December

27 31 of the tax year and whose net income, as defined in section
28 422.7, is thirty-two thousand dollars or less in the case
29 of married persons filing jointly ~~or filing separately on a~~
30 ~~combined return~~, heads of household, and surviving spouses or
31 twenty-four thousand dollars or less in the case of all other
32 persons; but in the event that the payment of tax under this
33 division would reduce the net income to less than thirty-two
34 thousand dollars or twenty-four thousand dollars as applicable,
35 then the tax shall be reduced to that amount which would result

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1 in allowing the taxpayer to retain a net income of thirty-two
2 thousand dollars or twenty-four thousand dollars as applicable.
3 The preceding sentence does not apply to estates or trusts.
4 For the purpose of this subsection, the entire net income,
5 including any part of the net income not allocated to Iowa,
6 shall be taken into account. For purposes of this subsection,
7 net income includes all amounts of pensions or other retirement
8 income, except for military retirement pay excluded under
9 section 422.7, subsection 31A, paragraph "a", or section 422.7,
10 subsection 31B, paragraph "a", received from any source which is
11 not taxable under this division as a result of the government
12 pension exclusions in section 422.7, or any other state law.
13 In calculating net income for purposes of this subsection, any
14 amount of itemized or standard deduction, personal exemption
15 deduction, or qualified business income deduction that was
16 allowed as a deduction in computing federal taxable income
17 under the Internal Revenue Code shall be added back. If the
18 combined net income of a husband and wife exceeds thirty-two
19 thousand dollars, neither of them shall receive the benefit
20 of this subsection, and it is immaterial whether they file a
21 joint return or separate returns. However, if a husband and
22 wife file separate returns and have a combined net income of
23 thirty-two thousand dollars or less, neither spouse shall
24 receive the benefit of this paragraph, if one spouse has a net
25 operating loss and elects to carry back or carry forward the
26 loss as provided under the Internal Revenue Code or in section
27 422.9, ~~subsection 3.~~ A person who is claimed as a dependent by
28 another person as defined in section 422.12 shall not receive
29 the benefit of this subsection if the person claiming the
30 dependent has net income exceeding thirty-two thousand dollars
31 or twenty-four thousand dollars as applicable or the person
32 claiming the dependent and the person's spouse have combined
33 net income exceeding thirty-two thousand dollars or twenty-four
34 thousand dollars as applicable.
35 b. In lieu of the computation in subsection 1, ~~2,~~ or 3, if

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1 the married persons', filing jointly ~~or filing separately on~~
 2 ~~a combined return~~, head of household's, or surviving spouse's
 3 net income exceeds thirty-two thousand dollars, the regular
 4 tax imposed under this division shall be the lesser of the
 5 maximum state individual income tax rate times the portion of
 6 the net income in excess of thirty-two thousand dollars or the
 7 regular tax liability computed without regard to this sentence.
 8 Taxpayers electing to file separately shall compute the
 9 alternate tax described in this paragraph using the total net
 10 income of the husband and wife. The alternate tax described
 11 in this paragraph does not apply if one spouse elects to carry
 12 back or carry forward ~~the a net operating loss as provided~~
 13 under the Internal Revenue Code or in section 422.9, subsection
 14 ~~3.~~

15 c. This subsection applies even though one spouse has not
 16 attained the age of sixty-five, if the other spouse is at least
 17 sixty-five at the end of the tax year.

18 Sec. 107. Section 422.5A, as enacted in this Act, Code
 19 2018, is amended by striking the section and inserting in lieu
 20 thereof the following:

21 **422.5A Tax rates.**

22 1. The tax imposed in section 422.5 shall be calculated
 23 at the following rates in the case of a married couple filing
 24 jointly:

25 a. On all taxable income from 0 through \$12,000, the rate of
 26 4.40 percent.

27 b. On all taxable income exceeding \$12,000 but not exceeding
 28 \$60,000, the rate of 4.82 percent.

29 c. On all taxable income exceeding \$60,000 but not exceeding
 30 \$150,000, the rate of 5.70 percent.

31 d. On all taxable income exceeding \$150,000, the rate of
 32 6.50 percent.

33 2. The tax imposed in section 422.5 shall be calculated at
 34 the following rates in the case of any taxpayer other than a
 35 married couple filing jointly:

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1 a. On all taxable income from 0 through \$6,000, the rate of
 2 4.40 percent.

3 b. On all taxable income exceeding \$6,000 but not exceeding
 4 \$30,000, the rate of 4.82 percent.

5 c. On all taxable income exceeding \$30,000 but not exceeding
 6 \$75,000, the rate of 5.70 percent.

7 d. On all taxable income exceeding \$75,000, the rate of 6.50
 8 percent.

9 Sec. 108. Section 422.7, unnumbered paragraph 1, Code 2018,
 10 is amended to read as follows:

11 The term "*net income*" means the ~~adjusted gross income before~~
 12 ~~the net operating loss deduction~~ taxable income as properly

13 computed for federal income tax purposes under section 63 of
14 the Internal Revenue Code, with the following adjustments:
15 Sec. 109. Section 422.7, Code 2018, is amended by adding the
16 following new subsections:
17 NEW SUBSECTION. 4. Add any federal net operating loss
18 deduction carried over from a taxable year beginning prior to
19 January 1 of the calendar year that this division of this Act
20 takes effect.
21 NEW SUBSECTION. 6. *a.* For tax years beginning in the
22 calendar year that this division of this Act takes effect,
23 subtract the amount of federal income taxes paid during the
24 tax year to the extent payment is for a tax year beginning
25 prior to January 1 of the calendar year that this division of
26 this Act takes effect, and add any federal income tax refunds
27 received during the tax year to the extent the federal income
28 tax was deducted for a tax year beginning prior to January 1 of
29 the calendar year that this division of this Act takes effect.
30 Where married persons who have filed a joint federal income
31 tax return file separately for state tax purposes, such total
32 shall be divided between them according to the portion of the
33 total paid by each. Federal income taxes paid for a tax year
34 in which an Iowa return was not required to be filed shall not
35 be subtracted.

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1 *b.* Notwithstanding any other provision of law to the
2 contrary, amounts subtracted or added pursuant to this
3 subsection shall not be included in the calculation of net
4 income for purposes of section 422.5, subsection 3 or 3B, or
5 section 422.13.
6 Sec. 110. Section 422.7, subsection 5, Code 2018, is amended
7 to read as follows:
8 5. Individual taxpayers and married taxpayers who file a
9 joint federal income tax return and who elect to file a joint
10 return, or separate returns, or separate filing on a combined
11 ~~return~~ for Iowa income tax purposes, may avail themselves of
12 the disability income exclusion and shall compute the amount
13 of the disability income exclusion subject to the limitations
14 for joint federal income tax return filers provided by section
15 105(d) of the Internal Revenue Code. The disability income
16 exclusion provided in section 105(d) of the Internal Revenue
17 Code, as amended up to and including December 31, 1982,
18 continues to apply for state income tax purposes for tax years
19 beginning on or after January 1, 1984.
20 Sec. 111. Section 422.7, subsection 13, Code 2018, is
21 amended by striking the subsection and inserting in lieu
22 thereof the following:
23 13. Subtract, to the extent included, the amount of social
24 security benefits taxable under section 86 of the Internal
25 Revenue Code.
26 Sec. 112. Section 422.7, Code 2018, is amended by adding the

27 following new subsections:

28 NEW SUBSECTION. 18. Add, to the extent deducted for federal
29 tax purposes, charitable contributions under section 170 of
30 the Internal Revenue Code to the extent such contribution was
31 made to an organization for the purpose of deposit in the Iowa
32 education savings plan trust established in chapter 12D, and
33 the taxpayer designated that any part of the contribution be
34 used for the direct benefit of any dependent of the taxpayer or
35 any other single beneficiary designated by the taxpayer.

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1 NEW SUBSECTION. 19. *a.* Subtract, to the extent included,
2 income resulting from the payment by an employer of the
3 taxpayer, whether paid to the taxpayer or to a lender, of
4 principal or interest on any qualified education loan incurred
5 by the taxpayer.

6 *b.* If the taxpayer has a deduction in computing federal
7 taxable income under section 221 of the Internal Revenue Code
8 for interest on a qualified education loan, the taxpayer shall
9 recompute for purposes of this subsection the amount of the
10 deduction under paragraph “*a*” by not subtracting any amount of
11 income resulting from the employer’s payment of interest on a
12 qualified education loan that was also deducted by the taxpayer
13 under section 221 of the Internal Revenue Code.

14 *c.* For purposes of this subsection, “*qualified education*
15 *loan*” means the same as defined in section 221 of the Internal
16 Revenue Code.

17 Sec. 113. Section 422.7, subsection 21, Code 2018, is
18 amended by striking the subsection and inserting in lieu
19 thereof the following:

20 21. *a.* For purposes of this subsection:

21 (1) “*Farming business*” means the raising and harvesting
22 of crops or forest or fruit trees, the rearing, feeding, and
23 management of livestock, or horticulture, all for intended
24 profit.

25 (2) “*Held*” shall be determined with reference to the holding
26 period provisions of section 1223 of the Internal Revenue Code
27 and the federal regulations pursuant thereto.

28 (3) “*Materially participated*” means the same as “*material*
29 *participation*” in section 469(h) of the Internal Revenue Code.

30 (4) (a) “*Real property used in a farming business*” means all
31 tracts of land and the improvements and structures located on
32 them which are in good faith used primarily for agricultural
33 purposes except buildings which are primarily used or intended
34 for human habitation. Land and the nonresidential improvements
35 and structures located on it shall be considered to be used

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1 primarily for agricultural purposes if its principal use is
2 devoted to the raising and harvesting of crops or forest or
3 fruit trees, the rearing, feeding, and management of livestock,
4 or horticulture, all for intended profit. Woodland, wasteland,
5 and pastureland shall qualify but only if such land is held or
6 operated in conjunction with real property that otherwise meets
7 the requirements of this paragraph.

8 (b) Real property classified as agricultural property for
9 Iowa property tax purposes, except real property described
10 in section 441.21, subsection 12, paragraphs "a" or "b",
11 shall be presumed to be real property used in a farming
12 business. This presumption is rebuttable by the department by
13 a preponderance of evidence that the real property did not meet
14 the requirements of subparagraph division (a).

15 (5) "*Relative*" means an individual that satisfies one or
16 more of the following conditions:

17 (a) The individual is related to the taxpayer by
18 consanguinity within the second degree as determined by common
19 law.

20 (b) The individual is a lineal descendent of the taxpayer.
21 For purposes of this subparagraph division, "*lineal descendent*"
22 means children of the taxpayer, including legally adopted
23 children and biological children, stepchildren, grandchildren,
24 great-grandchildren, and any other lineal descendent of the
25 taxpayer.

26 b. Subtract the net capital gain from the sale of real
27 property used in a farming business if all of the following
28 conditions are satisfied:

29 (1) The taxpayer has materially participated in the farming
30 business for a minimum of ten years immediately preceding the
31 sale.

32 (2) The taxpayer has held the real property used in a
33 farming business for a minimum of ten years immediately
34 preceding the sale.

35 (3) The real property used in a farming business is sold to

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1 a relative of the taxpayer.

2 c. (1) If the relative to whom the taxpayer sold the
3 real property used in a farming business that qualified
4 for the deduction in this subsection subsequently sells or
5 otherwise transfers all or part of said real property to a
6 person who is not a relative of the taxpayer within five years
7 of the original sale, the subsequent sale or transfer shall
8 be considered prima facie evidence that the original sale
9 was entered into by the taxpayer primarily to obtain the tax
10 benefits provided in this subsection, and the deduction under
11 this subsection for the original sale shall be disallowed for
12 the taxpayer with respect to that real property subsequently

13 sold or transferred by the relative.

14 (2) The prima facie determination in subparagraph (1) may be
 15 rebutted by the taxpayer by a preponderance of evidence showing
 16 that at the time of the original sale by the taxpayer of the
 17 real property used in a farming business, all of the following
 18 conditions were satisfied:

19 (a) The taxpayer had a substantial purpose for entering into
 20 the sale transaction apart from the state tax benefits.

21 (b) The taxpayer did not intend that the real property would
 22 subsequently be sold or transferred to a person who is not a
 23 relative of the taxpayer.

24 (c) The taxpayer had no actual or constructive knowledge of
 25 the buyer's intent to subsequently sell or transfer the real
 26 property to a person who is not a relative of the taxpayer.

27 (3) Notwithstanding section 422.25, subsection 1, paragraph
 28 "a", the period of limitation for examination and determination
 29 of tax with regard to the deduction provided in this subsection
 30 shall be one of the following dates, whichever occurs later:

31 (a) The date which is three years after the date that the
 32 return upon which the deduction in this subsection is claimed
 33 is filed.

34 (b) The date which is three years after the date that the
 35 return upon which the deduction in this subsection is claimed

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1 is due, including any extensions.

2 (c) The date which is six years after the date of the sale
 3 of the real property used in a farming business for which the
 4 deduction in this subsection is claimed.

5 d. To the extent otherwise allowed, the deduction provided
 6 in this subsection is not allowed for purposes of computing the
 7 income for the taxable year or years for which a net operating
 8 loss is deducted under the Internal Revenue Code or under
 9 subsection 422.9.

10 Sec. 114. Section 422.7, subsection 29, Code 2018, is
 11 amended to read as follows:

12 29. ~~a. Subtract~~ For a taxpayer who is sixty-five years
 13 of age or older and whose net income is less than one hundred
 14 thousand dollars, subtract, to the extent not otherwise
 15 deducted in computing ~~adjusted gross~~ federal taxable income,
 16 the amounts paid by the taxpayer for the purchase of health
 17 benefits coverage or insurance for the taxpayer or taxpayer's
 18 spouse or dependent.

19 b. For purposes of this subsection, "net income" means net
 20 income as properly computed under this section without regard
 21 to the deduction in this subsection and with the following
 22 additional adjustments:

23 (1) Add back any amount of pensions or other retirement
 24 income received from any source which is not taxable under this
 25 division, including but not limited to amounts deductible under
 26 subsections 13, 31, 31A, and 31B.

27 (2) Add back any amount of itemized or standard deduction,
28 personal exemption deduction, or qualified business income
29 deduction that was allowed as a deduction from federal adjusted
30 gross income in computing federal taxable income under the
31 Internal Revenue Code.

32 Sec. 115. Section 422.7, subsection 31, Code 2018, is
33 amended to read as follows:

34 31. For a person who is disabled, or is fifty-five years of
35 age or older, or is the surviving spouse of an individual or

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1 a survivor having an insurable interest in an individual who
2 would have qualified for the exemption under this subsection
3 for the tax year, subtract, to the extent included, the
4 total amount of a governmental or other pension or retirement
5 pay, including, but not limited to, defined benefit or
6 defined contribution plans, annuities, individual retirement
7 accounts, plans maintained or contributed to by an employer,
8 or maintained or contributed to by a self-employed person as
9 an employer, and deferred compensation plans or any earnings
10 attributable to the deferred compensation plans, up to a
11 maximum of six thousand dollars for a person, other than a
12 husband or wife, who files a separate state income tax return
13 and up to a maximum of twelve thousand dollars for a husband
14 and wife who file a joint state income tax return. However, a
15 surviving spouse who is not disabled or fifty-five years of age
16 or older can only exclude the amount of pension or retirement
17 pay received as a result of the death of the other spouse. A
18 husband and wife filing separate state income tax returns ~~or~~
19 ~~separately on a combined state return~~ are allowed a combined
20 maximum exclusion under this subsection of up to twelve
21 thousand dollars. The twelve thousand dollar exclusion shall
22 be allocated to the husband or wife in the proportion that each
23 spouse's respective pension and retirement pay received bears
24 to total combined pension and retirement pay received.

25 Sec. 116. Section 422.7, subsection 41, Code 2018, is
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. *Oe.* Add, to the extent deducted for
28 federal tax purposes, interest, taxes, and other miscellaneous
29 expenses to the extent such amounts are eligible home costs
30 in connection with a qualified home purchase that were paid
31 or reimbursed from funds in a first-time homebuyer savings
32 account.

33 Sec. 117. Section 422.7, subsection 47, Code 2018, is
34 amended to read as follows:

35 47. Subtract, to the extent not otherwise deducted in

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1 computing ~~adjusted gross~~ federal taxable income, the amounts
 2 paid by the taxpayer to the department of veterans affairs for
 3 the purpose of providing grants under the injured veterans
 4 grant program established in section 35A.14. Amounts
 5 subtracted under this subsection shall not be used by the
 6 taxpayer in computing the amount of charitable contributions as
 7 defined by section 170 of the Internal Revenue Code.

8 Sec. 118. Section 422.7, subsections 3, 7, 8, 9, 10, 11, 14,
 9 15, 16, 20, 22, 24, 25, 26, 30, 35, 36, 37, 39, 39B, 40, 43, 45,
 10 49, 53, 55, 56, 57, and 58, Code 2018, are amended by striking
 11 the subsections.

12 Sec. 119. Section 422.8, subsection 4, Code 2018, is amended
 13 by striking the subsection.

14 Sec. 120. Section 422.9, Code 2018, is amended by striking
 15 the section and inserting in lieu thereof the following:

16 **422.9 Carry over of Iowa net operating loss.**

17 Any Iowa net operating loss carried over from a taxable year
 18 beginning prior to January 1 of the calendar year that this
 19 division of this Act takes effect may be deducted as provided
 20 in section 422.9, subsection 3, Code 2018.

21 Sec. 121. Section 422.11B, Code 2018, is amended to read as
 22 follows:

23 **422.11B Minimum tax credit.**

24 1. *a.* ~~There~~ For tax years beginning before January 1 of the
 25 calendar year following the calendar year that this division
 26 of this Act takes effect, there is allowed as a credit against
 27 the tax determined in section 422.5, subsection 1, ~~paragraphs~~
 28 ~~“a” through “j”~~ for a tax year an amount equal to the minimum
 29 tax credit for that tax year.

30 *b.* The minimum tax credit for a tax year is the excess, if
 31 any, of the net minimum tax imposed for all prior tax years
 32 beginning on or after January 1, 1987, but before January 1 of
 33 the calendar year that this division of this Act takes effect,
 34 over the amount allowable as a credit under this section for
 35 those prior tax years.

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1 2. *a.* The allowable credit under subsection 1 for a tax
 2 year beginning before January 1 of the calendar year that this
 3 division of this Act takes effect shall not exceed the excess,
 4 if any, of the tax determined in section 422.5, subsection
 5 1, ~~paragraphs “a” through “j”~~ over the state alternative
 6 minimum tax as determined in section 422.5, subsection 2, Code
 7 2018. The allowable credit under subsection 1 for a tax year
 8 beginning in the calendar year that this division of this Act
 9 takes effect shall not exceed the tax determined under section
 10 422.5, subsection 1.

11 *b.* The net minimum tax for a tax year is the excess, if
 12 any, of the tax determined in section 422.5, subsection 2,

13 Code 2018, for the tax year over the tax determined in section
14 422.5, subsection 1, ~~paragraphs “a” through “j”~~ for the tax
15 year.

16 3. This section is repealed January 1 of the calendar year
17 following the calendar year that this division of this Act
18 takes effect, for tax years beginning on or after January 1
19 of the calendar year following the calendar year that this
20 division of this Act takes effect.

21 Sec. 122. Section 422.11S, subsection 4, Code 2018, is
22 amended to read as follows:

23 4. Married taxpayers who file separate returns ~~or file~~
24 ~~separately on a combined return form~~ must determine the tax
25 credit under subsection 1 based upon their combined net income
26 and allocate the total credit amount to each spouse in the
27 proportion that each spouse’s respective net income bears to
28 the total combined net income. Nonresidents or part-year
29 residents of Iowa must determine their tax credit in the ratio
30 of their Iowa source net income to their all source net income.
31 Nonresidents or part-year residents who are married and elect
32 to file separate returns ~~or to file separately on a combined~~
33 ~~return form~~ must allocate the tax credit between the spouses
34 in the ratio of each spouse’s Iowa source net income to the
35 combined Iowa source net income of the taxpayers.

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1 Sec. 123. Section 422.12B, subsection 2, Code 2018, is
2 amended to read as follows:

3 2. Married taxpayers electing to file separate returns ~~or~~
4 ~~filing separately on a combined return~~ may avail themselves
5 of the earned income credit by allocating the earned income
6 credit to each spouse in the proportion that each spouse’s
7 respective earned income bears to the total combined earned
8 income. Taxpayers affected by the allocation provisions of
9 section 422.8 shall be permitted a deduction for the credit
10 only in the amount fairly and equitably allocable to Iowa under
11 rules prescribed by the director.

12 Sec. 124. Section 422.12C, subsection 4, Code 2018, is
13 amended to read as follows:

14 4. Married taxpayers who have filed joint federal returns
15 electing to file separate returns ~~or to file separately on a~~
16 ~~combined return form~~ must determine the child and dependent
17 care credit under subsection 1 or the early childhood
18 development tax credit under subsection 2 based upon their
19 combined net income and allocate the total credit amount to
20 each spouse in the proportion that each spouse’s respective net
21 income bears to the total combined net income. Nonresidents
22 or part-year residents of Iowa must determine their Iowa child
23 and dependent care credit in the ratio of their Iowa source
24 net income to their all source net income. Nonresidents or
25 part-year residents who are married and elect to file separate
26 returns ~~or to file separately on a combined return form~~ must

27 allocate the Iowa child and dependent care credit between the
28 spouses in the ratio of each spouse's Iowa source net income to
29 the combined Iowa source net income of the taxpayers.
30 Sec. 125. Section 422.13, subsection 1, paragraph c, Code
31 2018, is amended by striking the paragraph.
32 Sec. 126. Section 422.16, subsection 1, paragraph f, Code
33 2018, is amended by striking the paragraph.
34 Sec. 127. Section 422.21, subsections 2, 5, and 7, Code
35 2018, are amended to read as follows:

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1 2. An individual in the armed forces of the United States
2 serving in an area designated by the president of the United
3 States or the United States Congress as a combat zone or as a
4 qualified hazardous duty area, or deployed outside the United
5 States away from the individual's permanent duty station while
6 participating in an operation designated by the United States
7 secretary of defense as a contingency operation as defined
8 in 10 U.S.C. §101(a)(13), or which became such a contingency
9 operation by the operation of law, or an individual serving in
10 support of those forces, is allowed the same additional time
11 period after leaving the combat zone or the qualified hazardous
12 duty area, or ceasing to participate in such contingency
13 operation, or after a period of continuous hospitalization, to
14 file a state income tax return or perform other acts related
15 to the department, as would constitute timely filing of the
16 return or timely performance of other acts described in section
17 7508(a) of the Internal Revenue Code. An individual on active
18 duty federal military service in the armed forces, armed forces
19 military reserve, or national guard who is deployed outside
20 the United States in other than a combat zone, qualified
21 hazardous duty area, or contingency operation is allowed the
22 same additional period of time described in section 7508(a)
23 of the Internal Revenue Code to file a state income tax
24 return or perform other acts related to the department. For
25 the purposes of this subsection, "*other acts related to the*
26 *department*" includes filing claims for refund for any tax
27 administered by the department, making tax payments other than
28 withholding payments, filing appeals on the tax matters, filing
29 other tax returns, and performing other acts described in the
30 department's rules. The additional time period allowed applies
31 to the spouse of the individual described in this subsection
32 to the extent the spouse files jointly ~~or separately on the~~
33 ~~combined return form~~ with the individual or when the spouse
34 is a party with the individual to any matter for which the
35 additional time period is allowed.

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1 5. The director shall determine for the ~~1989~~ calendar year
2 that this division of this Act takes effect and each subsequent
3 calendar year the annual and cumulative inflation factors for
4 each calendar year to be applied to tax years beginning on or
5 after January 1 of that calendar year. The director shall
6 compute the new dollar amounts as specified to be adjusted in
7 section 422.5 by the latest cumulative inflation factor and
8 round off the result to the nearest one dollar. The annual and
9 cumulative inflation factors determined by the director are not
10 rules as defined in section 17A.2, subsection 11. ~~The director~~
11 ~~shall determine for the 1990 calendar year and each subsequent~~
12 ~~calendar year the annual and cumulative standard deduction~~
13 ~~factors to be applied to tax years beginning on or after~~
14 ~~January 1 of that calendar year. The director shall compute~~
15 ~~the new dollar amounts of the standard deductions specified in~~
16 ~~section 422.9, subsection 1, by the latest cumulative standard~~
17 ~~deduction factor and round off the result to the nearest ten~~
18 ~~dollars. The annual and cumulative standard deduction factors~~
19 ~~determined by the director are not rules as defined in section~~
20 ~~17A.2, subsection 11.~~

21 7. If married taxpayers file a joint return ~~or file~~
22 ~~separately on a combined return~~ in accordance with rules
23 prescribed by the director, both spouses are jointly and
24 severally liable for the total tax due on the return, except
25 when one spouse is considered to be an innocent spouse under
26 criteria established pursuant to section 6015 of the Internal
27 Revenue Code.

28 Sec. 128. Section 422.35, unnumbered paragraph 1, Code
29 2018, is amended to read as follows:

30 The term "*net income*" means the taxable income ~~before the~~
31 ~~net operating loss deduction~~, as properly computed for federal
32 income tax purposes under the Internal Revenue Code, with the
33 following adjustments:

34 Sec. 129. Section 422.35, subsection 11, Code 2018, is
35 amended by striking the subsection and inserting in lieu

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1 thereof the following:

2 11. a. Add any federal net operating loss deduction carried
3 over from a taxable year beginning prior to January 1 of the
4 calendar year that this division of this Act takes effect.

5 b. Any Iowa net operating loss carried over from a taxable
6 year beginning prior to January 1 of the calendar year that
7 this division of this Act takes effect may be deducted as
8 provided in section 422.35, subsection 11, Code 2018.

9 Sec. 130. Section 422.35, subsections 3, 4, 5, 7, 8, 10,
10 16, 17, 18, 19, 19B, 20, 22, and 24, Code 2018, are amended by
11 striking the subsections.

12 Sec. 131. Section 541B.3, subsection 1, paragraph b, Code

13 2018, is amended to read as follows:

14 *b.* A married couple electing to file a joint Iowa individual
 15 income tax return may establish a joint first-time homebuyer
 16 savings account. Married taxpayers electing to file separate
 17 tax returns ~~or separately on a combined tax return~~ for Iowa tax
 18 purposes shall not establish or maintain a joint first-time
 19 homebuyer savings account.

20 Sec. 132. Section 541B.6, Code 2018, is amended to read as
 21 follows:

22 **541B.6 Tax considerations.**

23 The state income tax treatment of a first-time homebuyer
 24 savings account shall be as provided in section 422.7,
 25 subsection 41, ~~and section 422.9, subsection 2, paragraph “f”.~~

26 Sec. 133. CONTINGENT EFFECTIVE DATE — NET GENERAL FUND
 27 REVENUES CALCULATION — ANNUAL REPORTS.

28 1. This division of this Act takes effect on January 1,
 29 2023, if both of the following conditions are satisfied:

30 *a.* The net general fund revenues for the fiscal year ending
 31 June 30, 2022, equal or exceed eight billion three hundred
 32 fourteen million six hundred thousand dollars.

33 *b.* The net general fund revenues for the fiscal year ending
 34 June 30, 2022, equal or exceed one hundred and four percent of
 35 the net general fund revenues for the fiscal year ending June

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1 30, 2021.

2 2. If the provisions of subsection 1 are not satisfied
 3 and this division of this Act does not take effect on January
 4 1, 2023, then this division of this Act shall take effect on
 5 January 1 following the first fiscal year for which both of the
 6 following conditions are satisfied:

7 *a.* The net general fund revenues for that fiscal year ending
 8 June 30 equal or exceed eight billion three hundred fourteen
 9 million six hundred thousand dollars.

10 *b.* The net general fund revenues for that fiscal year ending
 11 June 30 equal or exceed one hundred and four percent of the
 12 net general fund revenues for the fiscal year ending June 30
 13 immediately preceding that fiscal year.

14 3. *a.* For purposes of this section, “net general fund
 15 revenues” means total appropriated general fund revenues
 16 excluding transfers from reserve funds, less the sum of tax and
 17 other refunds and school infrastructure transfers, all made on
 18 an accrual basis as computed for purposes of the comprehensive
 19 annual financial reports of the state.

20 *b.* Net general fund revenues shall be calculated by
 21 the department of management, in consultation with the
 22 department of revenue, for each fiscal year beginning on
 23 or after July 1, 2020, until such time as this division of
 24 this Act takes effect, in accordance with rules adopted by
 25 the department of management. The department of management
 26 shall adopt rules pursuant to chapter 17A for calculating net

27 general fund revenues as defined in paragraph “a”, including
 28 rules defining “total appropriated general fund revenues”,
 29 “transfers from reserve funds”, “tax and other refunds”, and
 30 “school infrastructure transfers”, and including the types
 31 and categories of receipts that will be included within each
 32 definition and in the calculation of net general fund revenues.
 33 c. The department of management shall submit an annual
 34 report to the governor and general assembly by November 1
 35 following the close of each fiscal year beginning on or after

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1 July 1, 2020, until such time as this division of this Act
 2 takes effect, which report shall identify the net general fund
 3 revenues for the fiscal year and shall include a detailed
 4 description of the net general fund revenues calculation made
 5 by the department of management.
 6 Sec. 134. APPLICABILITY. This division of this Act applies
 7 to tax years beginning on or after the effective date of this
 8 division of this Act.

9 DIVISION X

10 CHANGES TO IOWA EDUCATIONAL SAVINGS PLAN TRUST AND IOWA ABLE 11 SAVINGS PLAN TRUST

12 Sec. 135. Section 12D.1, Code 2018, is amended to read as
 13 follows:

14 **12D.1 Purpose and definitions.**

15 1. The general assembly finds that the general welfare and
 16 well-being of the state are directly related to educational
 17 levels and skills of the citizens of the state, and that a
 18 vital and valid public purpose is served by the creation and
 19 implementation of programs which encourage and make possible
 20 the attainment of higher formal education by the greatest
 21 number of citizens of the state. ~~The state has limited~~
 22 ~~resources to provide additional programs for higher education~~
 23 ~~funding and the continued operation and maintenance of the~~
 24 ~~state's public institutions of higher education and the general~~
 25 welfare of the citizens of the state will be enhanced by
 26 establishing a program which allows citizens of the state to
 27 invest money in a public trust for future application to the
 28 payment of ~~higher education costs~~ qualified education expenses.
 29 The creation of the means of encouragement for citizens to
 30 invest in such a program represents the carrying out of a
 31 vital and valid public purpose. In order to make available
 32 to the citizens of the state an opportunity to fund future
 33 higher formal education needs, it is necessary that a public
 34 trust be established in which moneys may be invested for future
 35 educational use.

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- 1 2. As used in this chapter, unless the context otherwise
 2 requires:
- 3 a. *“Account balance limit”* means the maximum allowable
 4 aggregate balance of accounts established for the same
 5 beneficiary. Account earnings, if any, are included in the
 6 account balance limit.
- 7 b. *“Administrative fund”* means the administrative fund
 8 established under section 12D.4.
- 9 c. *“Beneficiary”* means the individual designated by a
 10 participation agreement to benefit from advance payments of
 11 ~~higher education costs~~ qualified education expenses on behalf
 12 of the beneficiary.
- 13 d. *“Benefits”* means the payment of ~~higher education costs~~
 14 qualified education expenses on behalf of a beneficiary by the
 15 trust during the beneficiary’s attendance at ~~an institution of~~
 16 ~~higher education~~ a qualified educational institution.
- 17 e. *“Higher education costs”* means the same as “qualified
 18 ~~higher education expenses”~~ as defined in ~~section 529(e)(3) of~~
 19 ~~the Internal Revenue Code~~.
- 20 f. *“Institution of higher education”* means an institution
 21 described in section 481 of the federal Higher Education Act of
 22 1965, 20 U.S.C. §1088, which is eligible to participate in the
 23 United States department of education’s student aid programs.
- 24 g. ~~f.~~ *“Internal Revenue Code”* means the same as defined
 25 in section 12I.1.
- 26 h. ~~g.~~ *“Iowa educational savings plan trust”* or *“trust”* means
 27 the trust created under section 12D.2.
- 28 i. ~~h.~~ *“Participant”* means an individual, individual’s legal
 29 representative, trust, estate, or an organization described
 30 in section 501(c)(3) of the Internal Revenue Code and exempt
 31 from taxation under section 501(a) of the Internal Revenue
 32 Code, that has entered into a participation agreement under
 33 this chapter for the advance payment of ~~higher education costs~~
 34 qualified education expenses on behalf of a beneficiary.
- 35 j. ~~i.~~ *“Participation agreement”* means an agreement between

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- 1 a participant and the trust entered into under this chapter.
- 2 ~~h.~~ *“Program fund”* means the program fund established
 3 under section 12D.4.
- 4 k. *“Qualified education expenses”* means the same as
 5 *“qualified higher education expenses”* as defined in section
 6 529(e)(3) of the Internal Revenue Code, as amended by Pub. L.
 7 No. 115-97, and shall include elementary and secondary school
 8 expenses for tuition described in section 529(c)(7) of the
 9 Internal Revenue Code, subject to the limitations imposed by
 10 section 529(e)(3)(A) of the Internal Revenue Code.
- 11 *“Qualified educational institution”* means an institution
 12 of higher education, or any elementary or secondary public,

13 private, or religious school described in section 529(c)(7) of
 14 the Internal Revenue Code.
 15 ~~1. m. "Tuition and fees" "Tuition"~~ means the quarter, ~~or~~
 16 ~~semester, or annual charges imposed to attend an institution~~
 17 ~~of higher education a qualified educational institution~~ and
 18 required as a condition of enrollment ~~or attendance.~~

19 Sec. 136. Section 12D.2, subsections 2, 5, 9, and 14, Code
 20 2018, are amended to read as follows:

21 2. Enter into agreements with any ~~institution of higher~~
 22 ~~education~~ qualified educational institution, the state, or any
 23 federal or other state agency, or other entity as required to
 24 implement this chapter.

25 5. Carry out studies and projections so the treasurer of
 26 state may advise participants regarding present and estimated
 27 future ~~higher education costs~~ qualified education expenses
 28 and levels of financial participation in the trust required
 29 in order to enable participants to achieve their educational
 30 funding objectives.

31 9. Make payments to ~~institutions of higher education~~
 32 qualified educational institutions, participants, or
 33 beneficiaries, pursuant to participation agreements on behalf
 34 of beneficiaries.

35 14. Establish, impose, and collect administrative fees

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1 and charges in connection with transactions of the trust, and
 2 provide for reasonable service charges, ~~including penalties for~~
 3 ~~cancellations and late payments with respect to participation~~
 4 ~~agreements.~~

5 Sec. 137. Section 12D.3, subsections 1 and 2, Code 2018, are
 6 amended to read as follows:

7 1. ~~Each~~ Each participation agreement may require a
 8 participant to agree to invest a specific amount of money in
 9 the trust for a specific period of time for the benefit of a
 10 specific beneficiary. A participant shall not be required to
 11 make an annual contribution on behalf of a beneficiary. The
 12 maximum contribution that may be deducted for Iowa income tax
 13 purposes shall not exceed two thousand dollars per beneficiary
 14 per year adjusted annually to reflect increases in the consumer
 15 price index. The treasurer of state shall set an account
 16 balance limit to maintain compliance with section 529 of the
 17 Internal Revenue Code. A contribution shall not be permitted
 18 to the extent it causes the aggregate balance of all accounts
 19 established for the same beneficiary under the trust to exceed
 20 the applicable account balance limit.

21 ~~b. Participation agreements may be amended to provide for~~
 22 ~~adjusted levels of payments based upon changed circumstances or~~
 23 ~~changes in educational plans.~~

24 2. The execution of a participation agreement by the trust
 25 shall not guarantee in any way that ~~higher education costs~~
 26 qualified education expenses will be equal to projections

27 and estimates provided by the trust or that the beneficiary
 28 named in any participation agreement will attain any of the
 29 following:
 30 *a.* Be admitted to ~~an institution of higher education a~~
 31 qualified educational institution.
 32 *b.* If admitted, be determined a resident for tuition
 33 purposes by the ~~institution of higher education~~ qualified
 34 educational institution.
 35 *c.* Be allowed to continue attendance at the ~~institution of~~

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1 ~~higher education~~ qualified educational institution following
 2 admission.
 3 *d.* Graduate from the ~~institution of higher education~~
 4 qualified educational institution.
 5 Sec. 138. Section 12D.3, Code 2018, is amended by adding the
 6 following new subsection:
 7 NEW SUBSECTION. 5. A participant may designate a successor
 8 in accordance with rules adopted by the treasurer of state.
 9 The designated successor shall succeed to the ownership of the
 10 account in the event of the death of the participant. In the
 11 event a participant dies and has not designated a successor to
 12 the account, the following criteria shall apply:
 13 *a.* The beneficiary of the account, if eighteen years of
 14 age or older, shall become the owner of the account as well as
 15 remain the beneficiary upon filing the appropriate forms in
 16 accordance with rules adopted by the treasurer of state.
 17 *b.* If the beneficiary of the account is under the age of
 18 eighteen, account ownership shall be transferred to the first
 19 surviving parent or other legal guardian of the beneficiary to
 20 file the appropriate forms in accordance with rules adopted by
 21 the treasurer of state.
 22 Sec. 139. Section 12D.4, Code 2018, is amended to read as
 23 follows:
 24 **12D.4 Program and administrative funds — investment and**
 25 **payments.**
 26 1. *a.* The treasurer of state shall segregate moneys
 27 received by the trust into two funds: the program fund and the
 28 administrative fund.
 29 *b.* All moneys paid by participants in connection with
 30 participation agreements shall be deposited as received into
 31 separate accounts within the program fund.
 32 *c.* Contributions to the trust made by participants may only
 33 be made in the form of cash.
 34 *d.* A participant or beneficiary ~~shall not provide investment~~
 35 ~~direction regarding program contributions or earnings held by~~

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1 ~~the trust may, directly or indirectly, direct the investment of~~
2 ~~any contributions to the trust or any earnings thereon no more~~
3 ~~than two times in a calendar year.~~
4 e. The amount of cash distributions from the trust and all
5 other qualified state tuition programs under section 529 of
6 the Internal Revenue Code to a beneficiary during any taxable
7 year shall, in the aggregate, include no more than ten thousand
8 dollars in expenses for tuition in connection with enrollment
9 at an elementary or secondary public, private, or religious
10 school incurred during the taxable year.
11 2. Moneys accrued by participants in the program fund of
12 the trust may be used for payments to any ~~institution of higher~~
13 ~~education~~ qualified educational institution. Payments can be
14 made to the qualified educational institution, the participant,
15 or the beneficiary.
16 Sec. 140. Section 12D.6, subsection 1, paragraph a, Code
17 2018, is amended to read as follows:
18 a. A participant retains ownership of all payments made
19 under a participation agreement up to the date of utilization
20 for payment of ~~higher education costs~~ qualified education
21 expenses for the beneficiary.
22 Sec. 141. Section 12D.6, subsections 2, 3, and 5, Code 2018,
23 are amended to read as follows:
24 2. In the event the program is terminated prior to payment
25 of ~~higher education costs~~ qualified education expenses for the
26 beneficiary, the participant is entitled to a refund of the
27 participant's account balance.
28 3. The ~~institution of higher education~~ qualified
29 educational institution shall obtain ownership of the payments
30 made for the ~~higher education costs~~ qualified education
31 expenses paid to the institution at the time each payment is
32 made to the institution.
33 5. A participant may transfer ownership rights to another
34 ~~eligible individual, including a gift of the ownership rights~~
35 ~~to a minor beneficiary~~ participant, or may transfer funds to

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1 another plan under the trust or to an ABLÉ account as permitted
2 under section 529(c)(3)(C) of the Internal Revenue Code.
3 The transfer shall be made and the property distributed in
4 accordance with rules adopted by the treasurer of state or with
5 the terms of the participation agreement.
6 Sec. 142. Section 12D.7, Code 2018, is amended to read as
7 follows:
8 **12D.7 Effect of payments on determination of need and**
9 **eligibility for student financial aid.**
10 A student loan program, student grant program, or other
11 program administered by any agency of the state, except as
12 may be otherwise provided by federal law or the provisions

13 of any specific grant applicable to that law, shall not take
 14 into account and shall not consider amounts available for
 15 the payment of ~~higher education costs~~ qualified education
 16 expenses pursuant to the Iowa educational savings plan trust in
 17 determining need and eligibility for student aid.

18 Sec. 143. Section 12D.9, subsection 1, paragraph a, Code
 19 2018, is amended to read as follows:

20 a. Pursuant to section 12D.3, subsection 1, paragraph “a”,
 21 a participant may make contributions to an account which is
 22 established for the purpose of meeting the qualified ~~higher~~
 23 education expenses of the designated beneficiary of the
 24 account.

25 Sec. 144. Section 422.7, subsection 32, paragraph c, Code
 26 2018, is amended by striking the paragraph and inserting in
 27 lieu thereof the following:

28 c. (1) Add, to the extent previously deducted as a
 29 contribution to the trust, the amount resulting from a
 30 withdrawal or transfer made by the taxpayer from the Iowa
 31 educational savings plan trust for purposes other than any of
 32 the following:

33 (a) The payment of qualified higher education expenses.

34 (b) The payment of tuition to an elementary or secondary
 35 school if the tuition amounts are qualified education expenses.

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1 (c) A change in beneficiaries under, or transfer to another
 2 account within, the Iowa educational savings plan trust, or a
 3 transfer to the Iowa ABLE savings plan trust, provided such
 4 change or transfer is permitted under section 12D.6, subsection
 5 5.

6 (2) For purposes of this paragraph:

7 (a) “*Elementary or secondary school*” means an elementary
 8 or secondary school in this state which is accredited under
 9 section 256.11, and adheres to the provisions of the federal
 10 Civil Rights Act of 1964 and chapter 216.

11 (b) “*Qualified education expenses*” and “*tuition*” all mean the
 12 same as defined in section 12D.1, subsection 2.

13 (c) (i) “*Qualified higher education expenses*” means the same
 14 as defined in section 529(e)(3) of the Internal Revenue Code.

15 (ii) For purposes of this subparagraph division (c),
 16 “*Internal Revenue Code*” means the Internal Revenue Code of
 17 1954, prior to the date of its redesignation as the Internal
 18 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 19 the Internal Revenue Code of 1986 as amended and in effect on
 20 January 1, 2018. This definition shall not be construed to
 21 include any amendment to the Internal Revenue Code enacted
 22 after the date specified in the preceding sentence, including
 23 any amendment with retroactive applicability or effectiveness.

24 Sec. 145. Section 422.7, subsection 34, Code 2018, is
 25 amended to read as follows:

26 34. a. (1) Subtract the amount contributed during the tax

27 year on behalf of a designated beneficiary that is a resident
28 of this state to the Iowa ABLE savings plan trust or to the
29 qualified ABLE program with which the state has contracted
30 pursuant to section 12I.10, not to exceed the maximum
31 contribution level established in section 12I.3, subsection 1,
32 paragraph “d”, or section 12I.10, subsection 2, paragraph “a”,
33 as applicable.

34 (2) This paragraph “a” shall not apply to any amount
35 of contribution that represents a transfer from the Iowa

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1 educational savings plan trust created in chapter 12D that
2 meets the requirements of subsection 32, paragraph “c”
3 subparagraph (1), subparagraph division (c), and that was
4 previously deducted as a contribution to the Iowa educational
5 savings plan trust.

6 b. Add the amount resulting from the cancellation of a
7 participation agreement refunded to the taxpayer as an account
8 owner in the Iowa ABLE savings plan trust or the qualified
9 ABLE program with which the state has contracted pursuant to
10 section 12I.10 to the extent previously deducted pursuant
11 to this subsection by the taxpayer or any other person as a
12 contribution to the trust or qualified ABLE program, or to the
13 extent the amount was previously deducted by the taxpayer or
14 any other person pursuant to subsection 32, paragraph “a”, and
15 qualified as a transfer under paragraph “a”, subparagraph (2),
16 of this subsection.

17 c. Add the amount resulting from a withdrawal made by a
18 taxpayer from the Iowa ABLE savings plan trust or the qualified
19 ABLE program with which the state has contracted pursuant to
20 section 12I.10 for purposes other than the payment of qualified
21 disability expenses to the extent previously deducted pursuant
22 to this subsection by the taxpayer or any other person as a
23 contribution to the trust or qualified ABLE program, or to the
24 extent the amount was previously deducted by the taxpayer or
25 any other person pursuant to subsection 32, paragraph “a”, and
26 qualified as a transfer under paragraph “a”, subparagraph (2),
27 of this subsection.

28 Sec. 146. Section 627.6, Code 2018, is amended by adding the
29 following new subsection:

30 **NEW SUBSECTION. 17.** The debtor’s interest, whether as
31 participant or beneficiary, in contributions and assets,
32 including the accumulated earnings and market increases in
33 value, held in an account in the Iowa educational savings plan
34 trust organized under chapter 12D.

35 Sec. 147. EFFECTIVE DATE. This division of this Act, being

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1 deemed of immediate importance, takes effect upon enactment.
2 Sec. 148. RETROACTIVE APPLICABILITY.

3 1. Except as provided in subsection 2, this division of this
4 Act applies retroactively to January 1, 2018, for withdrawals
5 from the Iowa educational savings plan trust made on or after
6 that date.

7 2. The sections of this division of this Act amending
8 section 422.7 apply retroactively to January 1, 2018, for tax
9 years beginning on or after that date, and for withdrawals from
10 the Iowa educational savings plan trust made on or after that
11 date.

12 DIVISION XI
13 SALES AND USE TAXES

14 Sec. 149. Section 15J.4, subsection 3, paragraph f, Code
15 2018, is amended to read as follows:

16 *f.* The total aggregate amount of state sales tax revenues
17 and state hotel and motel tax revenues that may be approved by
18 the board for remittance to all municipalities and that may
19 be transferred to the state reinvestment district fund under
20 section ~~423.2, subsection 11, 423.2A~~ or section 423A.6, and
21 remitted to all municipalities having a reinvestment district
22 under this chapter shall not exceed one hundred million
23 dollars.

24 Sec. 150. Section 15J.5, subsection 1, paragraph a, Code
25 2018, is amended to read as follows:

26 *a.* The department shall calculate quarterly the amount of
27 new state sales tax revenues for each district established in
28 the state to be deposited in the state reinvestment district
29 fund created in section 15J.6, pursuant to section ~~423.2,~~
30 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, subject to
31 remittance limitations established by the board pursuant to
32 section 15J.4, subsection 3.

33 Sec. 151. Section 15J.6, subsection 1, Code 2018, is amended
34 to read as follows:

35 1. A state reinvestment district fund is established in the

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1 state treasury under the control of the department consisting
2 of the new state sales tax revenues collected within each
3 district and deposited in the fund pursuant to section ~~423.2,~~
4 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, and the
5 new state hotel and motel tax revenues collected within each
6 district and deposited in the fund pursuant to section 423A.6.
7 Moneys deposited in the fund are appropriated to the department
8 for the purposes of this section. Moneys in the fund shall
9 only be used for the purposes of this section.

10 Sec. 152. Section 418.11, subsection 1, Code 2018, is
11 amended to read as follows:

12 1. The department of revenue shall calculate quarterly the

13 amount of increased sales tax revenues for each governmental
14 entity approved to use sales tax increment revenues and the
15 amount of such revenues to be transferred to the sales tax
16 increment fund pursuant to section ~~423.2, subsection 11,~~
17 ~~paragraph “b” 423.2A, subsection 2.~~

18 Sec. 153. Section 418.12, subsection 1, Code 2018, is
19 amended to read as follows:

20 1. A sales tax increment fund is established as a separate
21 and distinct fund in the state treasury under the control of
22 the department of revenue consisting of the amount of the
23 increased state sales and services tax revenues collected by
24 the department of revenue within each applicable area specified
25 in section 418.11, subsection 3, and deposited in the fund
26 pursuant to section ~~423.2, subsection 11, paragraph “b” 423.2A,~~
27 ~~subsection 2.~~ Moneys deposited in the fund are appropriated
28 to the department of revenue for the purposes of this section.
29 Moneys in the fund shall only be used for the purposes of this
30 section.

31 Sec. 154. Section 421.26, Code 2018, is amended to read as
32 follows:

33 **421.26 Personal liability for tax due.**

34 If a licensee or other person under section 452A.65, a
35 retailer or purchaser under chapter 423A, 423B, 423C, 423D, or

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1 423E, or section 423.14, 423.14A, 423.29, 423.31, 423.32, or
2 423.33, ~~or a retailer or purchaser under section 423.32, or~~
3 a user under section 423.34, or a permit holder or licensee
4 under section 453A.13, 453A.16, or 453A.44 fails to pay a tax
5 under those sections when due, an officer of a corporation
6 or association, notwithstanding section 489.304, a member or
7 manager of a limited liability company, or a partner of a
8 partnership, having control or supervision of or the authority
9 for remitting the tax payments and having a substantial legal
10 or equitable interest in the ownership of the corporation,
11 association, limited liability company, or partnership, who has
12 intentionally failed to pay the tax is personally liable for
13 the payment of the tax, interest, and penalty due and unpaid.
14 However, this section shall not apply to taxes on accounts
15 receivable. The dissolution of a corporation, association,
16 limited liability company, or partnership shall not discharge a
17 person's liability for failure to remit the tax due.

18 Sec. 155. Section 423.1, Code 2018, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 22A. “*Information services*” means
21 delivering or providing access to databases or subscriptions
22 to information through any tangible or electronic medium.
23 “*Information services*” includes but is not limited to database
24 files, research databases, genealogical information, and other
25 similar information.

26 Sec. 156. Section 423.1, subsection 24, paragraph a, Code

27 2018, is amended to read as follows:

28 a. *“Lease or rental”* means any transfer of possession
29 or control of, or access to, tangible personal property or
30 specified digital products for a fixed or indeterminate term
31 for consideration. A *“lease or rental”* may include future
32 options to purchase or extend.

33 Sec. 157. Section 423.1, subsection 37, Code 2018, is
34 amended to read as follows:

35 37. *“Place of business”* means any warehouse, store,

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1 place, office, building, or structure where ~~goods, wares, or~~
2 ~~merchandise~~ tangible personal property, specified digital
3 products, or services are offered for sale at retail or where
4 any taxable amusement is conducted, or each office where gas,
5 water, heat, communication, or electric services are offered
6 for sale at retail. When a retailer or amusement operator
7 sells merchandise by means of vending machines or operates
8 music or amusement devices by coin-operated machines at more
9 than one location within the state, the office, building, or
10 place where the books, papers, and records of the taxpayer are
11 kept shall be deemed to be the taxpayer’s place of business.

12 Sec. 158. Section 423.1, Code 2018, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 36A. *“Personal property”* includes but is
15 not limited to tangible personal property and specified digital
16 products.

17 Sec. 159. Section 423.1, subsection 43, paragraph a,
18 subparagraph (3), Code 2018, is amended to read as follows:

19 (3) Taking possession or making first use of ~~digital goods~~
20 specified digital products, whichever comes first.

21 Sec. 160. Section 423.1, subsection 47, Code 2018, is
22 amended to read as follows:

23 47. *“Retailer”* means and includes every person engaged
24 in the business of selling tangible personal property,
25 specified digital products, or taxable services at retail, or
26 the furnishing of gas, electricity, water, or communication
27 service, and tickets or admissions to places of amusement
28 and athletic events or operating amusement devices or other
29 forms of commercial amusement from which revenues are derived.
30 However, when in the opinion of the director it is necessary
31 for the efficient administration of this chapter to regard any
32 agent or affiliate of a retailer as a retailer for purposes
33 of this chapter, the director may so regard them, or when
34 it is necessary for the efficient administration of this
35 chapter to regard any salespersons, representatives, truckers,

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1 peddlers, ~~or~~ canvassers, or other persons as agents of the
2 dealers, distributors, supervisors, employers, or persons under
3 whom they operate or from whom they obtain tangible personal
4 property, services, or specified digital products sold by
5 them irrespective of whether or not they are making sales on
6 their own behalf or on behalf of such dealers, distributors,
7 supervisors, employers, or persons, the director may so regard
8 them, and may regard such dealers, distributors, supervisors,
9 employers, or persons as retailers for the purposes of this
10 chapter. “Retailer” includes a seller obligated to collect
11 sales or use tax, including any person obligated to collect
12 sales and use tax pursuant to section 423.14A.

13 Sec. 161. Section 423.1, subsection 48, paragraph a, Code
14 2018, is amended to read as follows:

15 a. “Retailer maintaining a place of business in this state”
16 or any like term includes any of the following:

17 (1) A retailer having or maintaining within this state,
18 directly or by a subsidiary, an office, distribution house,
19 sales house, warehouse, or other place of business, or any
20 representative operating within this state under the authority
21 of the retailer or its subsidiary, irrespective of whether that
22 place of business or representative is located here permanently
23 or temporarily, or whether the retailer or subsidiary is
24 admitted to do business within this state pursuant to chapter
25 490.

26 (2) A person obligated to collect sales and use tax pursuant
27 to section 423.14A.

28 Sec. 162. Section 423.1, subsection 48, paragraph b,
29 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
30 to read as follows:

31 A retailer shall be presumed to be maintaining a place of
32 business in this state, ~~as defined in~~ for purposes of paragraph
33 “a”, subparagraph (1), if any person that has substantial nexus
34 in this state, other than a person acting in its capacity as a
35 common carrier, does any of the following:

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1 Sec. 163. Section 423.1, subsection 48, paragraph b,
2 subparagraph (1), subparagraph division (b), Code 2018, is
3 amended to read as follows:

4 (b) Maintains an office, distribution facility, warehouse,
5 storage place, or similar place of business in this state to
6 facilitate the delivery of personal property or services sold
7 by the retailer to the retailer’s customers.

8 Sec. 164. Section 423.1, subsection 50, Code 2018, is
9 amended to read as follows:

10 50. “Sales” or “sale” means any transfer, exchange, or
11 barter, conditional or otherwise, in any manner or by any means
12 whatsoever, for consideration, including but not limited to any

13 such transfer, exchange, or barter on a subscription basis.

14 Sec. 165. Section 423.1, Code 2018, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 55A. “Sold at retail in the state” and
17 other references to sales “in the state” or “in this state”
18 includes but is not limited to sales sourced to this state
19 under this chapter.

20 Sec. 166. Section 423.1, Code 2018, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 55B. a. “Specified digital products” means
23 electronically transferred digital audio-visual works, digital
24 audio works, digital books, or other digital products.

25 *b.* For purposes of this subsection:

26 (1) *“Digital audio-visual works”* means a series of related
27 images which, when shown in succession, impart an impression of
28 motion, together with accompanying sounds, if any.

29 (2) *“Digital audio works”* means works that result from
30 the fixation of a series of musical, spoken, or other sounds,
31 including but not limited to ringtones. For purposes of this
32 subparagraph, *“ringtones”* means digitized sound files that are
33 downloaded onto a device and that may be used to alert the
34 customer with respect to a communication.

35 (3) *“Digital books”* means works that are generally

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1 recognized in the ordinary and usual sense as books.

2 (4) *“Electronically transferred”* means obtained or accessed
3 by the purchaser by means other than tangible storage media,
4 including but not limited to a specified digital product
5 purchased through a computer software application, commonly
6 referred to as an in-app purchase, or through another specified
7 digital product, or through any other means.

8 (5) *“Other digital products”* means greeting cards, images,
9 video or electronic games or entertainment, news or information
10 products, and computer software applications.

11 Sec. 167. Section 423.1, Code 2018, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 57A. “Subscription” means any arrangement
14 in which a person has the right or ability to access,
15 receive, use, obtain, purchase, or otherwise acquire tangible
16 personal property, specified digital products, or services
17 on a permanent or less than permanent basis, regardless of
18 whether the person actually accesses, receives, uses, obtains,
19 purchases, or otherwise acquires such tangible personal
20 property, specified digital product, or service.

21 Sec. 168. Section 423.1, subsections 62, 63, and 64, Code
22 2018, are amended to read as follows:

23 62. *“Use”* means and includes the exercise by any person of
24 any right or power over or access to tangible personal property
25 or a specified digital product incident to the ownership of
26 that property, or any right or power over or access to the

27 product or result of a service. A retailer's or building
 28 contractor's sale of manufactured housing for use in this
 29 state, whether in the form of tangible personal property or
 30 of realty, is a use of that property for the purposes of this
 31 chapter.

32 63. "Use tax" means the tax levied under subchapter III of
 33 this chapter ~~for which the retailer collects and remits tax to~~
 34 ~~the department.~~

35 64. "User" means the immediate recipient of the personal

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1 property or services who is entitled to exercise a right ~~of or~~
 2 power over or access to the personal property, or the product
 3 or result of such services.

4 Sec. 169. Section 423.2, subsection 1, paragraph a,
 5 subparagraph (1), Code 2018, is amended to read as follows:

6 (1) Sales of engraving, ~~photography, retouching,~~ printing,
 7 and binding services.

8 Sec. 170. Section 423.2, subsection 6, Code 2018, is amended
 9 to read as follows:

10 6. ~~6.~~ The sales price of any of the following enumerated
 11 services is subject to the tax imposed by subsection 5:

12 ~~a. alteration~~ Alteration and garment repair; ~~armored,~~

13 ~~b. Armored car; vehicle,~~

14 ~~c. Vehicle repair; battery,~~

15 ~~d. Battery, tire, and allied; investment,~~

16 ~~e. Investment counseling; service,~~

17 ~~f. Service charges of all financial institutions; barber,~~

18 For the purposes of this paragraph, "financial institutions"
 19 means all national banks, federally chartered savings and loan
 20 associations, federally chartered savings banks, federally
 21 chartered credit unions, banks organized under chapter 524,
 22 credit unions organized under chapter 533, and all banks,
 23 savings banks, credit unions, and savings and loan associations
 24 chartered or otherwise created under the laws of any state and
 25 doing business in Iowa.

26 ~~g. Barber and beauty; boat,~~

27 ~~h. Boat repair; vehicle,~~

28 ~~i. Vehicle wash and wax; campgrounds; carpentry; roof,~~

29 ~~j. Campgrounds,~~

30 ~~k. Carpentry,~~

31 ~~l. Roof, shingle, and glass repair; dance,~~

32 ~~m. Dance schools and dance studios; dating,~~

33 ~~n. Dating services; dry,~~

34 ~~o. Dry cleaning, pressing, dyeing, and laundering excluding~~
 35 ~~the use of self-pay washers and dryers; electrical,~~

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- 1 p. Electrical and electronic repair and installation;
 2 ~~excavating.~~
 3 q. Excavating and grading; ~~farm.~~
 4 r. Farm implement repair of all kinds; ~~flying.~~
 5 s. Flying service; ~~furniture.~~
 6 t. Furniture, rug, carpet, and upholstery repair and
 7 cleaning; ~~fur.~~
 8 u. Fur storage and repair; ~~golf.~~
 9 v. Golf and country clubs and all commercial recreation;
 10 ~~gun.~~
 11 w. Gun and camera repair; ~~house.~~
 12 x. House and building moving; ~~household.~~
 13 y. Household appliance, television, and radio repair;
 14 ~~janitorial.~~
 15 z. Janitorial and building maintenance or cleaning; ~~jewelry.~~
 16 aa. Jewelry and watch repair; ~~lawn.~~
 17 ab. Lawn care, landscaping, and tree trimming and removal;
 18 ac. Personal transportation service, including but not
 19 limited to taxi, driver service, ride sharing service, rides
 20 for hire, and limousine service, including driver; machine.
 21 ad. Machine operator; ~~machine.~~
 22 ae. Machine repair of all kinds; ~~motor.~~
 23 af. Motor repair; ~~motorcycle.~~
 24 ag. Motorcycle, scooter, and bicycle repair; ~~oilers.~~
 25 ah. Oilers and lubricators; ~~office.~~
 26 ai. Office and business machine repair; ~~painting.~~
 27 aj. Painting, papering, and interior decorating; ~~parking.~~
 28 ak. Parking facilities; ~~pay.~~
 29 al. Pay television; ~~pet, including but not limited to~~
 30 streaming video, video on-demand, and pay-per-view.
 31 am. Pet grooming; ~~pipe.~~
 32 an. Pipe fitting and plumbing; ~~wood.~~
 33 ao. Wood preparation; ~~executive.~~
 34 ap. Executive search agencies; ~~private.~~
 35 aq. Private employment agencies, excluding services for

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- 1 placing a person in employment where the principal place of
 2 employment of that person is to be located outside of the
 3 state; ~~reflexology; security.~~
 4 ar. Reflexology.
 5 as. Security and detective services, excluding private
 6 security and detective services furnished by a peace officer
 7 with the knowledge and consent of the chief executive officer
 8 of the peace officer's law enforcement agency; ~~sewage.~~
 9 at. Sewage services for nonresidential commercial
 10 operations; ~~sewing.~~
 11 au. Sewing and stitching; ~~shoe.~~
 12 av. Shoe repair and shoeshine; ~~sign.~~

13 aw. Sign construction and installation; ~~storage.~~
 14 ax. Storage of household goods, mini-storage, and
 15 warehousing of raw agricultural products; ~~swimming.~~
 16 ay. Swimming pool cleaning and maintenance; ~~tanning.~~
 17 az. Tanning beds or salons; ~~taxidermy.~~
 18 ba. Taxidermy services; ~~telephone.~~
 19 bb. Telephone answering service; ~~test.~~
 20 bc. Test laboratories, including mobile testing laboratories
 21 and field testing by testing laboratories, and excluding tests
 22 on humans or animals and excluding environmental testing
 23 services; ~~termite.~~
 24 bd. Termite, bug, roach, and pest eradicators; ~~tin.~~
 25 be. Tin and sheet metal repair; ~~transportation.~~
 26 bf. Transportation service consisting of the rental of
 27 recreational vehicles or recreational boats, or the rental of
 28 vehicles subject to registration which are registered for a
 29 gross weight of thirteen tons or less for a period of sixty
 30 days or less, or the rental of aircraft for a period of sixty
 31 days or less;
 32 bg. Turkish baths, massage, and reducing salons, excluding
 33 services provided by massage therapists licensed under chapter
 34 152C; ~~water.~~
 35 bh. Water conditioning and softening; ~~weighing; welding;~~

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1 well.
 2 bi. Weighing.
 3 bj. Welding.
 4 bk. Well drilling; ~~wrapping.~~
 5 bl. Wrapping, packing, and packaging of merchandise other
 6 than processed meat, fish, fowl, and vegetables; ~~wrecking.~~
 7 bm. Wrecking service; ~~wrecker.~~
 8 bn. Wrecker and towing.
 9 b. For the purposes of this subsection, "*financial*
 10 *institutions*" means all national banks, federally chartered
 11 savings and loan associations, federally chartered savings
 12 banks, federally chartered credit unions, banks organized under
 13 chapter 524, credit unions organized under chapter 533, and
 14 all banks, savings banks, credit unions, and savings and loan
 15 associations chartered or otherwise created under the laws of
 16 any state and doing business in Iowa.
 17 bo. Photography.
 18 bp. Retouching.
 19 bq. Storage of tangible or electronic files, documents, or
 20 other records.
 21 br. Information services.
 22 bs. Services arising from or related to installing,
 23 maintaining, servicing, repairing, operating, upgrading, or
 24 enhancing specified digital products.
 25 bt. Video game services and tournaments.
 26 bu. Software as a service.

27 Sec. 171. Section 423.2, subsection 8, Code 2018, is amended
28 by adding the following new paragraph:
29 NEW PARAGRAPH. *d.* A transaction that otherwise meets
30 the definition of “*bundled transaction*” as defined in this
31 subsection is not a bundled transaction if it is any of the
32 following:
33 (1) The retail sale of tangible personal property and a
34 service where the tangible personal property is essential
35 to the use of the service, and is provided exclusively in

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1 connection with the service, and the true object of the
2 transaction is the service.
3 (2) The retail sale of services where one service is
4 provided that is essential to the use or receipt of a second
5 service and the first service is provided exclusively in
6 connection with the second service and the true object of the
7 transaction is the second service.
8 (3) (a) A transaction that includes taxable products and
9 nontaxable products and the purchase price or sales price of
10 the taxable products is *de minimis*.
11 (b) For purposes of this subparagraph, “*de minimis*” means
12 the seller’s purchase or sales price of the taxable products
13 is ten percent or less of the total purchase price or sales
14 price of the bundled products. Sellers shall use either the
15 purchase price or the sale price of the products to determine
16 if the taxable products are *de minimis*. Sellers may not use
17 a combination of the purchase price and sales price of the
18 products to determine if the taxable products are *de minimis*.
19 (4) The retail sale of exempt tangible personal property and
20 taxable tangible personal property where all of the following
21 apply:
22 (a) The transaction includes food and food ingredients,
23 drugs, durable medical equipment, mobility enhancing equipment,
24 prosthetic devices, or medical supplies.
25 (b) The seller’s purchase price or sales price of the
26 taxable tangible personal property is fifty percent or less
27 of the total purchase price or sales price of the bundled
28 tangible personal property. Sellers may not use a combination
29 of the purchase price and sales price of the tangible personal
30 property when making the fifty percent determination for a
31 transaction.
32 Sec. 172. Section 423.2, Code 2018, is amended by adding the
33 following new subsection:
34 NEW SUBSECTION. 9A. *a.* A tax of six percent is imposed on
35 the sales price of specified digital products sold at retail

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1 in the state. The tax applies whether the purchaser obtains
2 permanent use or less than permanent use of the specified
3 digital product, whether the sale is conditioned or not
4 conditioned upon continued payment from the purchaser, and
5 whether the sale is on a subscription basis or is not on a
6 subscription basis.

7 *b.* The sale of a digital code that may be used to obtain
8 or access a specified digital product shall be taxed in the
9 same manner as the specified digital product. For purposes
10 of this paragraph, “*digital code*” means a method that permits
11 a purchaser to obtain or access at a later date a specified
12 digital product.

13 Sec. 173. Section 423.2, subsections 10, 11, and 12, Code
14 2018, are amended by striking the subsections.

15 Sec. 174. NEW SECTION. **423.2A Deposit and transfer of**
16 **revenues.**

17 1. *a.* All revenues arising under the operation of the
18 provisions of this subchapter II shall be deposited into the
19 general fund of the state.

20 *b.* Subsequent to the deposit into the general fund of
21 the state, the director shall credit an amount equal to the
22 product of the sales tax rate imposed in section 423.2 times
23 the sales price of the tangible personal property or services
24 furnished to purchasers at a baseball and softball complex that
25 has received an award under section 15F.207 and that meets
26 the qualifications of section 423.4, subsection 10, into the
27 baseball and softball complex sales tax rebate fund created
28 under section 423.4, subsection 10, paragraph “*e*”. The director
29 shall credit the moneys beginning the first day of the quarter
30 following July 1, 2016. This paragraph is repealed thirty
31 days following the date on which five million dollars in total
32 rebates have been provided under section 423.4, subsection 10.

33 2. Subsequent to the deposit into the general fund of the
34 state pursuant to subsection 1, the department shall do the
35 following in the order prescribed:

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- 1 *a.* Transfer the revenues collected under chapter 423B.
- 2 *b.* Transfer from the remaining revenues the amounts required
3 under Article VII, section 10, of the Constitution of the State
4 of Iowa to the natural resources and outdoor recreation trust
5 fund created in section 461.31, if applicable.
- 6 *c.* Transfer one-sixth of the remaining revenues to the
7 secure an advanced vision for education fund created in section
8 423F.2. This paragraph “*c*” is repealed December 31, 2029.
- 9 *d.* Transfer to the baseball and softball complex sales tax
10 rebate fund that portion of the sales tax receipts described
11 in subsection 1, paragraph “*b*”, remaining after the transfers
12 required under paragraphs “*a*”, “*b*”, and “*c*” of this subsection

13 2. This paragraph is repealed thirty days following the date
14 on which five million dollars in total rebates have been
15 provided under section 423.4, subsection 10.
16 *e.* Beginning the first day of the calendar quarter
17 beginning on the reinvestment district's commencement date,
18 subject to remittance limitations established by the economic
19 development authority board pursuant to section 15J.4,
20 subsection 3, transfer to a district account created in the
21 state reinvestment district fund for each reinvestment district
22 established under chapter 15J, the amount of new state sales
23 tax revenue, determined in section 15J.5, subsection 1,
24 paragraph "b", in the district, that remains after the prior
25 transfers required under this subsection 2. Such transfers
26 shall cease pursuant to section 15J.8.
27 *f.* Subject to the limitation on the calculation and
28 deposit of sales tax increment revenues in section 418.12,
29 beginning the first day of the quarter following adoption
30 of the resolution pursuant to section 418.4, subsection 3,
31 paragraph "d", transfer to the account created in the sales tax
32 increment fund for each governmental entity approved to use
33 sales tax increment revenues under chapter 418, that portion
34 of the increase in sales tax revenue, determined in section
35 418.11, subsection 2, paragraph "d", in the applicable area of

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1 the governmental entity, that remains after the other transfers
2 required under this subsection 2.
3 *g.* Beginning the first day of the quarter following July 1,
4 2014, transfer to the raceway facility tax rebate fund created
5 in section 423.4, subsection 11, paragraph "e", that portion
6 of the sales tax receipts collected and remitted upon sales of
7 tangible personal property or services furnished by retailers
8 at a raceway facility meeting the qualifications of section
9 423.4, subsection 11, that remains after the transfers required
10 in paragraphs "a" through "f" of this subsection 2. This
11 paragraph is repealed June 30, 2025, or thirty days following
12 the date on which an amount of total rebates specified in
13 section 423.4, subsection 11, paragraph "c", subparagraph (4),
14 subparagraph division (a) or (b), whichever is applicable,
15 has been provided or thirty days following the date on which
16 rebates cease as provided in section 423.4, subsection 11,
17 paragraph "c", subparagraph (5), whichever is earliest.
18 3. Of the amount of sales tax revenue actually transferred
19 per quarter pursuant to subsection 2, paragraphs "e" and "f",
20 the department shall retain an amount equal to the actual cost
21 of administering the transfers under subsection 2, paragraphs
22 "e" and "f", or twenty-five thousand dollars, whichever is
23 less. The amount retained by the department pursuant to this
24 subsection shall be divided pro rata each quarter between
25 the amounts that would have been transferred pursuant to
26 subsection 2, paragraphs "e" and "f", without the deduction

27 made by operation of this subsection. Revenues retained by
28 the department pursuant to this subsection shall be considered
29 repayment receipts as defined in section 8.2.

30 Sec. 175. Section 423.3, subsections 1 and 17, Code 2018,
31 are amended to read as follows:

32 1. The sales price from sales of tangible personal property,
33 specified digital products, and services furnished which this
34 state is prohibited from taxing under the Constitution or laws
35 of the United States or under the Constitution of this state.

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1 17. The sales price of all ~~goods, wares, or merchandise,~~
2 tangible personal property, specified digital products, or
3 services, used for educational purposes sold to any private
4 nonprofit educational institution in this state. For the
5 purpose of this subsection, "*educational institution*" means an
6 institution which primarily functions as a school, college,
7 or university with students, faculty, and an established
8 curriculum. The faculty of an educational institution must be
9 associated with the institution and the curriculum must include
10 basic courses which are offered every year. "*Educational*
11 *institution*" includes an institution primarily functioning as
12 a library.

13 Sec. 176. Section 423.3, subsection 18, unnumbered
14 paragraph 1, Code 2018, is amended to read as follows:

15 The sales price of tangible personal property or specified
16 digital products sold, or of services furnished, to the
17 following nonprofit corporations:

18 Sec. 177. Section 423.3, subsections 20, 21, 22, 23, 26, 27,
19 28, and 31, Code 2018, are amended to read as follows:

20 20. The sales price of tangible personal property or
21 specified digital products sold, or of services furnished, to
22 nonprofit legal aid organizations.

23 21. The sales price of ~~goods, wares, or merchandise,~~
24 tangible personal property, of specified digital products,
25 or of services, used for educational, scientific, historic
26 preservation, or aesthetic purpose sold to a nonprofit private
27 museum.

28 22. The sales price from sales of ~~goods, wares, or~~
29 ~~merchandise,~~ tangible personal property, of specified digital
30 products, or from services furnished, to a nonprofit private
31 art center to be used in the operation of the art center.

32 23. The sales price of tangible personal property or
33 specified digital products sold, or of services furnished, by a
34 fair organized under chapter 174.

35 26. The sales price of tangible personal property or

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1 specified digital products sold, or of services furnished, to a
 2 statewide nonprofit organ procurement organization, as defined
 3 in section 142C.2.

4 27. The sales price of tangible personal property or
 5 specified digital products sold, or of services furnished, to a
 6 nonprofit hospital licensed pursuant to chapter 135B to be used
 7 in the operation of the hospital.

8 28. The sales price of tangible personal property or
 9 specified digital products sold, or of services furnished, to
 10 a freestanding nonprofit hospice facility which operates a
 11 hospice program as defined in 42 C.F.R. ch. IV, §418.3, which
 12 property or services are to be used in the hospice program.

13 31. ~~a.~~ The sales price of ~~goods, wares, or merchandise~~
 14 tangible personal property or specified digital products sold
 15 to and of services furnished, and used for public purposes
 16 sold to a tax-certifying or tax-levying body of the state or
 17 a governmental subdivision of the state, including regional
 18 transit systems, as defined in section 324A.1, the state board
 19 of regents, department of human services, state department of
 20 transportation, any municipally owned solid waste facility
 21 which sells all or part of its processed waste as fuel to a
 22 municipally owned public utility, and all divisions, boards,
 23 commissions, agencies, or instrumentalities of state, federal,
 24 county, or municipal government which have no earnings going to
 25 the benefit of an equity investor or stockholder, except any
 26 of the following:

27 ~~(1) a.~~ The sales price of ~~goods, wares, or merchandise~~
 28 tangible personal property or specified digital products sold
 29 to, or of services furnished, and used by or in connection with
 30 the operation of any municipally owned public utility engaged
 31 in selling gas, electricity, heat, pay television service, or
 32 communication service to the general public.

33 ~~(2) b.~~ The sales price of furnishing of sewage services to
 34 a county or municipality on behalf of nonresidential commercial
 35 operations.

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1 ~~(3) c.~~ The furnishing of solid waste collection and
 2 disposal service to a county or municipality on behalf of
 3 nonresidential commercial operations located within the county
 4 or municipality.

5 ~~b. The exemption provided by this subsection shall also~~
 6 ~~apply to all such sales of goods, wares, or merchandise or of~~
 7 ~~services furnished and subject to use tax.~~

8 Sec. 178. Section 423.3, subsection 32, unnumbered
 9 paragraph 1, Code 2018, is amended to read as follows:

10 The sales price of tangible personal property or specified
 11 digital products sold, or of services furnished, by a county or
 12 city. This exemption does not apply to any of the following:

13 Sec. 179. Section 423.3, subsection 36, unnumbered
14 paragraph 1, Code 2018, is amended to read as follows:

15 The sales price from sales of tangible personal property
16 or specified digital products or of the sale or furnishing of
17 electrical energy, natural or artificial gas, or communication
18 service to another state or political subdivision of another
19 state if the other state provides a similar reciprocal
20 exemption for this state and political subdivision of this
21 state.

22 Sec. 180. Section 423.3, subsection 39, paragraph a,
23 subparagraphs (1) and (2), Code 2018, are amended to read as
24 follows:

25 (1) Sales of tangible personal property or specified
26 digital products, or the furnishing of services, of a
27 nonrecurring nature, by the owner, if the seller, at the time
28 of the sale, is not engaged for profit in the business of
29 selling tangible personal property, specified digital products,
30 or services taxed under section 423.2.

31 (2) The sale of all or substantially all of the tangible
32 personal property, or specified digital products, or services
33 held or used by a seller in the course of the seller's trade or
34 business for which the seller is required to hold a sales tax
35 permit when the seller sells or otherwise transfers the trade

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1 or business to another person who shall engage in a similar
2 trade or business.

3 Sec. 181. Section 423.3, subsection 39, Code 2018, is
4 amended by adding the following new paragraph:
5 NEW PARAGRAPH. c. The exemption under this subsection does
6 not apply to sales for which a person is required pursuant to
7 section 423.14A to collect sales and use tax.

8 Sec. 182. Section 423.3, subsection 47, paragraph d,
9 subparagraph (1), Code 2018, is amended to read as follows:

10 (1) "*Commercial enterprise*" ~~includes means~~ businesses
11 and manufacturers conducted for profit ~~and centers for data~~
12 ~~processing services to, for-profit and nonprofit~~ insurance
13 companies, ~~and for-profit and nonprofit~~ financial institutions,
14 ~~businesses, and manufacturers,~~ but excludes other nonprofits
15 and professions and occupations and nonprofit organizations.

16 Sec. 183. Section 423.3, subsection 47, paragraph d,
17 subparagraph (4), Code 2018, is amended by striking the
18 subparagraph and inserting in lieu thereof the following:

19 (4) (a) "*Manufacturer*" means a business that primarily
20 purchases, receives, or holds personal property of any
21 description for the purpose of adding to its value by a process
22 of manufacturing with a view to selling the property for gain
23 or profit.

24 (b) "*Manufacturer*" includes contract manufacturers. A
25 contract manufacturer is a manufacturer that otherwise falls
26 within the definition of manufacturer, except that a contract

27 manufacturer does not sell the tangible personal property
 28 the contract manufacturer processes on behalf of other
 29 manufacturers.
 30 (c) *“Manufacturer”* does not include persons who are not
 31 commonly understood as manufacturers, including but not limited
 32 to persons engaged in any of the following activities:
 33 (i) Construction contracting.
 34 (ii) Repairing tangible personal property or real property.
 35 (iii) Providing health care.

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1 (iv) Farming, including cultivating agricultural products
 2 and raising livestock.
 3 (v) Transporting for hire.
 4 (d) For purposes of this subparagraph:
 5 (i) *“Business”* means those businesses conducted for
 6 profit, but excludes professions and occupations and nonprofit
 7 organizations.
 8 (ii) *“Manufacturing”* means those activities commonly
 9 understood within the ordinary meaning of the term, and shall
 10 include:
 11 (A) Refining.
 12 (B) Purifying.
 13 (C) Combining of different materials.
 14 (D) Packing of meats.
 15 (E) Activities subsequent to the extractive process of
 16 quarrying or mining, such as crushing, washing, sizing, or
 17 blending of aggregate materials.
 18 (iii) *“Manufacturing”* does not include activities occurring
 19 on premises primarily used to make retail sales.
 20 Sec. 184. Section 423.3, subsection 63, Code 2018, is
 21 amended to read as follows:
 22 63. The sales price from the sale of tangible personal
 23 property, specified digital products, or services which will be
 24 given as prizes to players in games of skill, games of chance,
 25 raffles, and bingo games as defined in chapter 99B.
 26 Sec. 185. Section 423.3, subsections 65, 66, and 67, Code
 27 2018, are amended by striking the subsections.
 28 Sec. 186. Section 423.3, subsection 78, paragraph a,
 29 unnumbered paragraph 1, Code 2018, is amended to read as
 30 follows:
 31 The sales price from ~~sales or rental~~ the sale of tangible
 32 personal property, specified digital products, or services
 33 rendered by any entity where the profits from the ~~sales or~~
 34 ~~rental sale~~ of the tangible personal property, specified
 35 digital products, or services rendered, are used by or donated

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1 to a nonprofit entity that is exempt from federal income
2 taxation pursuant to section 501(c)(3) of the Internal Revenue
3 Code, a government entity, or a nonprofit private educational
4 institution, and where the entire proceeds from the ~~sales,~~
5 ~~rental, sale~~ or services are expended for any of the following
6 purposes:

7 Sec. 187. Section 423.3, subsection 79, Code 2018, is
8 amended to read as follows:

9 79. The sales price from the sale ~~or rental~~ of tangible
10 personal property ~~or specified digital products,~~ or from
11 services furnished, to a recognized community action agency as
12 provided in section 216A.93 to be used for the purposes of the
13 agency.

14 Sec. 188. Section 423.3, Code 2018, is amended by adding the
15 following new subsections:

16 NEW SUBSECTION. 103. *a.* The sales price of specified
17 digital products and of prewritten computer software sold, and
18 of enumerated services described in section 423.2, subsection
19 6, paragraphs “*bq*”, “*br*”, “*bs*”, and “*bu*” furnished, to a
20 commercial enterprise for use exclusively by the commercial
21 enterprise. The use of prewritten computer software, a
22 specified digital product, or service fails to qualify as a
23 use exclusively by the commercial enterprise if its use for
24 noncommercial purposes is more than de minimis.

25 *b.* For purposes of this subsection:

26 (1) “*Commercial enterprise*” means the same as defined in
27 section 423.3, subsection 47, paragraph “*d*”, subparagraph (1),
28 but also includes professions and occupations.

29 (2) “*De minimis*” and “*noncommercial purposes*” shall be
30 defined by the director by rule.

31 NEW SUBSECTION. 104. The sales price of specified digital
32 products sold to a non-end user. For purposes of this
33 subsection, “*non-end user*” means a person who receives by
34 contract a specified digital product for further commercial
35 broadcast, rebroadcast, transmission, retransmission,

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1 licensing, relicensing, distribution, redistribution, or
2 exhibition of the product, in whole or in part, to another
3 person.

4 NEW SUBSECTION. 105. The sales price for transportation
5 services furnished by emergency or nonemergency medical
6 transportation, by a paratransit service, and by a public
7 transit system as defined in section 324A.1.

8 Sec. 189. Section 423.4, subsection 3, unnumbered paragraph
9 1, Code 2018, is amended to read as follows:

10 A relief amount may apply to the director for refund of the
11 amount of sales or use tax imposed and paid upon sales to it
12 of any ~~goods, wares, merchandise,~~ tangible personal property

13 or specified digital products, or services furnished, used for
 14 free distribution to the poor and needy.

15 Sec. 190. Section 423.4, subsection 3, paragraph a,
 16 subparagraph (1), Code 2018, is amended to read as follows:

17 (1) On forms furnished by the department, and filed within
 18 the time as the director shall provide by rule, the relief
 19 agency shall report to the department the total amount or
 20 amounts, valued in money, expended directly or indirectly
 21 for ~~goods, wares, merchandise, tangible personal property or~~
 22 specified digital products, or services furnished, used for
 23 free distribution to the poor and needy.

24 Sec. 191. Section 423.4, subsection 10, paragraph e, Code
 25 2018, is amended to read as follows:

26 e. There is established within the state treasury under the
 27 control of the department a baseball and softball complex sales
 28 tax rebate fund consisting of the amount of state sales tax
 29 revenues transferred pursuant to section ~~423.2, subsection 11,~~
 30 ~~paragraph "b", subparagraph (4)~~ 423.2A, subsection 2, paragraph
 31 "d". An account is created within the fund for each baseball
 32 and softball complex receiving an award under section 15F.207
 33 and meeting the qualifications of this subsection. Moneys
 34 in the fund shall only be used to provide rebates of state
 35 sales tax pursuant to this subsection, and only the state sales

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1 tax revenues in the baseball and softball complex rebate fund
 2 are subject to rebate under this subsection. The amount of
 3 rebates paid from each baseball and softball complex's account
 4 within the fund shall not exceed the amount of the award under
 5 section 15F.207, and not more than five million dollars in
 6 total rebates shall be paid from the fund. Any moneys in the
 7 fund which represent state sales tax revenue for which the time
 8 period in paragraph "c" for receiving a rebate has expired,
 9 or which otherwise represent state sales tax revenue that has
 10 become ineligible for rebate pursuant to this subsection, shall
 11 immediately revert to the general fund of this state.

12 Sec. 192. Section 423.4, subsection 11, paragraph b,
 13 subparagraph (1), Code 2018, is amended to read as follows:

14 (1) Sales tax imposed and collected by retailers upon
 15 sales of tangible personal property or services furnished to
 16 purchasers at the raceway facility. Notwithstanding the state
 17 sales tax imposed in section 423.2, a sales tax rebate issued
 18 pursuant to this subparagraph shall not exceed the amounts
 19 transferred to the raceway facility tax rebate fund pursuant to
 20 section ~~423.2, subsection 11, paragraph "b", subparagraph (7)~~
 21 423.2A, subsection 2, paragraph "g".

22 Sec. 193. Section 423.4, subsection 11, paragraph b,
 23 subparagraph (2), subparagraph division (c), Code 2018, is
 24 amended to read as follows:

25 (c) Notwithstanding the state sales tax imposed in section
 26 423.2, a sales tax rebate issued pursuant to this subparagraph

27 shall not exceed the amounts remaining after the transfers
28 required under section ~~423.2, subsection 11, paragraph "b",~~
29 ~~subparagraphs (1) through (6)~~ 423.2A, subsection 2, paragraphs
30 "a" through "f", have been made from the total amount of sales
31 tax for which the rebate is requested.

32 Sec. 194. Section 423.4, subsection 11, paragraph e, Code
33 2018, is amended to read as follows:

34 e. There is established within the state treasury under
35 the control of the department a raceway facility tax rebate

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1 fund consisting of the amount of state sales tax revenues
2 transferred pursuant to section ~~423.2, subsection 11, paragraph~~
3 ~~"b", subparagraph (7)~~ 423.2A, subsection 2, paragraph "g". An
4 account is created within the fund for each raceway facility
5 meeting the qualifications of this subsection. Moneys in the
6 fund shall only be used to provide rebates of state sales tax
7 pursuant to paragraph "b", subparagraph (1). The total amount
8 of rebates paid from the fund shall not exceed the amount
9 specified in paragraph "c", subparagraph (4), subparagraph
10 division (a) or (b), whichever is applicable. Any moneys in
11 the fund which represent state sales tax revenue for which the
12 time period in paragraph "c" for receiving a rebate has expired,
13 or which otherwise represent state sales tax revenue that has
14 become ineligible for rebate pursuant to this subsection shall
15 immediately revert to the general fund of the state.

16 Sec. 195. Section 423.5, subsection 1, paragraph a, Code
17 2018, is amended to read as follows:

18 a. The use in this state of tangible personal property
19 as defined in section 423.1, including aircraft subject to
20 registration under section 328.20, purchased for use in this
21 state. For the purposes of this subchapter, the furnishing
22 or use of the following services is also treated as the use
23 of tangible personal property: optional service or warranty
24 contracts, except residential service contracts regulated under
25 chapter 523C, vulcanizing, recapping, or retreading services,
26 engraving, ~~photography, retouching,~~ printing, or binding
27 services, and communication service when furnished or delivered
28 to consumers or users within this state.

29 Sec. 196. Section 423.5, subsection 1, paragraph d, Code
30 2018, is amended to read as follows:

31 d. Purchases of tangible personal property or specified
32 digital products made from the government of the United States
33 or any of its agencies by ultimate consumers shall be subject
34 to the tax imposed by this section. Services purchased from
35 the same source or sources shall be subject to the service

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1 tax imposed by this subchapter and apply to the user of the
2 services.

3 Sec. 197. Section 423.5, subsection 1, Code 2018, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. f. (1) The use in this state of specified
6 digital products. The tax applies whether the purchaser
7 obtains permanent use or less than permanent use of the
8 specified digital product, whether the use is conditioned or
9 not conditioned upon continued payment from the purchaser,
10 and whether the use is on a subscription basis or is not on a
11 subscription basis.

12 (2) The use of a digital code that may be used to obtain
13 or access a specified digital product shall be taxed in the
14 same manner as the specified digital product. For purposes of
15 this subparagraph, “*digital code*” means the same as defined in
16 section 423.2, subsection 9A.

17 Sec. 198. Section 423.5, subsection 3, Code 2018, is amended
18 to read as follows:

19 3. For the purpose of the proper administration of the use
20 tax and to prevent its evasion, evidence that tangible personal
21 property ~~was or specified digital products were~~ sold by any
22 person for delivery in this state shall be prima facie evidence
23 that such tangible personal property ~~was or specified digital~~
24 products were sold for use in this state.

25 Sec. 199. Section 423.5, subsection 4, Code 2018, is amended
26 by striking the subsection.

27 Sec. 200. Section 423.6, unnumbered paragraph 1, Code 2018,
28 is amended to read as follows:

29 The use in this state of the following tangible personal
30 property, specified digital products, and services is exempted
31 from the tax imposed by this subchapter:

32 Sec. 201. Section 423.6, subsections 1, 2, 4, and 6, Code
33 2018, are amended to read as follows:

34 1. Tangible personal property, specified digital products,
35 and enumerated services, the sales price from the sale of which

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1 are required to be included in the measure of the sales tax, if
2 that tax has been paid to the department or the retailer. This
3 exemption does not include vehicles subject to registration or
4 subject only to the issuance of a certificate of title.

5 2. The sale of tangible personal property, specified
6 digital products, or the furnishing of services in the regular
7 course of business.

8 4. All articles of tangible personal property and all
9 specified digital products brought into the state of Iowa by a
10 nonresident individual for the individual’s use or enjoyment
11 while within the state.

12 6. Tangible personal property, specified digital products,

13 or services the sales price of which is exempt from the sales
 14 tax under section 423.3, except section 423.3, subsections 39
 15 and 73, as it relates to the sale, but not the lease or rental,
 16 of vehicles subject only to the issuance of a certificate of
 17 title and as it relates to aircraft subject to registration
 18 under section 328.20.

19 Sec. 202. Section 423.14, subsection 2, paragraphs b and c,
 20 Code 2018, are amended to read as follows:

21 *b.* The tax upon the use of all tangible personal property
 22 ~~and specified digital products~~ other than that enumerated in
 23 paragraph “a”, which is sold by a seller who is a retailer
 24 ~~maintaining a place of business in this state, or by such other~~
 25 ~~retailer or agent as the director shall authorize pursuant to~~
 26 ~~section 423.30 or its agent that is not otherwise required~~
 27 ~~to collect sales tax under the provisions of this chapter,~~
 28 shall be collected by the retailer or agent and remitted to the
 29 department, pursuant to the provisions of paragraph “e”, and
 30 sections 423.24, 423.29, 423.30, 423.32, and 423.33.

31 *c.* The tax upon the use of all tangible personal property
 32 ~~and specified digital products~~ not paid pursuant to paragraphs
 33 “a” and “b” shall be paid to the department directly by any
 34 person using the property within this state, pursuant to the
 35 provisions of section 423.34.

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1 Sec. 203. NEW SECTION. **423.14A Persons required to collect**
 2 **sales and use tax — supplemental conditions, requirements, and**
 3 **responsibilities.**

4 1. For purposes of this section:

5 *a.* “*Iowa sales*” means sales of tangible personal property,
 6 services, or specified digital products sourced to this state
 7 pursuant to section 423.15, 423.16, 423.17, 423.19, or 423.20,
 8 or that are otherwise sold in this state or for delivery into
 9 this state.

10 *b.* (1) “*Marketplace facilitator*” means a person, including
 11 any affiliate of the person, who facilitates a retail sale by
 12 satisfying subparagraph divisions (a) and (b) as follows:

13 (a) The person directly or indirectly does any of the
 14 following:

15 (i) Lists, makes available, or advertises tangible personal
 16 property, services, or specified digital products for sale
 17 by a marketplace seller in a marketplace owned, operated, or
 18 controlled by the person.

19 (ii) Facilitates the sale of a marketplace seller’s
 20 product through a marketplace by transmitting or otherwise
 21 communicating an offer or acceptance of a retail sale of
 22 tangible personal property, services, or specified digital
 23 products between a marketplace seller and a purchaser in a
 24 forum including a shop, store, booth, catalog, internet site,
 25 or similar forum.

26 (iii) Owns, rents, licenses, makes available, or operates

27 any electronic or physical infrastructure or any property,
28 process, method, copyright, trademark, or patent that connects
29 marketplace sellers to purchasers for the purpose of making
30 retail sales of tangible personal property, services, or
31 specified digital products.
32 (iv) Provides a marketplace for making retail sales of
33 tangible personal property, services, or specified digital
34 products, or otherwise facilitates retail sales of tangible
35 personal property, services, or specified digital products,

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1 regardless of ownership or control of the tangible personal
2 property, services, or specified digital products that are the
3 subject of the retail sale.
4 (v) Provides software development or research and
5 development activities related to any activity described in
6 this subparagraph division (a), if such software development or
7 research and development activities are directly related to the
8 physical or electronic marketplace provided by a marketplace
9 provider.
10 (vi) Provides or offers fulfillment or storage services for
11 a marketplace seller.
12 (vii) Sets prices for a marketplace seller's sale of
13 tangible personal property, services, or specified digital
14 products.
15 (viii) Provides or offers customer service to a marketplace
16 seller or a marketplace seller's customers, or accepts or
17 assists with taking orders, returns, or exchanges of tangible
18 personal property, services, or specified digital products sold
19 by a marketplace seller.
20 (ix) Brands or otherwise identifies sales as those of the
21 marketplace facilitator.
22 (b) The person directly or indirectly does any of the
23 following:
24 (i) Collects the sales price or purchase price of a retail
25 sale of tangible personal property, services, or specified
26 digital products.
27 (ii) Provides payment processing services for a retail sale
28 of tangible personal property, services, or specified digital
29 products.
30 (iii) Charges, collects, or otherwise receives selling
31 fees, listing fees, referral fees, closing fees, fees for
32 inserting or making available tangible personal property,
33 services, or specified digital products on a marketplace, or
34 other consideration from the facilitation of a retail sale of
35 tangible personal property, services, or specified digital

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- 1 products, regardless of ownership or control of the tangible
2 personal property, services, or specified digital products that
3 are the subject of the retail sale.
- 4 (iv) Through terms and conditions, agreements, or
5 arrangements with a third party, collects payment in connection
6 with a retail sale of tangible personal property, services,
7 or specified digital products from a purchaser and transmits
8 that payment to the marketplace seller, regardless of whether
9 the person collecting and transmitting such payment receives
10 compensation or other consideration in exchange for the
11 service.
- 12 (v) Provides a virtual currency that purchasers are allowed
13 or required to use to purchase tangible personal property,
14 services, or specified digital products.
- 15 (2) “*Marketplace facilitator*” includes but is not limited
16 to a person who satisfies the requirements of this paragraph
17 through the ownership, operation, or control of a digital
18 distribution service, digital distribution platform, online
19 portal, or application store.
- 20 (3) A “*rental platform*”, as defined in section 423C.2, that
21 meets the requirements described in section 423C.3, subsection
22 3, paragraph “c”, subparagraph (2), shall not be considered
23 a “*marketplace facilitator*” with respect to any sale of a
24 transportation service under section 423.2, subsection 6,
25 paragraph “b”, or section 423.5, subsection 1, paragraph “e”,
26 consisting of the rental of vehicles subject to registration
27 which are registered for a gross weight of thirteen tons or
28 less for a period of sixty days or less.
- 29 c. “*Marketplace seller*” means any of the following:
- 30 (1) A seller that makes retail sales through any physical
31 or electronic marketplace owned, operated, or controlled by a
32 marketplace facilitator, even if such seller would not have
33 been required to collect and remit sales and use tax had the
34 sale not been made through such marketplace.
- 35 (2) A seller that makes retail sales resulting from a

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- 1 referral by a referrer, even if such seller would not have been
2 required to collect and remit sales and use tax had the sale
3 not been made through such referrer.
- 4 2. In addition to and not in lieu of any application of
5 this chapter to sellers who are retailers and sellers who are
6 retailers maintaining a place of business in this state, any
7 person described in subsection 3, or the person’s agents,
8 shall be considered a retailer in this state and a retailer
9 maintaining a place of business in this state for purposes of
10 this chapter on or after January 1, 2019, and shall be subject
11 to all requirements of this chapter imposed on retailers and
12 retailers maintaining a place of business in this state,

13 including but not limited to the requirement to collect and
14 remit sales and use taxes pursuant to sections 423.14 and
15 423.29, and local option taxes under chapter 423B.

16 3. *a.* A retailer that has gross revenue from Iowa sales
17 equal to or exceeding one hundred thousand dollars for an
18 immediately preceding calendar year or a current calendar year.

19 *b.* A retailer that makes Iowa sales in two hundred or more
20 separate transactions for an immediately preceding calendar
21 year or a current calendar year.

22 *c.* (1) A retailer that owns, licenses, or uses software
23 or data files that are installed or stored on property used
24 in this state. For purposes of this subparagraph, “*software*
25 *or data files*” include but are not limited to software that is
26 affirmatively downloaded by a user, software that is downloaded
27 as a result of the use of a website, preloaded software, and
28 cookies.

29 (2) A retailer that uses in-state software to make Iowa
30 sales. For purposes of this subparagraph, “*in-state software*”
31 means computer software that is installed or stored on property
32 located in this state or that is distributed within this state
33 for the purpose of facilitating a sale by the retailer.

34 (3) A retailer that provides, or enters into an agreement
35 with another person to provide, a content distribution network

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1 in this state to facilitate, accelerate, or enhance the
2 delivery of the retailer’s internet site to purchasers. For
3 purposes of this subparagraph, “*content distribution network*”
4 means a system of distributed servers that deliver internet
5 sites and other internet content to a user based on the
6 geographic location of the user, the origin of the internet
7 site or internet content, and a content delivery server.

8 (4) This paragraph “*c*” shall not apply to a retailer that
9 has gross revenue from Iowa sales of less than one hundred
10 thousand dollars for an immediately preceding calendar year or
11 a current calendar year.

12 *d.* (1) A marketplace facilitator that makes or facilitates
13 Iowa sales on its own behalf or for one or more marketplace
14 sellers equal to or exceeding one hundred thousand dollars,
15 or in two hundred or more separate transactions, for an
16 immediately preceding calendar year or a current calendar year.

17 (2) A marketplace facilitator shall collect sales and
18 use tax on the entire sales price or purchase price paid by
19 a purchaser on each Iowa sale subject to sales and use tax
20 that is made or facilitated by the marketplace facilitator,
21 regardless of whether the marketplace seller for whom an Iowa
22 sale is made or facilitated has or is required to have a
23 retail sales tax permit or would have been required to collect
24 sales and use tax had the sale not been facilitated by the
25 marketplace facilitator, and regardless of the amount of the
26 sales price or purchase price that will ultimately accrue

27 to or benefit the marketplace facilitator, the marketplace
28 seller, or any other person. This sales and use tax collection
29 responsibility of a marketplace facilitator applies but shall
30 not be limited to sales facilitated through a computer software
31 application, commonly referred to as in-app purchases, or
32 through another specified digital product.

33 (3) A marketplace facilitator shall be relieved of
34 liability under this paragraph “d” for failure to collect and
35 remit sales and use tax on an Iowa sale made or facilitated for

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1 a marketplace seller under the following circumstances and up
2 to the amounts permitted under the following circumstances:

3 (a) If the marketplace facilitator demonstrates to the
4 satisfaction of the department that the marketplace facilitator
5 has made a reasonable effort to obtain accurate information
6 from the marketplace seller about a retail sale and that
7 the failure to collect and remit the correct tax was due to
8 incorrect information provided to the marketplace facilitator
9 by the marketplace seller, then the marketplace facilitator
10 shall be relieved of liability for that retail sale. This
11 subparagraph division does not apply with regard to a retail
12 sale for which the marketplace facilitator is the seller or if
13 the marketplace facilitator and the seller are affiliates. For
14 Iowa sales for which a marketplace facilitator is relieved of
15 liability under this subparagraph division, the marketplace
16 seller and purchaser are liable for any amount of uncollected,
17 unpaid, or unremitted tax.

18 (b) (i) Subject to the limitation in subparagraph
19 subdivision (ii), if the marketplace facilitator demonstrates
20 to the satisfaction of the department that the Iowa sale was
21 made or facilitated for a marketplace seller prior to January
22 1, 2026, through a marketplace of the marketplace facilitator,
23 that the marketplace facilitator is not the seller and that
24 the marketplace facilitator and the seller are not affiliates,
25 and that the failure to collect sales and use tax was due to
26 an error other than an error in sourcing the sale. To the
27 extent that a marketplace facilitator is relieved of liability
28 for collection of sales and use tax under this subparagraph
29 division, the marketplace seller for whom the marketplace
30 facilitator has made or facilitated the Iowa sale is also
31 relieved of liability. The department may determine the manner
32 in which a marketplace facilitator or marketplace seller shall
33 claim the liability relief provided in this subparagraph
34 division.

35 (ii) The liability relief provided in subparagraph

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- 1 subdivision (i) shall not exceed the following percentage
 2 of the total sales and use tax due on Iowa sales made or
 3 facilitated by a marketplace facilitator for marketplace
 4 sellers and sourced to this state during a calendar year,
 5 which Iowa sales shall not include sales by the marketplace
 6 facilitator or affiliates of the marketplace facilitator:
 7 (A) For Iowa sales made or facilitated during the 2019
 8 calendar year, ten percent.
 9 (B) For Iowa sales made or facilitated during calendar years
 10 2020 through 2024, five percent.
 11 (C) For Iowa sales made or facilitated during the 2025
 12 calendar year, three percent.
 13 (c) Nothing in this subparagraph (3) shall be construed to
 14 relieve any person of liability for collecting but failing to
 15 remit to the department sales and use tax.
 16 (d) A marketplace facilitator is deemed to be an agent
 17 of any marketplace seller making retail sales through a
 18 marketplace of the marketplace facilitator.
 19 e. (1) A referrer if, for any immediately preceding
 20 calendar year or a current calendar year, one hundred thousand
 21 dollars or more in Iowa sales or two hundred or more separate
 22 Iowa sales transactions result from referrals from a platform
 23 of the referrer. A referrer is not required to collect and
 24 remit sales and use tax pursuant to this paragraph if the
 25 referrer does all of the following:
 26 (a) The referrer posts a conspicuous notice on each platform
 27 of the referrer that includes all of the following:
 28 (i) A statement that sales or use tax is due on certain
 29 purchases.
 30 (ii) A statement that the marketplace seller from whom the
 31 person is purchasing on the platform may or may not collect and
 32 remit sales and use tax on a purchase.
 33 (iii) A statement that Iowa requires the purchaser to pay
 34 sales or use tax and file sales or use tax returns if sales
 35 or use tax is not collected at the time of the sale by the

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- 1 marketplace seller.
 2 (iv) Information informing the purchaser that the notice is
 3 provided under the requirements of this subparagraph.
 4 (v) Instructions for obtaining additional information from
 5 the department regarding whether and how to remit sales and use
 6 tax to the state of Iowa.
 7 (b) The referrer provides a monthly notice to each
 8 marketplace seller to whom the referrer made a referral of a
 9 potential customer located in Iowa during the previous calendar
 10 year, which monthly notice shall contain all of the following:
 11 (i) A statement that Iowa imposes a sales or use tax on Iowa
 12 sales.

- 13 (ii) A statement that a marketplace facilitator or other
14 retailer making Iowa sales must collect and remit sales and use
15 tax.
- 16 (iii) Instructions for obtaining additional information
17 from the department regarding the collection and remittance of
18 Iowa sales and use tax.
- 19 (c) The referrer provides the department with monthly
20 reports in an electronic format and in the manner prescribed
21 by the department, which monthly reports contain all of the
22 following:
- 23 (i) A list of marketplace sellers who received the
24 referrer's notice under subparagraph division (b).
- 25 (ii) A list of marketplace sellers that collect and
26 remit Iowa sales and use tax and that list or advertise the
27 marketplace seller's products for sale on a platform of the
28 referrer.
- 29 (iii) An affidavit signed under penalty of perjury from
30 an officer of the referrer affirming that the referrer made
31 reasonable efforts to comply with the applicable sales and use
32 tax notice and reporting requirements of this subparagraph.
- 33 (2) A referrer is deemed to be an agent of any marketplace
34 seller making retail sales resulting from a referral of the
35 referrer.

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- 1 (3) For purposes of this paragraph:
- 2 (a) "*Platform*" means an electronic or physical medium,
3 including but not limited to an internet site or catalog, that
4 is owned, operated, or controlled by a referrer.
- 5 (b) "*Referral*" means the transfer through telephone,
6 internet link, or other means by a referrer of a potential
7 customer to a retailer or seller who advertises or lists
8 products for sale on a platform of the referrer.
- 9 (c) (i) "*Referrer*" means a person who does all of the
10 following:
- 11 (A) Contracts or otherwise agrees with a retailer, seller,
12 or marketplace facilitator to list or advertise for sale a
13 product of the retailer, seller, or marketplace facilitator on
14 a platform, provided such listing or advertisement identifies
15 whether or not the retailer, seller, or marketplace facilitator
16 collects sales and use tax.
- 17 (B) Receives a commission, fee, or other consideration
18 from the retailer, seller, or marketplace facilitator for the
19 listing or advertisement.
- 20 (C) Provides referrals to a retailer, seller, or
21 marketplace facilitator, or an affiliate of a retailer, seller,
22 or marketplace facilitator.
- 23 (D) Does not collect money or other consideration from the
24 customer for the transaction.
- 25 (ii) "*Referrer*" does not include any of the following:
- 26 (A) A person primarily engaged in the business of printing

27 or publishing a newspaper.

28 (B) A person who does not provide the retailer's, seller's,
29 or marketplace facilitator's shipping terms and who does
30 not advertise whether a retailer, seller, or marketplace
31 facilitator collects sales or use tax.

32 (4) This paragraph only applies to referrals by a referrer
33 and shall not preclude the applicability of other provisions
34 of this section to a person who is a referrer and is also a
35 retailer, a marketplace facilitator, or a marketplace seller.

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1 f. (1) A retailer that makes Iowa sales through the use of
2 a solicitor. For purposes of this paragraph, "*solicitor*" means
3 a person that directly or indirectly solicits business for a
4 retailer.

5 (2) (a) A retailer is deemed to have a solicitor in
6 this state if the retailer enters into an agreement with a
7 resident under which the resident, for a commission, fee, or
8 other similar consideration, directly or indirectly refers
9 potential customers, whether by link on an internet site,
10 or otherwise, to the retailer. This determination may be
11 rebutted by a showing of proof that the resident with whom the
12 retailer has an agreement did not engage in any solicitation
13 in this state on behalf of the retailer that would satisfy the
14 nexus requirement of the United States Constitution during the
15 calendar year in question.

16 (b) This subparagraph (2) shall not apply to a retailer that
17 has Iowa gross revenue from Iowa sales of ten thousand dollars
18 or less for an immediately preceding calendar year or a current
19 calendar year.

20 (c) For purposes of this subparagraph (2):

21 (i) "*Iowa gross revenue*" means gross revenue from Iowa
22 sales to purchasers who were referred to the retailer by all
23 solicitors who are residents.

24 (ii) "*Resident*" includes an individual who is a resident
25 of this state, as defined in section 422.4, and any business
26 that owns any tangible or intangible property with a situs in
27 this state, or that has one or more employees performing or
28 providing services for the business in this state.

29 (d) This paragraph "*f*" does not apply to chapter 422 and
30 does not expand or contract the state's jurisdiction to tax a
31 trade or business under chapter 422.

32 g. A retailer that owns, controls, rents, licenses, makes
33 available, or uses any tangible or intangible property in this
34 state or with a situs in this state, to make or otherwise
35 facilitate a retail sale.

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1 *h.* (1) Any person that enters into a contract or agreement
 2 with a governmental entity, including but not limited to
 3 contracts for the provision of financial assistance or
 4 incentives such as a tax credit, forgivable loan, grant, tax
 5 rebate, or any other thing of value. For purposes of this
 6 subparagraph, “*governmental entity*” means any unit of government
 7 in the executive, legislative, or judicial branch, or any
 8 political subdivision of the state, including but not limited
 9 to a city, county, township, or school district.

10 (2) Every bid submitted and each contract or agreement
 11 executed by a state agency shall contain a certification by
 12 the bidder or contractor stating that the bidder or contractor
 13 is registered with the department pursuant to this chapter
 14 and will collect and remit Iowa sales and use tax due under
 15 this chapter. In the certification, the bidder or contractor
 16 shall also acknowledge that the state agency may declare the
 17 contractor or bid void if the certification is false or becomes
 18 false. Fraudulent certification, by act or omission, may
 19 result in the state agency or its representative filing for
 20 damages for breach of contract.

21 *i.* Any affiliate of any person that is required to collect
 22 and remit sales and use tax under this chapter, provided the
 23 affiliate makes retail sales.

24 Sec. 204. **NEW SECTION. 423.14B Sales and use tax reporting**
 25 **requirements — penalties.**

26 1. For purposes of this section, “*Iowa sales*” and
 27 “*marketplace facilitator*” all mean the same as defined in
 28 section 423.14A.

29 2. The department may, in its discretion, adopt rules
 30 pursuant to chapter 17A establishing and imposing notice and
 31 reporting requirements related to Iowa sales for retailers,
 32 including but not limited to marketplace facilitators,
 33 who do not collect and remit sales and use tax under this
 34 chapter. The rules may include but are not limited to rules
 35 requiring retailers, including but not limited to marketplace

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1 facilitators, to do any of the following:

2 *a.* Notify purchasers at the time of an Iowa sales
 3 transaction of sales and use tax obligations under this
 4 chapter.

5 *b.* Provide purchasers with periodic reports of purchases
 6 that are Iowa sales.

7 *c.* Provide the department with annual reports that include
 8 but are not limited to information relating to purchases,
 9 purchasers, and Iowa sales.

10 3. *a.* The department may adopt rules pursuant to chapter
 11 17A establishing and imposing penalties as described in and
 12 subject to the dollar limitations of paragraph “*b*”, provided

13 that any such penalty shall include a procedure for waiver
 14 of the penalty upon a showing of reasonable cause for such
 15 failure.

16 *b.* (1) The department may impose penalties for failure to
 17 provide a notification to a purchaser in the manner and form
 18 prescribed by the department by rule. Such penalties shall not
 19 exceed five dollars for each failure.

20 (2) The department may impose penalties for failure to
 21 provide a purchaser with a periodic report of purchases in the
 22 manner and form prescribed by the department by rule. Such
 23 penalties shall not exceed ten dollars for each failure.

24 (3) The department may impose penalties for failure to
 25 provide the department with an annual report in the manner
 26 and form prescribed by the department. Such penalties shall
 27 not exceed an amount per annual report equal to ten dollars
 28 multiplied by the number of purchasers for whom information
 29 should have been but was not included in the annual report.

30 Sec. 205. Section 423.15, unnumbered paragraph 1, Code
 31 2018, is amended to read as follows:

32 All sales of ~~products~~ tangible personal property, services,
 33 or specified digital products, except those sales enumerated
 34 in section 423.16, shall be sourced according to this section
 35 by sellers obligated to collect Iowa sales and use tax. The

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1 sourcing rules described in this section apply to sales of
 2 tangible personal property, specified digital goods products,
 3 and all services other than telecommunications services. This
 4 section only applies to determine a seller's obligation to pay
 5 or collect and remit a Iowa sales or use tax with respect to
 6 the seller's sale of a product. This section does not affect
 7 the obligation of a purchaser or lessee to remit tax on the use
 8 of the product to the taxing jurisdictions in which the use
 9 occurs. A seller's obligation to collect Iowa sales tax or
 10 Iowa use tax only occurs if the sale is sourced to this state.
 11 ~~Whether Iowa sales tax applies to a sale sourced to Iowa shall~~
 12 ~~be determined based on the location at which the sale is~~
 13 ~~consummated by delivery or, in the case of a service, where the~~
 14 ~~first use of the service occurs~~ made by a seller subject to
 15 section 423.1, subsection 48, or section 423.14A.

16 Sec. 206. Section 423.15, subsection 1, paragraph e, Code
 17 2018, is amended to read as follows:

18 *e.* When paragraphs "*a*", "*b*", "*c*", and "*d*" do not apply,
 19 including the circumstance where the seller is without
 20 sufficient information to apply the previous rules, then the
 21 location will be determined by the address from which tangible
 22 personal property was shipped, from which the specified digital
 23 ~~good product~~ or the computer software delivered electronically
 24 was first available for transmission by the seller, or from
 25 which the service was provided disregarding for these purposes
 26 any location that merely provided the digital transfer of the

27 product sold.

28 Sec. 207. Section 423.22, Code 2018, is amended to read as
29 follows:

30 **423.22 Taxation in another state.**

31 If any person who causes tangible personal property or
32 specified digital products to be brought into this state or
33 who uses in this state services enumerated in section 423.2
34 has already paid a tax in another state in respect to the sale
35 or use of the property or the performance of the service, or

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1 an occupation tax in respect to the property or service, in
2 an amount less than the tax imposed by subchapter II or III,
3 the provisions of those subchapters shall apply, but at a rate
4 measured by the difference only between the rate fixed by
5 subchapter II or III and the rate by which the previous tax on
6 the sale or use, or the occupation tax, was computed. If the
7 tax imposed and paid in the other state is equal to or more than
8 the tax imposed by those subchapters, then a tax is not due in
9 this state on the personal property or service.

10 Sec. 208. Section 423.29, subsection 1, Code 2018, is
11 amended to read as follows:

12 1. Every seller who is a retailer and who is making taxable
13 sales of tangible personal property or specified digital
14 products in Iowa shall, at the time of ~~selling the property~~
15 ~~making the sale~~, collect the sales tax. Every seller who
16 is a retailer ~~maintaining a place of business in this state~~
17 that is not otherwise required to collect sales tax under the
18 provisions of this chapter and who is selling tangible personal
19 property or specified digital products for use in Iowa shall,
20 at the time of making the sale, whether within or without the
21 state, collect the use tax. Sellers required to collect sales
22 or use tax shall give to any purchaser a receipt for the tax
23 collected in the manner and form prescribed by the director.

24 Sec. 209. Section 423.30, subsection 1, Code 2018, is
25 amended to read as follows:

26 1. The director may, upon application, authorize the
27 collection of the use tax by any seller who is a retailer not
28 maintaining a place of business within this state and not
29 registered under the agreement, who, to the satisfaction of
30 the director, furnishes adequate security to ensure collection
31 and payment of the tax. Such sellers shall be issued, without
32 charge, permits to collect tax subject to any regulations
33 which the director shall prescribe. When so authorized, it
34 shall be the duty of foreign sellers to collect the tax upon
35 all tangible personal property and specified digital products

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1 sold, to the retailer's knowledge, for use within this state,
 2 in the same manner and subject to the same requirements as a
 3 retailer maintaining a place of business within this state.
 4 The authority and permit may be canceled when, at any time, the
 5 director considers the security inadequate, or that tax can
 6 more effectively be collected from the person using property
 7 in this state.

8 Sec. 210. Section 423.31, subsection 1, Code 2018, is
 9 amended to read as follows:

10 1. Each person subject to this section and section 423.36
 11 and in accordance with the provisions of this section and
 12 section 423.36 shall, on or before the last day of the month
 13 following the close of each calendar quarter during which
 14 such person is or has become or ceased being subject to the
 15 provisions of this section and section 423.36, make, sign, and
 16 file a return for the calendar quarter in the form as may be
 17 required. Returns shall show information relating to sales
 18 prices including ~~goods, wares,~~ tangible personal property,
 19 specified digital products, and services converted to the
 20 use of such person, the amounts of sales prices excluded and
 21 exempt from the tax, the amounts of sales prices subject to
 22 tax, a calculation of tax due, and any other information for
 23 the period covered by the return as may be required. Returns
 24 shall be signed by the retailer or the retailer's authorized
 25 agent and must be certified by the retailer to be correct in
 26 accordance with forms and rules prescribed by the director.

27 Sec. 211. Section 423.31, subsection 5, paragraph a, Code
 28 2018, is amended to read as follows:

29 a. Upon making application and receiving approval from
 30 the director, a ~~parent corporation person~~ and its ~~affiliated~~
 31 ~~corporations affiliates~~ that make retail sales of tangible
 32 personal property, specified digital products, or taxable
 33 enumerated services may make deposits and file a consolidated
 34 sales tax return for the affiliated group, pursuant to rules
 35 adopted by the director. A ~~parent corporation person~~ and each

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1 affiliate ~~corporation~~ that files a consolidated return are
 2 jointly and severally liable for all tax, penalty, and interest
 3 found due for the tax period for which a consolidated return is
 4 filed or required to be filed.

5 Sec. 212. Section 423.32, subsection 1, paragraph b, Code
 6 2018, is amended to read as follows:

7 b. The deposit form is due on or before the twentieth day of
 8 the month following the month of collection, except a deposit
 9 is not required for the third month of the calendar quarter,
 10 and the total quarterly amount, less the amounts deposited for
 11 the first two months of the quarter, is due with the quarterly
 12 report on the last day of the month following the month of

13 collection. At that time, the retailer shall file with the
14 department a return for the preceding quarterly period in the
15 form prescribed by the director showing the purchase price of
16 the tangible personal property, specified digital products, and
17 services sold by the retailer during the preceding quarterly
18 period, the use of which is subject to the use tax imposed
19 by this chapter, and other information the director deems
20 necessary for the proper administration of the use tax.

21 Sec. 213. Section 423.33, subsection 3, Code 2018, is
22 amended to read as follows:

23 3. *Event sponsor's liability for sales tax.* A person
24 sponsoring a flea market or a craft, antique, coin, or stamp
25 show or similar event shall obtain from every retailer selling
26 tangible personal property, specified digital products,
27 or taxable services at the event proof that the retailer
28 possesses a valid sales tax permit or secure from the retailer
29 a statement, taken in good faith, that tangible personal
30 property, specified digital products, or services offered for
31 sale are not subject to sales tax. Failure to do so renders
32 a sponsor of the event liable for payment of any sales tax,
33 interest, and penalty due and owing from any retailer selling
34 property or services at the event. Sections 423.31, 423.32,
35 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply to the

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1 sponsors. For purposes of this subsection, a "*person sponsoring*
2 *a flea market or a craft, antique, coin, or stamp show or similar*
3 *event*" does not include an organization which sponsors an
4 event determined to qualify as an event involving casual sales
5 pursuant to section 423.3, subsection 39, or the state fair or
6 a fair as defined in section 174.1.

7 Sec. 214. Section 423.33, Code 2018, is amended by adding
8 the following new subsection:

9 **NEW SUBSECTION.** 4. *Liability of affiliates.*

10 a. Notwithstanding any other provision of law to the
11 contrary, if any retailer required to collect and remit sales
12 and use tax pursuant to sections 423.14, 423.14A, and 423.29,
13 or any other provision of this chapter, fails to do so, all
14 affiliates that directly, indirectly, or constructively control
15 the retailer shall be jointly and severally liable for any tax,
16 penalty, and interest under this chapter, regardless of whether
17 the affiliate is a retailer.

18 b. Pursuant to paragraph "a", the department may elect
19 to assess the full amount of any tax, penalty, and interest
20 against the retailer, an affiliate of the retailer described
21 in paragraph "a", or any combination of the retailer and the
22 retailer's affiliates described in paragraph "a".

23 c. Notwithstanding any other provision of law to the
24 contrary, the department has the discretion to deem an
25 affiliate of a retailer an agent or alter ego of that retailer.

26 d. Notwithstanding any other provision of law to the

27 contrary, the department has the discretion to disregard or
28 look through any organizational structure of an enterprise in
29 order to assess and collect any tax, penalty, and interest
30 against an affiliate that is acting to benefit an affiliate or
31 an enterprise of which the affiliate is a part.

32 Sec. 215. Section 423.34, Code 2018, is amended to read as
33 follows:

34 **423.34 Liability of user.**

35 Any person who uses any tangible personal property,

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1 specified digital products, or services enumerated in section
2 423.2 upon which the use tax has not been paid, either to the
3 county treasurer or to a retailer or direct to the department
4 as required by this subchapter, shall be liable for the payment
5 of tax, and shall on or before the last day of the month next
6 succeeding each quarterly period pay the use tax upon all
7 property or services used by the person during the preceding
8 quarterly period in the manner and accompanied by such returns
9 as the director shall prescribe. All of the provisions of
10 sections 423.32 and 423.33 with reference to the returns and
11 payments shall be applicable to the returns and payments
12 required by this section.

13 Sec. 216. Section 423.36, subsection 1, Code 2018, is
14 amended to read as follows:

15 1. A person shall not engage in or transact business as a
16 retailer making taxable sales of tangible personal property,
17 specified digital products, or furnishing services within
18 this state or as a retailer making taxable sales of tangible
19 personal property, specified digital products, or furnishing
20 services for use within this state, unless a permit has been
21 issued to the retailer under this section, except as provided
22 in subsection 7. Every person desiring to engage in or
23 transact business as a retailer shall file with the department
24 an application for a permit to collect sales or use tax. Every
25 application for a sales or use tax permit shall be made upon
26 a form prescribed by the director and shall set forth any
27 information the director may require. The application shall
28 be signed by an owner of the business if a natural person; in
29 the case of a retailer which is an association or partnership,
30 by a member or partner; and in the case of a retailer which
31 is a corporation, by an executive officer or some person
32 specifically authorized by the corporation to sign the
33 application, to which shall be attached the written evidence of
34 the person's authority.

35 Sec. 217. Section 423.36, subsection 2, paragraph a, Code

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1 2018, is amended to read as follows:

2 *a.* Notwithstanding subsection 1, if any person will make
3 taxable sales of tangible personal property, specified digital
4 products, or furnish services to any state agency, that person
5 shall, prior to the sale, apply for and receive a permit to
6 collect sales or use tax pursuant to this section. A state
7 agency shall not purchase tangible personal property, specified
8 digital products, or services from any person unless that
9 person has a valid, unexpired permit issued pursuant to this
10 section and is in compliance with all other requirements in
11 this chapter imposed upon retailers, including but not limited
12 to the requirement to collect and remit sales and use tax and
13 file sales and use tax returns.

14 Sec. 218. Section 423.36, subsection 7, paragraph b, Code
15 2018, is amended to read as follows:

16 *b.* Persons engaged in selling tangible personal property,
17 specified digital products, or furnishing services shall not be
18 required to obtain or retain a sales tax permit for a place of
19 business at which taxable sales of tangible personal property,
20 specified digital products, or taxable performance of services
21 will not occur.

22 Sec. 219. Section 423.36, subsection 9, paragraph a, Code
23 2018, is amended to read as follows:

24 *a.* Except as provided in paragraph “b”, purchasers, users,
25 and consumers of tangible personal property, specified digital
26 products, or enumerated services taxed pursuant to subchapter
27 II or III of this chapter or chapter 423B may be authorized,
28 pursuant to rules adopted by the director, to remit tax owed
29 directly to the department instead of the tax being collected
30 and paid by the seller. To qualify for a direct pay tax permit,
31 the purchaser, user, or consumer must accrue a tax liability
32 of more than four thousand dollars in tax under subchapters
33 II and III in a semimonthly period and make deposits and file
34 returns pursuant to section 423.31. This authority shall not
35 be granted or exercised except upon application to the director

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1 and then only after issuance by the director of a direct pay
2 tax permit.

3 Sec. 220. Section 423.40, subsection 2, Code 2018, is
4 amended to read as follows:

5 2. *a.* Any person who knowingly sells tangible personal
6 property, specified digital products, tickets or admissions
7 to places of amusement and athletic events, or gas, water,
8 electricity, or communication service at retail, or engages in
9 the furnishing of services enumerated in section 423.2, in this
10 state without procuring a permit to collect tax, as provided
11 in section 423.36, or who violates section 423.24 and the
12 officers of any corporation who so act are guilty of a serious

13 misdemeanor.

14 *b.* A person who knowingly sells tangible personal property,
 15 specified digital products, tickets or admissions to places of
 16 amusement and athletic events, or gas, water, electricity, or
 17 communication service at retail, or engages in the furnishing
 18 of services enumerated in section 423.2, in this state after
 19 the person's sales tax permit has been revoked and before it
 20 has been restored as provided in section 423.36, subsection 6,
 21 and the officers of any corporation who so act are guilty of an
 22 aggravated misdemeanor.

23 Sec. 221. Section 423.41, Code 2018, is amended to read as
 24 follows:

25 **423.41 Books — examination.**

26 Every retailer required or authorized to collect taxes
 27 imposed by this chapter and every person using in this state
 28 tangible personal property, specified digital products,
 29 services, or the product of services shall keep records,
 30 receipts, invoices, and other pertinent papers as the director
 31 shall require, in the form that the director shall require,
 32 for as long as the director has the authority to examine and
 33 determine tax due. The director or any duly authorized agent
 34 of the department may examine the books, papers, records,
 35 and equipment of any person ~~either~~ selling tangible personal

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1 property, specified digital products, or services or liable
 2 for the tax imposed by this chapter, and investigate the
 3 character of the business of any person in order to verify
 4 the accuracy of any return made, or if a return was not made
 5 by the person, ascertain and determine the amount due under
 6 this chapter. These books, papers, and records shall be made
 7 available within this state for examination upon reasonable
 8 notice when the director deems it advisable and so orders. If
 9 the taxpayer maintains any records in an electronic format,
 10 the taxpayer shall comply with reasonable requests by the
 11 director or the director's authorized agents to provide those
 12 electronic records in a standard record format. The preceding
 13 requirements shall likewise apply to users and persons
 14 furnishing services enumerated in section 423.2.

15 Sec. 222. Section 423.45, subsection 4, paragraphs a, b, and
 16 e, Code 2018, are amended to read as follows:

17 *a.* The department shall issue or the seller may separately
 18 provide exemption certificates in the form prescribed by the
 19 director, including certificates not made of paper, which
 20 conform to the requirements of paragraph "c", to assist
 21 retailers in properly accounting for nontaxable sales of
 22 tangible personal property, specified digital products,
 23 or services to purchasers for a nontaxable purpose. The
 24 department shall also allow the use of exemption certificates
 25 for those circumstances in which a sale is taxable but the
 26 seller is not obligated to collect tax from the buyer.

27 *b.* The sales tax liability for all sales of tangible
28 personal property and specified digital products and all sales
29 of services is upon the seller and the purchaser unless the
30 seller takes from the purchaser a valid exemption certificate
31 stating under penalty of perjury that the purchase is for a
32 nontaxable purpose and is not a retail sale as defined in
33 section 423.1, or the seller is not obligated to collect tax
34 due, or unless the seller takes a fuel exemption certificate
35 pursuant to subsection 5. If the tangible personal property,

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1 specified digital products, or services are purchased tax free
2 pursuant to a valid exemption certificate and the tangible
3 personal property, specified digital products, or services are
4 used or disposed of by the purchaser in a nonexempt manner, the
5 purchaser is solely liable for the taxes and shall remit the
6 taxes directly to the department and sections 423.31, 423.32,
7 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 shall apply
8 to the purchaser.

9 *e.* If the circumstances change and as a result the tangible
10 personal property, specified digital products, or services are
11 used or disposed of by the purchaser in a nonexempt manner or
12 the purchaser becomes obligated to pay the tax, the purchaser
13 is liable solely for the taxes and shall remit the taxes
14 directly to the department in accordance with this subsection.

15 Sec. 223. Section 423.57, Code 2018, is amended to read as
16 follows:

17 **423.57 Statutes applicable.**

18 The director shall administer this subchapter as it relates
19 to the taxes imposed in this chapter in the same manner and
20 subject to all the provisions of, and all of the powers,
21 duties, authority, and restrictions contained in sections
22 423.14, 423.14A, 423.14B, 423.15, 423.16, 423.17, 423.19,
23 423.20, 423.21, 423.22, 423.23, 423.24, 423.25, 423.29, 423.31,
24 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,
25 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection
26 1, and sections 423.45, 423.46, and 423.47.

27 Sec. 224. Section 423.58, Code 2018, is amended to read as
28 follows:

29 **423.58 Collection, permit, and tax return exemption for**
30 **certain out-of-state businesses.**

31 Notwithstanding sections 423.14, 423.14A, 423.14B, 423.29,
32 423.31, 423.32, and 423.36, a person meeting the requirements
33 of section 29C.24 is not required to obtain a sales or use tax
34 permit, collect and remit sales and use tax, or make and file
35 applicable sales or use tax returns, as provided in section

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1 29C.24, subsection 3, paragraph “a”, subparagraph (2).
2 Sec. 225. Section 423B.5, subsection 1, Code 2018, is
3 amended to read as follows:
4 1. A local sales and services tax at the rate of not more
5 than one percent may be imposed by a county on the sales price
6 taxed by the state under chapter 423, subchapter II. A local
7 sales and services tax shall be imposed on the same basis as
8 the state sales and services tax or in the case of the use of
9 natural gas, natural gas service, electricity, or electric
10 service on the same basis as the state use tax and shall not
11 be imposed on the sale of any property or on any service not
12 taxed by the state, except the tax shall not be imposed on
13 the sales price from the sale of motor fuel or special fuel
14 as defined in chapter 452A which is consumed for highway use
15 or in watercraft or aircraft if the fuel tax is paid on the
16 transaction and a refund has not or will not be allowed, on the
17 sales price from the sale of equipment by the state department
18 of transportation, or on the sales price from the sale or use
19 of natural gas, natural gas service, electricity, or electric
20 service in a city or county where the sales price from the sale
21 of natural gas or electric energy is subject to a franchise
22 fee or user fee during the period the franchise or user fee
23 is imposed. A local sales and services tax is applicable
24 to transactions within those incorporated and unincorporated
25 areas of the county where it is imposed ~~and, which transactions~~
26 include but are not limited to sales sourced pursuant to
27 section 423.15, 423.17, 423.19, or 423.20, to a location within
28 that city or unincorporated area of the county. The tax shall
29 be collected by all persons required to collect state sales
30 taxes. All cities contiguous to each other shall be treated
31 as part of one incorporated area and the tax would be imposed
32 in each of those contiguous cities only if the majority of
33 those voting in the total area covered by the contiguous cities
34 favors its imposition. In the case of a local sales and
35 services tax submitted to the registered voters of two or more

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1 contiguous counties as provided in section 423B.1, subsection
2 4, paragraph “c”, all cities contiguous to each other shall be
3 treated as part of one incorporated area, even if the corporate
4 boundaries of one or more of the cities include areas of more
5 than one county, and the tax shall be imposed in each of those
6 contiguous cities only if a majority of those voting on the tax
7 in the total area covered by the contiguous cities favored its
8 imposition.
9 Sec. 226. Section 423B.6, subsection 2, paragraph b, Code
10 2018, is amended to read as follows:
11 b. The ordinance of a county board of supervisors imposing
12 a local sales and services tax shall adopt by reference the

13 applicable provisions of the appropriate sections of chapter
14 423. All powers and requirements of the director to administer
15 the state sales tax law and use tax law are applicable to the
16 administration of a local sales and services tax law and the
17 local excise tax, including but not limited to the provisions
18 of section 422.25, subsection 4, sections 422.30, 422.67,
19 and 422.68, section 422.69, subsection 1, sections 422.70
20 through 422.75, section 423.14, subsection 1 and subsection
21 2, paragraphs “b” through “e”, and sections 423.14A, 423.15,
22 423.23, 423.24, 423.25, 423.31 through 423.35, 423.37 through
23 423.42, 423.46, and 423.47. Local officials shall confer
24 with the director of revenue for assistance in drafting the
25 ordinance imposing a local sales and services tax. A certified
26 copy of the ordinance shall be filed with the director as soon
27 as possible after passage.

28 Sec. 227. LEGISLATIVE INTENT. It is the intent of the
29 general assembly that the provisions of this division of this
30 Act amending the definition of “place of business” in section
31 423.1, subsection 37, and “sales” in section 423.1, subsection
32 50, enacting definitions of “sold at retail in the state” in
33 section 423.1, subsection 55A, and “subscription” in section
34 423.1, subsection 57A, and amending the enumerated service of
35 pay television in 423.2, subsection 6, paragraph “a”, are

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1 conforming amendments consistent with current state law, and
2 that the amendments do not change the application of current
3 law but instead reflect current law both before and after the
4 enactment of this division of this Act.

5 Sec. 228. RELATIONSHIP TO EXISTING LAW FOR TAXATION OF
6 SPECIFIED DIGITAL PRODUCTS. The provisions of this division of
7 this Act relating to the imposition of tax on the sale or use of
8 “specified digital products”, as defined in this division of
9 this Act, shall not be construed as affecting the taxability
10 or nontaxability under other provisions of existing law of
11 sales or uses occurring prior to the enactment of this division
12 of this Act of products meeting the definition of “specified
13 digital products”, as defined in this division of this Act.

14 Sec. 229. EFFECTIVE DATE. Except as otherwise provided
15 in this division of this Act, this division of this Act takes
16 effect January 1, 2019.

17 Sec. 230. EFFECTIVE DATE. The following, being deemed of
18 immediate importance, take effect upon enactment:

19 1. The sections of this division of this Act amending
20 section 423.1, subsections 37 and 50.

21 2. The sections of this division of this Act enacting
22 section 423.1, subsections 55A and 57A.

23 3. The section of this division of this Act amending section
24 423.3, subsection 47, paragraph “d”, subparagraph (4).

25 4. The provision amending the enumerated service of pay
26 television to include but not be limited to streaming video,

27 video on-demand, and pay-per-view, in the section of this
 28 division of this Act amending section 423.2, subsection 6, by
 29 designating paragraph “a”.

30 5. The section of this division of this Act entitled
 31 “legislative intent” which describes the intent of the general
 32 assembly with respect to certain amendments in this division of
 33 this Act to the definition of “place of business” in section
 34 423.1, subsection 37, “sales” in section 423.1, subsection 50,
 35 the enactment of a definition for “subscription” in section

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1 423.1, subsection 57A, and “sold at retail” in section 423.1,
 2 subsection 55A, and amendments to the enumerated service of pay
 3 television in section 423.2, subsection 6, paragraph “a”.

4 Sec. 231. EFFECTIVE DATE. The following take effect July
 5 1, 2018:

6 1. The section of this division of this Act amending section
 7 423.2, subsection 1, paragraph “a”, subparagraph (1).

8 2. The provisions adding photography and retouching to the
 9 list of enumerated services subject to the sales tax in the
 10 section of this division of this Act amending section 423.2,
 11 subsection 6, by enacting paragraphs “bo” and “bp”.

12 3. The section of this division of this Act enacting section
 13 423.2, subsection 8, paragraph “d”.

14 4. The section of this division of this Act amending section
 15 423.5, subsection 1, paragraph “a”.

16 DIVISION XII

17 APPROVAL AND IMPOSITION OF LOCAL OPTION SALES AND SERVICES TAX

18 Sec. 232. Section 423B.1, subsection 2, paragraph b,
 19 subparagraph (3), Code 2018, is amended to read as follows:

20 (3) The tax once imposed shall continue to be imposed until
 21 the county-imposed tax is ~~reduced or increased in rate or~~
 22 ~~repealed, and then the city-imposed tax shall also be reduced~~
 23 ~~or increased in rate or repealed in the same amount and be~~
 24 effective on the same date.

25 Sec. 233. Section 423B.1, subsections 3, 4, and 5, Code
 26 2018, are amended to read as follows:

27 3. a. ~~A local option tax shall be imposed only after an~~
 28 ~~election at which~~ If a majority of those voting on the question
 29 of imposition of a local option tax favors imposition and the
 30 local option tax shall then be imposed at the rate specified
 31 on the ballot until repealed as provided in ~~subsection 6,~~
 32 ~~paragraph “a”~~ this chapter.

33 b. If the tax is a local vehicle tax imposed by a county,
 34 it shall apply to all incorporated and unincorporated areas of
 35 the county.

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1 c. (1) If the tax is a local sales and services tax
 2 imposed by a county, it shall only apply to those incorporated
 3 areas and the unincorporated area of that county in which a
 4 majority of those voting in the area on the tax favors its
 5 imposition. For purposes of the local sales and services tax,
 6 all cities contiguous to each other shall be treated as part of
 7 one incorporated area and the tax would be imposed in each of
 8 those contiguous cities only if the majority of those voting
 9 in the total area covered by the contiguous cities favors its
 10 imposition. ~~In the case of a local sales and services tax~~
 11 ~~submitted to the registered voters of two or more contiguous~~
 12 ~~counties as provided in subsection 4, paragraph "c", all cities~~
 13 ~~contiguous to each other shall be treated as part of one~~
 14 ~~incorporated area, even if the corporate boundaries of one or~~
 15 ~~more of the cities include areas of more than one county, and~~
 16 ~~the tax shall be imposed in each of those contiguous cities~~
 17 ~~only if a majority of those voting on the tax in the total area~~
 18 ~~covered by the contiguous cities favored its imposition.~~ For
 19 purposes of the local sales and services tax, a city is not
 20 contiguous to another city if the only road access between the
 21 two cities is through another state.

22 (2) The treatment of contiguous cities as one incorporated
 23 area for the purpose of determining whether a majority of those
 24 voting favors imposition does not apply to elections on the
 25 question of imposition of a local sales and services tax in
 26 all or a portion of a county that is a qualified county if the
 27 election occurs on or after January 1, 2019. For purposes
 28 of this chapter, "qualified county" means a county with a
 29 population in excess of four hundred thousand, a county with
 30 a population of at least one hundred thirty thousand but not
 31 more than one hundred thirty-one thousand, or a county with a
 32 population of at least sixty thousand but not more than seventy
 33 thousand, according to the 2010 federal decennial census.

34 4. a. ~~(1)~~ The county board of supervisors shall direct
 35 within thirty days the county commissioner of elections to

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1 submit the question of imposition of a local vehicle tax ~~or~~
 2 ~~a local sales and services tax~~ to the registered voters of
 3 the incorporated and unincorporated areas of the county upon
 4 receipt of a petition, requesting imposition of a local vehicle
 5 tax ~~or a local sales and services tax~~, signed by eligible
 6 electors of the whole county equal in number to five percent of
 7 the persons in the whole county who voted at the last preceding
 8 general election. ~~In the case of a local vehicle tax, the~~ The
 9 petition requesting imposition shall specify the rate of tax
 10 and the classes, if any, that are to be exempt. If more than
 11 one valid petition is received, the earliest received petition
 12 shall be used.

13 (2) The county board of supervisors shall direct within
 14 thirty days the county commissioner of elections to submit the
 15 question of imposition of a local sales and services tax to the
 16 registered voters of the incorporated and unincorporated areas
 17 of the county upon receipt of a petition requesting imposition
 18 of a local sales and services tax, signed by eligible electors
 19 of the whole county equal in number to five percent of the
 20 persons in the whole county who voted at the last preceding
 21 general election. If more than one valid petition is received,
 22 the earliest received petition shall be used.

23 (3) In lieu of the petition requirement of subparagraph
 24 (2), the county board of supervisors for a county that is a
 25 qualified county shall direct within thirty days the county
 26 commissioner of elections to submit the question of imposition
 27 of a local sales and services tax to the registered voters of a
 28 city, or the portion thereof located in the county, or to the
 29 registered voters of the unincorporated area of the county upon
 30 receipt by the board of supervisors of a petition requesting
 31 imposition of a local sales and services tax, signed by
 32 eligible electors of the city, or the portion thereof located
 33 in the county, or eligible electors of the unincorporated area
 34 of the county, as applicable, equal in number to five percent
 35 of the persons in the city, or applicable portion thereof, or

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1 in the unincorporated area of the county who voted at the last
 2 preceding general election. If more than one valid petition
 3 is received for a city or for the unincorporated area of the
 4 county, the earliest received petition shall be used. This
 5 subparagraph applies to petitions received on or after January
 6 1, 2019.

7 b. (1) The question of the imposition of a local sales
 8 and services tax shall be submitted to the registered voters
 9 of the incorporated and unincorporated areas of the county
 10 upon receipt by the county commissioner of elections of the
 11 motion or motions, requesting such submission, adopted by
 12 the governing body or bodies of the city or cities located
 13 within the county or of the county, for the unincorporated
 14 areas of the county, representing at least one half of the
 15 population of the county. Upon adoption of such motion, the
 16 governing body of the city or county, for the unincorporated
 17 areas, shall submit the motion to the county commissioner of
 18 elections and in the case of the governing body of the city
 19 shall notify the board of supervisors of the adoption of the
 20 motion. The county commissioner of elections shall keep a file
 21 on all the motions received and, upon reaching the population
 22 requirements, shall publish notice of the ballot proposition
 23 concerning the imposition of the local sales and services tax.
 24 A motion ceases to be valid at the time of the holding of the
 25 regular election for the election of members of the governing
 26 body ~~which that~~ adopted the motion. The county commissioner of

27 elections shall eliminate from the file any motion that ceases
28 to be valid.

29 (2) In lieu of the motion requirements of subparagraph (1),
30 the question of the imposition of a local sales and services
31 tax shall be submitted to the registered voters of a city
32 located in a county that is a qualified county, or the portion
33 thereof located in the county, or to the registered voters
34 of the unincorporated area of a county that is a qualified
35 county upon receipt by the county commissioner of elections of

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1 a motion requesting such submission, adopted by the governing
2 body of the city or the county for the unincorporated area of
3 the county, as applicable. Upon adoption of such motion, the
4 governing body of the city or county for the unincorporated
5 area shall submit the motion to the county commissioner of
6 elections. The county commissioner of elections shall publish
7 notice of the ballot proposition concerning the imposition of
8 the local sales and services tax. This subparagraph applies to
9 motions received by the county commissioner of elections on or
10 after January 1, 2019.

11 (3) The manner methods provided under this paragraph for the
12 submission of the question of imposition of a local sales and
13 services tax is an alternative are alternatives to the manner
14 methods provided in paragraph "a".

15 e. Upon receipt of petitions or motions calling for the
16 submission of the question of the imposition of a local sales
17 and services tax as described in paragraph "a" or "b", the
18 boards of supervisors of two or more contiguous counties in
19 which the question is to be submitted may enter into a joint
20 agreement providing that for purposes of this chapter, a
21 city whose corporate boundaries include areas of more than
22 one county shall be treated as part of the county in which a
23 majority of the residents of the city reside. In such event,
24 the county commissioners of elections from each such county
25 shall cooperate in the selection of a single date upon which
26 the election shall be held, and for all purposes of this
27 chapter relating to the imposition, repeal, change of use,
28 or collection of the tax, such a city shall be deemed to be
29 part of the county in which a majority of the residents of the
30 city reside. A copy of the joint agreement shall be provided
31 promptly to the director of revenue.

32 5. a. The county commissioner of elections shall submit
33 the question of imposition of a local option tax at an election
34 held on a date specified in section 39.2, subsection 4,
35 paragraph "a" or "b", as applicable. The election shall not be

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1 held sooner than sixty days after publication of notice of the
 2 ballot proposition.

3 b. The ballot proposition shall specify the type and rate of
 4 tax and, in the case of a vehicle tax, the classes that will be
 5 exempt and, in the case of a local sales and services tax, the
 6 date it will be imposed which date shall not be earlier than
 7 ninety days following the election. The ballot proposition
 8 shall also specify the approximate amount of local option tax
 9 revenues that will be used for property tax relief, subject to
 10 the requirement of section 423B.7, subsection 7, paragraph "b,"
 11 and shall contain a statement as to the specific purpose or
 12 purposes for which the revenues shall otherwise be expended.
 13 If the county board of supervisors or governing body of the
 14 city, as applicable, decides under subsection 6 to specify a
 15 date on which the local option sales and services tax shall
 16 automatically be repealed, the date of the repeal shall also be
 17 specified on the ballot.

18 c. The rate of the vehicle tax shall be in increments of one
 19 dollar per vehicle as set by the petition seeking to impose the
 20 tax.

21 d. The rate of a local sales and services tax shall ~~not be~~
 22 ~~more than one percent as set by the governing body.~~

23 e. The state commissioner of elections shall establish by
 24 rule the form for the ballot proposition which form shall be
 25 uniform throughout the state.

26 Sec. 234. Section 423B.1, subsection 6, paragraph a,
 27 subparagraph (1), Code 2018, is amended by striking the
 28 subparagraph.

29 Sec. 235. Section 423B.1, subsection 6, paragraph a,
 30 subparagraphs (2) and (3), Code 2018, are amended to read as
 31 follows:

32 (2) (a) ~~The A~~ local option tax may be repealed or the
 33 rate of the local vehicle tax increased or decreased or the
 34 use ~~thereof of a local option tax~~ changed after an election at
 35 which a majority of those voting on the question of repeal or

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1 rate or use change ~~favored~~ favours the repeal or rate or use
 2 change.

3 (b) The date on which the repeal, rate, or use change is
 4 to take effect shall not be earlier than ninety days following
 5 the election. The election at which the question of repeal
 6 or rate or use change is offered shall be called and held in
 7 the same manner and under the same conditions as provided in
 8 subsections 4 and 5 for the election on the imposition of the
 9 local option tax. However, in the case of a local sales and
 10 services tax where the tax has not been imposed countywide, the
 11 question of repeal or imposition ~~or rate~~ or use change shall
 12 be voted on only by the registered voters of the areas of the

13 county where the tax has been imposed or has not been imposed,
14 as appropriate.

15 ~~(c) However, the~~ The governing body of the ~~incorporated~~
16 ~~area city~~ or unincorporated area where the local sales and
17 services tax is imposed may, upon its own motion, request the
18 county commissioner of elections to hold an election in the
19 ~~incorporated city, or portion thereof located in the county,~~
20 or unincorporated area, as appropriate, on the question of the
21 change in use of local sales and services tax revenues. The
22 election may be held at any time but not sooner than sixty days
23 following publication of the ballot proposition. If a majority
24 of those voting in the ~~incorporated city, or portion thereof~~
25 located in the county, or unincorporated area on the change in
26 use favors the change, the governing body of that area shall
27 change the use to which the revenues shall be used. The ballot
28 proposition shall list the present use of the revenues, the
29 proposed use, and the date after which revenues received will
30 be used for the new use.

31 (3) When submitting the question of the imposition of a
32 local sales and services tax, the ~~county~~ board of supervisors
33 or if the election is initiated under subsection 4, paragraph
34 "a", subparagraph (3), or subsection 4, paragraph "b",
35 subparagraph (2), the governing board of a city, may direct

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1 that the question contain a provision for the repeal, without
2 election, of the local sales and services tax on a specific
3 date, which date shall be as provided in section 423B.6,
4 subsection 1.

5 Sec. 236. Section 423B.1, subsection 7, paragraph b, Code
6 2018, is amended to read as follows:

7 *b.* Costs of local option tax elections shall be apportioned
8 among jurisdictions within the county voting on the question
9 at the same election on a pro rata basis in proportion to the
10 number of registered voters in each taxing jurisdiction voting
11 on the question and the total number of registered voters in
12 all of the taxing jurisdictions voting on the question.

13 Sec. 237. Section 423B.1, subsection 8, Code 2018, is
14 amended by striking the subsection.

15 Sec. 238. Section 423B.1, subsections 9 and 10, Code 2018,
16 are amended to read as follows:

17 9. *a.* In a county that has imposed a local option sales and
18 services tax, the board of supervisors shall, notwithstanding
19 any contrary provision of this chapter, repeal the local
20 option sales and services tax in the unincorporated areas or
21 in an incorporated city area in which the tax has been imposed
22 upon adoption of ~~its~~ the board's own motion for repeal in the
23 unincorporated areas or upon receipt of a motion adopted by
24 the governing body of that incorporated city area requesting
25 repeal. The board of supervisors shall repeal the local
26 option sales and services tax effective on the ~~later of the~~

27 ~~date of the adoption of the repeal motion or the~~ earliest date
 28 specified in section 423B.6, subsection 1, following adoption
 29 of the motion. For purposes of this ~~subsection~~ paragraph,
 30 incorporated city area includes an incorporated city which is
 31 contiguous to another incorporated city.
 32 b. If imposition of the local option sales and services tax
 33 is initiated under subsection 4, paragraph "a", subparagraph
 34 (3), or subsection 4, paragraph "b", subparagraph (2),
 35 notwithstanding any contrary provision of this chapter, the

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1 board of supervisors may repeal the local sales and services
 2 tax in a city, or portion thereof located in the county, upon
 3 receipt of a motion adopted by the governing board of the city
 4 requesting the repeal. The board of supervisors shall repeal
 5 the local sales and services tax effective on the earliest date
 6 specified in section 423B.6, subsection 1, following adoption
 7 of the motion.

8 10. Notwithstanding subsection 9 or any other contrary
 9 provision of this chapter, a local option sales and services
 10 tax shall not be repealed ~~or reduced in rate~~ if obligations are
 11 outstanding which are payable as provided in section 423B.9,
 12 unless funds sufficient to pay the principal, interest, and
 13 premium, if any, on the outstanding obligations at and prior
 14 to maturity have been properly set aside and pledged for that
 15 purpose.

16 Sec. 239. Section 423B.5, subsections 1 and 4, Code 2018,
 17 are amended to read as follows:

18 1. A local sales and services tax ~~at the rate of not more~~
 19 ~~than one percent~~ may be imposed by a county on the sales price
 20 taxed by the state under chapter 423, subchapter II. A local
 21 sales and services tax shall be imposed on the same basis as
 22 the state sales and services tax or in the case of the use of
 23 natural gas, natural gas service, electricity, or electric
 24 service on the same basis as the state use tax and shall not
 25 be imposed on the sale of any property or on any service not
 26 taxed by the state, except the tax shall not be imposed on
 27 the sales price from the sale of motor fuel or special fuel
 28 as defined in chapter 452A which is consumed for highway use
 29 or in watercraft or aircraft if the fuel tax is paid on the
 30 transaction and a refund has not or will not be allowed,
 31 on the sales price from the sale of equipment by the state
 32 department of transportation, or on the sales price from the
 33 sale or use of natural gas, natural gas service, electricity,
 34 or electric service in a city or county where the sales price
 35 from the sale of natural gas or electric energy is subject to

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1 a franchise fee or user fee during the period the franchise
 2 or user fee is imposed. A local sales and services tax is
 3 applicable to transactions within those incorporated cities
 4 and unincorporated areas of the county where it is imposed and
 5 shall be collected by all persons required to collect state
 6 sales taxes. ~~All cities contiguous to each other shall be~~
 7 ~~treated as part of one incorporated area and the tax would be~~
 8 ~~imposed in each of those contiguous cities only if the majority~~
 9 ~~of those voting in the total area covered by the contiguous~~
 10 ~~cities favors its imposition. In the case of a local sales and~~
 11 ~~services tax submitted to the registered voters of two or more~~
 12 ~~contiguous counties as provided in section 423B.1, subsection~~
 13 ~~4, paragraph "c", all cities contiguous to each other shall be~~
 14 ~~treated as part of one incorporated area, even if the corporate~~
 15 ~~boundaries of one or more of the cities include areas of more~~
 16 ~~than one county, and the tax shall be imposed in each of those~~
 17 ~~contiguous cities only if a majority of those voting on the~~
 18 ~~tax in the total area covered by the contiguous cities favored~~
 19 ~~its imposition. However, a local sales and services tax is~~
 20 not applicable to transactions sourced under chapter 423 to a
 21 place of business, as defined in section 423.1, of a retailer
 22 if such place of business is located in part within a city or
 23 unincorporated area of the county where the tax is not imposed.

24 4. If a local sales and services tax is imposed by a county
 25 pursuant to this chapter, a local excise tax at the same rate
 26 shall be imposed by the county on the purchase price of natural
 27 gas, natural gas service, electricity, or electric service
 28 subject to tax under chapter 423, subchapter III, and not
 29 exempted from tax by any provision of chapter 423, subchapter
 30 III. The local excise tax is applicable only to the use of
 31 natural gas, natural gas service, electricity, or electric
 32 service within those incorporated cities and unincorporated
 33 areas of the county where it is imposed and, except as
 34 otherwise provided in this chapter, shall be collected and
 35 administered in the same manner as the local sales and services

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1 tax. For purposes of this chapter, "*local sales and services*
 2 *tax*" shall also include the local excise tax.
 3 Sec. 240. Section 423B.6, subsection 1, paragraph c, Code
 4 2018, is amended to read as follows:
 5 c. The imposition of ~~or a rate change for~~ a local sales and
 6 services tax shall not be applied to purchases from a printed
 7 catalog wherein a purchaser computes the local tax based on
 8 rates published in the catalog unless a minimum of one hundred
 9 twenty days' notice of the imposition ~~or rate change~~ has been
 10 given to the seller from the catalog and the first day of a
 11 calendar quarter has occurred on or after the one hundred
 12 twentieth day.

13 Sec. 241. Section 423B.7, subsection 1, Code 2018, is
 14 amended to read as follows:
 15 1. *a.* Except as provided in ~~paragraph~~ paragraphs “b” and
 16 “c”, the director shall credit the local sales and services
 17 tax receipts and interest and penalties from a county-imposed
 18 tax to the county’s account in the local sales and services
 19 tax fund ~~and from a city imposed tax under section 423B.1,~~
 20 ~~subsection 2, to the city’s account in the local sales~~
 21 ~~and services tax fund for the county in which the tax was~~
 22 collected. If the director is unable to determine from which
 23 county any of the receipts were collected, those receipts shall
 24 be allocated among the possible counties based on allocation
 25 rules adopted by the director.
 26 *b.* ~~Notwithstanding paragraph “a”, the~~ The director shall
 27 credit the designated amount of the increase in local sales
 28 and services tax receipts, as computed in section 423B.10,
 29 collected in an urban renewal area of an eligible city that has
 30 adopted an ordinance pursuant to section 423B.10, subsection
 31 2, into a special city account in the local sales and services
 32 tax fund.
 33 *c.* The director shall credit the local sales and services
 34 tax receipts and interest and penalties from a city-imposed tax
 35 under section 423B.1, subsection 2, to the city’s account in

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1 the local sales and services tax fund.
 2 Sec. 242. Section 423B.7, subsection 7, Code 2018, is
 3 amended to read as follows:
 4 7. *a.* ~~Local~~ Subject to the requirement of paragraph “b”
 5 local sales and services tax moneys received by a city or
 6 county may be expended for any lawful purpose of the city or
 7 county.
 8 *b.* Each city located in whole or in part in a qualified
 9 county and each qualified county for the unincorporated area
 10 for which the imposition of the local sales and services tax
 11 in the city or portion thereof or the unincorporated area,
 12 as applicable, was approved at election on or after January
 13 1, 2019, shall use not less than fifty percent of the moneys
 14 received from the qualified county’s account in the local sales
 15 and services tax fund for property tax relief.
 16 Sec. 243. Section 423B.8, subsection 1, paragraph a, Code
 17 2018, is amended to read as follows:
 18 *a.* The goods, wares, or merchandise are incorporated into
 19 an improvement to real estate in fulfillment of a written
 20 contract fully executed prior to the date of the imposition ~~or~~
 21 ~~increase in rate~~ of a local sales and services tax under this
 22 chapter. The refund shall not apply to equipment transferred
 23 in fulfillment of a mixed construction contract.
 24 Sec. 244. IMPLEMENTATION. This division of this Act shall
 25 not affect the imposition of local option taxes in effect on
 26 the effective date of this division of this Act and such taxes

27 shall continue to be imposed until their repeal pursuant to
28 chapter 423B. The law regarding repeal in effect at the time
29 of the repeal governs the repeal of the local option taxes.
30 Sec. 245. EFFECTIVE DATE. This division of this Act takes
31 effect January 1, 2019.

32 DIVISION XIII

33 HOTEL AND MOTEL EXCISE TAX AND AUTOMOBILE RENTAL EXCISE TAX
34 CHANGES

35 Sec. 246. Section 423A.2, subsection 1, Code 2018, is

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1 amended to read as follows:

2 1. For the purposes of this chapter, unless the context
3 otherwise requires:

4 a. "Affiliate" means the same as defined in section 423.1.

5 ~~a. b.~~ "Department" means the department of revenue.

6 ~~b. "Lessor" means any person engaged in the business of~~
7 ~~renting lodging to users.~~

8 c. "Facilitate" or "facilitation" includes brokering,
9 coordinating, or in any way arranging for the rental of lodging
10 by users.

11 d. "Facilitation fee" means any consideration, by whatever
12 name called, that a lodging facilitator or lodging platform
13 charges to a user for facilitating the user's rental of
14 lodging. "Facilitation fee" does not include any commission
15 a lodging provider pays to a lodging facilitator or a lodging
16 platform for facilitating the rental of lodging.

17 ~~e. e.~~ "Lodging" means rooms, apartments, or sleeping
18 quarters in a hotel, motel, inn, public lodging house, rooming
19 house, cabin, apartment, residential property, or manufactured
20 or mobile home which is tangible personal property, or in a
21 tourist court, or in any place where sleeping accommodations
22 are furnished to transient guests for rent, whether with or
23 without meals. Lodging does not include conference, meeting,
24 or banquet rooms that are not used for or offered as part of
25 sleeping accommodations.

26 f. "Lodging facilitator" means a person or any affiliate of
27 a person, other than a lodging provider or a lodging platform,
28 that facilitates the renting of lodging and collects or
29 processes the sales price charged to the user.

30 g. "Lodging platform" means a person or any affiliate of
31 a person, other than a lodging provider, that facilitates the
32 renting of lodging by doing all of the following:

33 (1) The person or an affiliate of the person owns, operates,
34 or controls a lodging marketplace that allows a lodging
35 provider who is not an affiliate of the person to offer or

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1 list lodging for rent on the marketplace. For purposes of
 2 this subparagraph, it is immaterial whether or not the lodging
 3 provider has a tax permit under this chapter or in what manner
 4 the lodging is classified for property tax or zoning purposes.

5 (2) The person or an affiliate of the person collects or
 6 processes the sales price charged to the user.

7 h. "Lodging provider" means any of the following:

8 (1) A person or any affiliate of a person that owns,
 9 operates, or manages lodging and makes the lodging available
 10 for rent through the person or any affiliate, or through a
 11 lodging platform or a lodging facilitator.

12 (2) A person or any affiliate of a person who possesses or
 13 acquires a right to or interest in any lodging with an intent
 14 to rent the lodging to another person through the person or
 15 any affiliate, or through a lodging platform or a lodging
 16 facilitator.

17 ~~d. i.~~ "Person" means the same as the term is defined in
 18 section 423.1.

19 ~~e. j.~~ "Renting," "rental," or "rent" means a transfer
 20 of use, possession, or control of lodging for a fixed or
 21 indeterminate term for consideration and includes any kind of
 22 direct or indirect charge for such lodging or its use.

23 ~~f. k.~~ "Sales price" means the all consideration charged
 24 for the renting and facilitation of renting of lodging and
 25 means the same as the term is defined in section 423.1 before
 26 taxes, including but not limited to facilitation fees, cleaning
 27 fees, linen fees, towel fees, nonrefundable deposits, and any
 28 other direct or indirect charge made or consideration provided
 29 in connection with the renting and facilitation of renting of
 30 lodging.

31 ~~g. l.~~ "User" means a person to whom lodging is rented.

32 Sec. 247. Section 423A.3, Code 2018, is amended to read as
 33 follows:

34 **423A.3 State-imposed hotel and motel tax.**

35 A tax of five percent is imposed upon the sales price for

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1 the renting of any lodging if the ~~renting occurs~~ lodging is
 2 located in this state. The tax shall be collected by any
 3 lessor of lodging from the user of that lodging and remitted
 4 as provided in section 423A.5A. The lessor shall add the tax
 5 to the sales price of the lodging, and the state imposed tax,
 6 when collected, shall be stated as a distinct item, separate
 7 and apart from the sales price of the lodging and the local tax
 8 imposed, if any, under section 423A.4.

9 Sec. 248. Section 423A.4, Code 2018, is amended by adding
 10 the following new subsection:

11 NEW SUBSECTION. 5. The locally imposed hotel and motel tax
 12 shall be collected and remitted as provided in section 423A.5A.

13 Sec. 249. Section 423A.5, Code 2018, is amended to read as
14 follows:

15 **423A.5 Exemptions.**

16 ~~1.~~ There are exempted from the provisions of this chapter
17 and from the computation of any amount of tax imposed by
18 ~~section 423A.3 this chapter~~ all of the following:

19 ~~a. 1.~~ The sales price from the renting of lodging which is
20 rented by the same person for a period of more than thirty-one
21 consecutive days.

22 ~~b. 2.~~ The sales price from the renting of sleeping rooms
23 in dormitories ~~and in memorial unions~~ at all universities and
24 colleges located in the state of Iowa.

25 ~~2. There is exempted from the provisions of this chapter and~~
26 ~~from the computation of any amount of tax imposed by section~~
27 ~~423A.4 all of the following:~~

28 ~~a. The sales price from the renting of lodging or rooms~~
29 ~~exempt under subsection 1.~~

30 ~~b. 3.~~ The sales price of lodging furnished to the guests of
31 a religious institution if the property is exempt under section
32 427.1, subsection 8, and the purpose of renting is to provide a
33 place for a religious retreat or function and not a place for
34 transient guests generally.

35 Sec. 250. NEW SECTION. **423A.5A Collection and remittance**

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1 **of hotel and motel tax.**

2 1. For purposes of this section:

3 a. *"Discount room charge"* means the amount a lodging
4 provider charges a lodging facilitator for lodging, excluding
5 any applicable tax.

6 b. *"Travel package"* means lodging bundled with one or more
7 separate components such as air transportation, car rental, or
8 similar items and charged for a single retail price.

9 2. This section shall govern the collection and remittance
10 of all taxes imposed under this chapter.

11 3. Unless otherwise provided in this section, the
12 state-imposed tax under section 423A.3 and any locally
13 imposed tax under section 423A.4 shall be collected by the
14 lodging provider from the user of that lodging and shall be
15 remitted to the department. The lodging provider shall add
16 the state-imposed tax to the sales price of the lodging and
17 the tax, when collected, shall be stated as a distinct item,
18 separate and apart from the sales price of the lodging and from
19 the locally imposed tax, if any. The lodging provider shall
20 add the locally imposed tax, if any, to the sales price of
21 the lodging and the tax, when collected, shall be stated as a
22 distinct item, separate and apart from the sales price of the
23 lodging and from the state-imposed tax.

24 4. If a transaction for the rental of lodging involves a
25 lodging facilitator, all of the following shall occur in the
26 order prescribed:

27 *a.* The lodging facilitator shall collect the taxes imposed
28 under this chapter on any sales price that the user pays to the
29 lodging facilitator in the same manner as a lodging provider
30 under subsection 3.

31 *b.* (1) Unless otherwise required by rule or order of the
32 department, the lodging facilitator shall remit to the lodging
33 provider that portion of the taxes collected on the sales price
34 that represents the discount room charge.

35 (2) No assessment shall be made against a lodging

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1 facilitator for tax due on a discount room charge if the
2 lodging facilitator collected the tax and remitted it to a
3 lodging provider that has a valid tax permit required under
4 this chapter. This subparagraph shall not apply if the lodging
5 facilitator and lodging provider are affiliates, or if the
6 department requires the lodging facilitator to remit taxes
7 collected on that portion of the sales price that represents
8 the discount room charge directly to the department.

9 *c.* The lodging facilitator shall remit any remaining tax it
10 collected to the department.

11 *d.* (1) The lodging provider shall collect and remit to the
12 department any taxes the lodging facilitator remitted to the
13 lodging provider, and shall collect and remit to the department
14 any taxes due on any amount of sales price the user paid to the
15 lodging provider.

16 (2) No assessment shall be made against a lodging provider
17 for any tax due on a discount room charge that was not remitted
18 to the lodging provider by a lodging facilitator. This
19 subparagraph shall not apply if the lodging provider and
20 lodging facilitator are affiliates.

21 *e.* Notwithstanding any other provision of this section
22 to the contrary, if a lodging facilitator and its affiliates
23 facilitate total rentals under this chapter and chapter
24 423C that are equal to or less than an aggregate amount of
25 sales price and rental price of ten thousand dollars for an
26 immediately preceding calendar year or a current calendar year,
27 or in ten or fewer separate transactions for an immediately
28 preceding calendar year or a current calendar year, the lodging
29 facilitator shall not be required to collect tax on the amount
30 of sales price that represents the lodging facilitator's
31 facilitation fee.

32 5. If a transaction for the rental of lodging involves a
33 lodging platform, the lodging platform shall collect and remit
34 the taxes imposed under this chapter in the same manner as a
35 lodging provider under subsection 3.

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1 6. If a transaction for the rental of lodging is part of a
 2 travel package, the portion of the total price that represents
 3 the sales price for the rental of lodging may be determined by
 4 the person required under this section to collect the taxes
 5 from the person's books and records that are kept in the
 6 regular course of business including but not limited to books
 7 and records kept for non-tax purposes.

8 Sec. 251. Section 423A.6, subsection 4, Code 2018, is
 9 amended to read as follows:

10 4. Section 422.25, subsection 4, sections 422.30, 422.67,
 11 and 422.68, section 422.69, subsection 1, sections 422.70,
 12 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
 13 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
 14 423.35, 423.37 through 423.42, and 423.47, consistent with the
 15 provisions of this chapter, apply with respect to the taxes
 16 authorized under this chapter, in the same manner and with the
 17 same effect as if the state and local hotel and motel taxes
 18 were retail sales taxes within the meaning of those statutes.
 19 Notwithstanding this subsection, the director shall provide
 20 for quarterly filing of returns and for other than quarterly
 21 filing of returns both as prescribed in section 423.31. The
 22 director may require all persons who are engaged in the
 23 business of deriving any sales price subject to tax under this
 24 chapter to register with the department. All taxes collected
 25 under this chapter by a retailer, lodging provider, lodging
 26 facilitator, lodging platform, or any individual other person
 27 are deemed to be held in trust for the state of Iowa and the
 28 local jurisdictions imposing the taxes.

29 Sec. 252. Section 423C.2, Code 2018, is amended to read as
 30 follows:

31 **423C.2 Definitions.**

32 For purposes of this chapter, unless the context otherwise
 33 requires:

34 1. "Affiliate" means the same as defined in section 423.1.

35 ~~2.~~ 2. "Automobile" means a motor vehicle subject to

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1 registration in any state designed primarily for carrying
 2 nine passengers or less, excluding motorcycles and motorized
 3 bicycles.

4 3. "Automobile provider" means any of the following:

5 a. A person or any affiliate of a person that owns or
 6 controls an automobile and makes the automobile available for
 7 rent through the person or any affiliate, or through a rental
 8 platform or rental facilitator.

9 b. A person or any affiliate of a person who possesses or
 10 acquires a right or interest in any automobile with an intent
 11 to rent the automobile to another person through the person
 12 or any affiliate, or through a rental platform or a rental

13 facilitator.

14 ~~2.~~ 4. "Department" means the department of revenue.

15 3. "Lessor" means a person engaged in the business of
 16 renting automobiles to users. "Lessor" includes a motor vehicle
 17 dealer licensed pursuant to chapter 322 who rents automobiles
 18 to users. For this purpose, the objective of making a profit
 19 is not necessary to make the renting activity a business.

20 5. "Facilitate" or "facilitation" includes brokering,
 21 coordinating, or in any way arranging for the rental of
 22 automobiles by users.

23 6. "Facilitation fee" means any consideration, by whatever
 24 name called, that a rental facilitator or a rental platform
 25 charges to a user for facilitating the user's rental of an
 26 automobile. "Facilitation fee" does not include any commission
 27 an automobile provider pays to a rental facilitator or a rental
 28 platform for facilitating the rental of an automobile.

29 ~~4.~~ 7. "Person" means person as defined in section 423.1.

30 ~~5.~~ 8. "Rental", "renting", or "rent" means a transfer
 31 of the use, control, or possession or right to use, control,
 32 or possession of an automobile to a user for a valuable
 33 consideration for a period of sixty days or less.

34 9. "Rental facilitator" means a person or any affiliate of a
 35 person, other than an automobile provider or a rental platform.

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1 that facilitates the renting of an automobile and collects or
 2 processes the rental price charged to the user.

3 10. "Rental platform" means a person or any affiliate of a
 4 person, other than an automobile provider, that facilitates the
 5 renting of an automobile by doing all of the following:

6 a. The person or an affiliate of the person owns, operates,
 7 or controls an automobile rental marketplace that allows an
 8 automobile provider who is not an affiliate of the person to
 9 offer or list an automobile for rent on the marketplace. For
 10 purposes of this paragraph, it is immaterial whether or not
 11 the automobile provider has a tax permit under this chapter or
 12 chapter 423 or whether the automobile is owned by a natural
 13 person or by a business entity.

14 b. The person or an affiliate of the person collects or
 15 processes the rental price charged to the user.

16 ~~6.~~ 11. "Rental price" means the all consideration charged
 17 for the renting and facilitation of renting of an automobile
 18 valued in money, and means the same as "sales price" as
 19 defined in section 423.1 before taxes, including but not
 20 limited to facilitation fees, reservation fees, services fees,
 21 nonrefundable deposits, and any other direct or indirect charge
 22 made or consideration provided in connection with the renting
 23 or facilitation of renting of an automobile.

24 ~~7.~~ 12. "User" means a person to whom the possession or
 25 the right to possession of an automobile is transferred for
 26 a period of sixty days or less for a valuable consideration

27 ~~which is paid by the user or by another person~~ an automobile is
28 rented.

29 Sec. 253. Section 423C.3, Code 2018, is amended to read as
30 follows:

31 **423C.3 Tax on rental of automobiles — collection and**
32 **remittance of tax.**

33 **1. For purposes of this section:**

34 **a. "Discount rental charge" means the amount an automobile**
35 **provider charges to a rental facilitator for the rental of an**

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1 automobile, excluding any applicable tax.

2 **b. "Travel package" means an automobile rental bundled**
3 **with one or more separate components such as lodging, air**
4 **transportation, or similar items and charged for a single**
5 **retail price.**

6 ~~1. 2.~~ A tax of five percent is imposed upon the rental
7 price of an automobile if the rental transaction is subject to
8 the sales and services tax under chapter 423, subchapter II, or
9 the use tax under chapter 423, subchapter III. The tax shall
10 not be imposed on any rental transaction not taxable under the
11 state sales and services tax, as provided in section 423.3, or
12 the state use tax, as provided in section 423.6, on automobile
13 rental receipts.

14 ~~2. 3. The lesser~~ **This subsection shall govern the**
15 **collection and remittance of the tax imposed under subsection**
16 **2.**

17 **a. Unless otherwise provided in this subsection, the**
18 **automobile provider shall collect the tax by adding the tax to**
19 **the rental price of the automobile.**

20 ~~3. The~~ **and the tax, when collected, shall be stated as a**
21 **distinct item separate and apart from the rental price of the**
22 **automobile and the sales and services tax imposed under chapter**
23 **423, subchapter II, or the use tax imposed under chapter 423,**
24 **subchapter III.**

25 **b. If a transaction for the rental of an automobile involves**
26 **a rental facilitator, all of the following shall occur in the**
27 **order prescribed:**

28 **(1) The rental facilitator shall collect the tax on any**
29 **rental price that the user pays to the rental facilitator in**
30 **the same manner as an automobile provider under paragraph "a".**

31 **(2) (a) Unless otherwise required by rule or order of**
32 **the department, the rental facilitator shall remit to the**
33 **automobile provider that portion of the tax collected on the**
34 **rental price that represents the discount rental charge.**

35 **(b) No assessment shall be made against a rental facilitator**

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1 for tax due on a discount rental charge if the rental
 2 facilitator collected the tax and remitted it to an automobile
 3 provider that has a valid tax permit required under this
 4 chapter or under chapter 423. This subparagraph division shall
 5 not apply if the rental facilitator and automobile provider
 6 are affiliates, or if the department requires the rental
 7 facilitator to remit taxes collected on that portion of the
 8 sales price that represents the discount rental charge directly
 9 to the department.

10 (3) The rental facilitator shall remit any remaining tax it
 11 collected to the department.

12 (4) (a) The automobile provider shall collect and remit
 13 to the department any taxes the rental facilitator remitted to
 14 the automobile provider, and shall collect and remit to the
 15 department any taxes due on any amount of rental price the user
 16 paid to the automobile provider.

17 (b) No assessment shall be made against an automobile
 18 provider for any tax due on a discount rental charge that
 19 was not remitted to the automobile provider by a rental
 20 facilitator. This subparagraph division shall not apply if the
 21 automobile provider and the rental facilitator are affiliates.

22 (5) Notwithstanding any other provision of this paragraph
 23 to the contrary, if a rental facilitator and its affiliates
 24 facilitate total rentals under this chapter and chapter
 25 423A that are equal to or less than an aggregate amount of
 26 rental price and sales price of ten thousand dollars for an
 27 immediately preceding calendar year or a current calendar year,
 28 or in ten or fewer separate transactions for an immediately
 29 preceding calendar year or a current calendar year, the
 30 rental facilitator shall not be required to collect tax on the
 31 amount of sales price that represents the rental facilitator's
 32 facilitation fee.

33 c. (1) If a transaction for the rental of an automobile
 34 involves a rental platform, other than a rental platform
 35 described in subparagraph (2), the rental platform shall

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1 collect and remit the tax imposed under this chapter in the
 2 same manner as an automobile provider under paragraph "a".

3 (2) A rental platform is not required to collect and remit
 4 the tax imposed under this chapter in the same manner as an
 5 automobile provider under paragraph "a" if the rental platform
 6 meets all of the following requirements:

7 (a) The only sales the rental platform and its affiliates
 8 facilitate that are subject to tax under chapter 423 are sales
 9 of a transportation service under section 423.2, subsection 6,
 10 paragraph "b)", or section 423.5, subsection 1, paragraph "e"
 11 consisting of the rental of vehicles subject to registration
 12 which are registered for a gross weight of thirteen tons or

13 less for a period of sixty days or less.

14 (b) The rental platform operates a peer-to-peer automobile
 15 sharing marketplace.

16 (3) For any rental transaction for which the rental platform
 17 is required to or elects to collect and remit the tax under
 18 this chapter, the rental platform shall also be liable for the
 19 collection and remittance of any sales or use tax due on that
 20 transaction under section 423.2, subsection 6, paragraph “bf”
 21 or section 423.5, subsection 1, paragraph “e” notwithstanding
 22 any other provision to the contrary in chapter 423.

23 (4) For any rental transaction for which the rental platform
 24 is not required to collect and remit the tax under this chapter
 25 as provided under subparagraph (2), the automobile provider
 26 shall be solely liable for any amount of uncollected or
 27 unremitted tax under this chapter.

28 Sec. 254. LEGISLATIVE INTENT. It is the intent of the
 29 general assembly that the provision of this division of this
 30 Act amending the definition of “lodging” in section 423A.2,
 31 subsection 1, is a conforming amendment consistent with
 32 current state law, and that the amendment does not change the
 33 application of current law but instead reflects current law
 34 both before and after the enactment of this division of this
 35 Act.

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1 Sec. 255. EFFECTIVE DATE. Except as otherwise provided
 2 in this division of this Act, this division of this Act takes
 3 effect January 1, 2019.

4 Sec. 256. EFFECTIVE DATE. The following, being deemed of
 5 immediate importance, take effect upon enactment:

6 1. The provision amending the definition of “lodging” in the
 7 section of this division of this Act amending section 423A.2,
 8 subsection 1.

9 2. The section of this division of this Act entitled
 10 “legislative intent” which describes the intent of the general
 11 assembly with respect to the amendment in this division of
 12 this Act to the definition of “lodging” in section 423A.2,
 13 subsection 1.>

14 2. Title page, by striking lines 1 through 8 and inserting
 15 <An Act relating to state and local revenue and finance by
 16 modifying the individual and corporate income taxes, the
 17 franchise tax, tax credits, the sales and use taxes and
 18 local option sales tax, the hotel and motel excise tax, the
 19 automobile rental excise tax, the Iowa educational savings plan
 20 trust, providing for other properly related matters, making
 21 penalties applicable, and including immediate and contingent
 22 effective date and retroactive and other applicability
 23 provisions.>>

S-5311

HOUSE AMENDMENT TO
SENATE FILE 2418

- 1 Amend Senate File 2418, as amended, passed, and reprinted by
2 the Senate, as follows:
- 3 1. By striking page 91, line 5, through page 94, line 3.
4 2. Page 112, after line 24 by inserting:
- 5 <DIVISION ____
6 FOSTER CARE AND ADOPTED CHILDREN
7 Sec. ____ FOSTER CARE AND ADOPTED CHILDREN — ANNUAL MEDICAL
8 VISIT.
- 9 1. The department of human services shall adopt rules
10 pursuant to chapter 17A to require every child receiving foster
11 care to receive an annual visit to a medical professional.
12 2. The department shall submit a request to the United
13 States department of health and human services to allow the
14 department to adopt rules requiring a child adopted from foster
15 care and whose parents receive an adoption subsidy to receive
16 an annual visit to a medical professional.>
17 3. By renumbering as necessary.

S-5312

- 1 Amend the amendment, S-5232, to House File 633, as passed by
2 the House, as follows:
- 3 1. Page 1, before line 7 by inserting:
4 <Sec. ____ Section 257.11, subsection 5, paragraph a,
5 subparagraph (1), Code 2018, is amended to read as follows:
6 (1) In order to provide additional funding to increase
7 student opportunities and redirect more resources to student
8 programming for school districts that share operational
9 functions, a district that shares with a political subdivision
10 one or more operational functions of a curriculum director,
11 master social worker, independent social worker, or school
12 counselor, or one or more operational functions in the areas
13 of superintendent management, business management, human
14 resources, transportation, or operation and maintenance for at
15 least twenty percent of the school year shall be assigned a
16 supplementary weighting for each shared operational function.
17 A school district that shares an operational function in
18 the area of superintendent management shall be assigned a
19 supplementary weighting of eight pupils for the function. A
20 school district that shares an operational function in the area
21 of business management, human resources, transportation, or
22 operation and maintenance shall be assigned a supplementary
23 weighting of five pupils for the function. A school district
24 that shares the operational functions of a curriculum director,
25 a master social worker or an independent social worker licensed
26 under chapters 147 and 154C, or a school counselor shall be
27 assigned a supplementary weighting of three pupils for the

28 function. The additional weighting shall be assigned for
 29 each discrete operational function shared. However, a school
 30 district may receive the additional weighting under this
 31 subsection for sharing the services of an individual with a
 32 political subdivision even if the type of operational function
 33 performed by the individual for the school district and the
 34 type of operational function performed by the individual
 35 for the political subdivision are not the same operational

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1 function, so long as both operational functions are eligible
 2 for weighting under this subsection. In such case, the school
 3 district shall be assigned the additional weighting for the
 4 type of operational function that the individual performs for
 5 the school district, and the school district shall not receive
 6 additional weighting for any other function performed by the
 7 individual. The operational function sharing arrangement does
 8 not need to be a newly implemented sharing arrangement to
 9 receive supplementary weighting under this subsection.>

10 2. Page 2, after line 1 by inserting:

11 <Sec. ___. EFFECTIVE DATE. This Act, being deemed of
 12 immediate importance, takes effect upon enactment.

13 Sec. ___. APPLICABILITY. This Act applies to school budget
 14 years beginning on or after July 1, 2018, subject to the school
 15 budget year limitations of section 257.11, subsection 5.>

16 3. Title page, line 2, after <for school districts> by
 17 inserting <and including effective date and applicability
 18 provisions>>

19 4. By renumbering as necessary.

TIM KRAAYENBRINK

S-5313

1 Amend the amendment, S-5302, to Senate File 2417 as follows:

2 1. Page 82, after line 16 by inserting:

3 <Sec. ___. Section 423.2, subsection 1, unnumbered
 4 paragraph 1, Code 2018, is amended to read as follows:

5 There is imposed a tax of six and three-eighths percent upon
 6 the sales price of all sales of tangible personal property,
 7 consisting of goods, wares, or merchandise, sold at retail in
 8 the state to consumers or users except as otherwise provided in
 9 this subchapter.>

10 2. Page 82, after line 20 by inserting:

11 <Sec. ___. Section 423.2, subsections 2 and 3, Code 2018,
 12 are amended to read as follows:

13 2. A tax of six and three-eighths percent is imposed upon
 14 the sales price of the sale or furnishing of gas, electricity,
 15 water, heat, pay television service, and communication service,
 16 including the sales price from such sales by any municipal
 17 corporation or joint water utility furnishing gas, electricity,

18 water, heat, pay television service, and communication service
19 to the public in its proprietary capacity, except as otherwise
20 provided in this subchapter, when sold at retail in the state
21 to consumers or users.

22 3. A tax of six and three-eighths percent is imposed upon
23 the sales price of all sales of tickets or admissions to places
24 of amusement, fairs, and athletic events except those of
25 elementary and secondary educational institutions. A tax of
26 six and three-eighths percent is imposed on the sales price of
27 an entry fee or like charge imposed solely for the privilege of
28 participating in an activity at a place of amusement, fair, or
29 athletic event unless the sales price of tickets or admissions
30 charges for observing the same activity are taxable under this
31 subchapter. A tax of six and three-eighths percent is imposed
32 upon that part of private club membership fees or charges paid
33 for the privilege of participating in any athletic sports
34 provided club members.

35 Sec. ____ Section 423.2, subsection 4, paragraph a, Code

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1 2018, is amended to read as follows:

2 a. A tax of six and three-eighths percent is imposed upon
3 the sales price derived from the operation of all forms of
4 amusement devices and games of skill, games of chance, raffles,
5 and bingo games as defined in chapter 99B, and card game
6 tournaments conducted under section 99B.27, that are operated
7 or conducted within the state, the tax to be collected from
8 the operator in the same manner as for the collection of taxes
9 upon the sales price of tickets or admission as provided in
10 this section. Nothing in this subsection shall legalize any
11 games of skill or chance or slot-operated devices which are now
12 prohibited by law.

13 Sec. ____ Section 423.2, subsection 5, Code 2018, is amended
14 to read as follows:

15 5. There is imposed a tax of six and three-eighths percent
16 upon the sales price from the furnishing of services as defined
17 in section 423.1.>

18 3. Page 86, after line 4 by inserting:

19 <Sec. ____ Section 423.2, subsection 7, paragraph a,
20 unnumbered paragraph 1, Code 2018, is amended to read as
21 follows:

22 A tax of six and three-eighths percent is imposed upon the
23 sales price from the sales, furnishing, or service of solid
24 waste collection and disposal service.

25 Sec. ____ Section 423.2, subsection 8, paragraph a, Code
26 2018, is amended to read as follows:

27 a. A tax of six and three-eighths percent is imposed on
28 the sales price from sales of bundled transactions. For the
29 purposes of this subsection, a "bundled transaction" is the
30 retail sale of two or more distinct and identifiable products,
31 except real property and services to real property, which

32 are sold for one nonitemized price. A “*bundled transaction*”
33 does not include the sale of any products in which the sales
34 price varies, or is negotiable, based on the selection by the
35 purchaser of the products included in the transaction.>

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1 4. Page 87, after line 9 by inserting:
2 <Sec. ___. Section 423.2, subsection 9, Code 2018, is
3 amended to read as follows:
4 9. A tax of six and three-eighths percent is imposed upon
5 the sales price from any mobile telecommunications service,
6 including all paging services, that this state is allowed
7 to tax pursuant to the provisions of the federal Mobile
8 Telecommunications Sourcing Act, Pub. L. No. 106-252, 4 U.S.C.
9 §116 et seq. For purposes of this subsection, taxes on mobile
10 telecommunications service, as defined under the federal Mobile
11 Telecommunications Sourcing Act that are deemed to be provided
12 by the customer’s home service provider, shall be paid to
13 the taxing jurisdiction whose territorial limits encompass
14 the customer’s place of primary use, regardless of where the
15 mobile telecommunications service originates, terminates,
16 or passes through and shall in all other respects be taxed
17 in conformity with the federal Mobile Telecommunications
18 Sourcing Act. All other provisions of the federal Mobile
19 Telecommunications Sourcing Act are adopted by the state of
20 Iowa and incorporated into this subsection by reference. With
21 respect to mobile telecommunications service under the federal
22 Mobile Telecommunications Sourcing Act, the director shall, if
23 requested, enter into agreements consistent with the provisions
24 of the federal Act.>
25 5. Page 87, line 12, after <six> by inserting <and
26 three-eighths>
27 6. Page 87, after line 27 by inserting:
28 <Sec. ___. Section 423.2, subsection 14, Code 2018, is
29 amended to read as follows:
30 14. The sales tax rate of six and three-eighths percent is
31 reduced to five and three-eighths percent on January 1, 2030.>
32 7. Page 88, line 18, by striking <461.31, if applicable> and
33 inserting <461.31>
34 8. Page 98, after line 28 by inserting:
35 <Sec. ___. Section 423.5, subsection 1, unnumbered

Page 4

1 paragraph 1, Code 2018, is amended to read as follows:
2 Except as provided in paragraph “c”, an excise tax at the
3 rate of six and three-eighths percent of the purchase price or
4 installed purchase price is imposed on the following:>
5 9. Page 100, after line 4 by inserting:
6 <Sec. ___. Section 423.5, subsection 5, Code 2018, is
7 amended to read as follows:

8 5. The use tax rate of six and three-eighths percent is
 9 reduced to five and three-eighths percent on January 1, 2030.>
 10 10. Page 121, after line 27 by inserting:
 11 <Sec. ___. Section 423.43, subsection 1, paragraph b, Code
 12 2018, is amended to read as follows:
 13 b. Subsequent to the deposit into the general fund of the
 14 state ~~and after the transfer of such~~ pursuant to paragraph "a,"
 15 the department shall do the following in the order prescribed:
 16 (1) ~~Transfer the revenues collected under chapter 423B, the~~
 17 ~~department shall transfer one sixth,~~
 18 (2) Transfer fifteen and six thousand eight hundred
 19 sixty-three ten-thousandths percent of such remaining revenues
 20 to the secure an advanced vision for education fund created in
 21 section 423F.2. This ~~paragraph~~ subparagraph (2) is repealed
 22 December 31, 2029.>
 23 11. By renumbering as necessary.

DAVID JOHNSON

S-5314

1 Amend the amendment, S-5302, to Senate File 2417 as follows:
 2 1. Page 82, after line 16 by inserting:
 3 <Sec. ___. Section 423.2, subsection 1, unnumbered
 4 paragraph 1, Code 2018, is amended to read as follows:
 5 There is imposed a tax of six and one-half percent upon
 6 the sales price of all sales of tangible personal property,
 7 consisting of goods, wares, or merchandise, sold at retail in
 8 the state to consumers or users except as otherwise provided in
 9 this subchapter.>
 10 2. Page 82, after line 20 by inserting:
 11 <Sec. ___. Section 423.2, subsections 2 and 3, Code 2018,
 12 are amended to read as follows:
 13 2. A tax of six and one-half percent is imposed upon the
 14 sales price of the sale or furnishing of gas, electricity,
 15 water, heat, pay television service, and communication service,
 16 including the sales price from such sales by any municipal
 17 corporation or joint water utility furnishing gas, electricity,
 18 water, heat, pay television service, and communication service
 19 to the public in its proprietary capacity, except as otherwise
 20 provided in this subchapter, when sold at retail in the state
 21 to consumers or users.
 22 3. A tax of six and one-half percent is imposed upon the
 23 sales price of all sales of tickets or admissions to places
 24 of amusement, fairs, and athletic events except those of
 25 elementary and secondary educational institutions. A tax of
 26 six and one-half percent is imposed on the sales price of an
 27 entry fee or like charge imposed solely for the privilege of
 28 participating in an activity at a place of amusement, fair, or
 29 athletic event unless the sales price of tickets or admissions
 30 charges for observing the same activity are taxable under this
 31 subchapter. A tax of six and one-half percent is imposed upon

32 that part of private club membership fees or charges paid for
33 the privilege of participating in any athletic sports provided
34 club members.
35 Sec. ____ Section 423.2, subsection 4, paragraph a, Code

Page 2

1 2018, is amended to read as follows:
2 a. A tax of six and one-half percent is imposed upon
3 the sales price derived from the operation of all forms of
4 amusement devices and games of skill, games of chance, raffles,
5 and bingo games as defined in chapter 99B, and card game
6 tournaments conducted under section 99B.27, that are operated
7 or conducted within the state, the tax to be collected from
8 the operator in the same manner as for the collection of taxes
9 upon the sales price of tickets or admission as provided in
10 this section. Nothing in this subsection shall legalize any
11 games of skill or chance or slot-operated devices which are now
12 prohibited by law.

13 Sec. ____ Section 423.2, subsection 5, Code 2018, is amended
14 to read as follows:

15 5. There is imposed a tax of six and one-half percent upon
16 the sales price from the furnishing of services as defined in
17 section 423.1.>

18 3. Page 86, after line 4 by inserting:

19 <Sec. ____ Section 423.2, subsection 7, paragraph a,
20 unnumbered paragraph 1, Code 2018, is amended to read as
21 follows:

22 A tax of six and one-half percent is imposed upon the sales
23 price from the sales, furnishing, or service of solid waste
24 collection and disposal service.

25 Sec. ____ Section 423.2, subsection 8, paragraph a, Code
26 2018, is amended to read as follows:

27 a. A tax of six and one-half percent is imposed on the sales
28 price from sales of bundled transactions. For the purposes of
29 this subsection, a *"bundled transaction"* is the retail sale of
30 two or more distinct and identifiable products, except real
31 property and services to real property, which are sold for one
32 nonitemized price. A *"bundled transaction"* does not include
33 the sale of any products in which the sales price varies, or
34 is negotiable, based on the selection by the purchaser of the
35 products included in the transaction.>

Page 3

1 4. Page 87, after line 9 by inserting:

2 <Sec. ____ Section 423.2, subsection 9, Code 2018, is
3 amended to read as follows:

4 9. A tax of six and one-half percent is imposed upon
5 the sales price from any mobile telecommunications service,
6 including all paging services, that this state is allowed
7 to tax pursuant to the provisions of the federal Mobile

8 Telecommunications Sourcing Act, Pub. L. No. 106-252, 4 U.S.C.
 9 §116 et seq. For purposes of this subsection, taxes on mobile
 10 telecommunications service, as defined under the federal Mobile
 11 Telecommunications Sourcing Act that are deemed to be provided
 12 by the customer's home service provider, shall be paid to
 13 the taxing jurisdiction whose territorial limits encompass
 14 the customer's place of primary use, regardless of where the
 15 mobile telecommunications service originates, terminates,
 16 or passes through and shall in all other respects be taxed
 17 in conformity with the federal Mobile Telecommunications
 18 Sourcing Act. All other provisions of the federal Mobile
 19 Telecommunications Sourcing Act are adopted by the state of
 20 Iowa and incorporated into this subsection by reference. With
 21 respect to mobile telecommunications service under the federal
 22 Mobile Telecommunications Sourcing Act, the director shall, if
 23 requested, enter into agreements consistent with the provisions
 24 of the federal Act.>

25 5. Page 87, line 12, after <six> by inserting <and one-half>
 26 6. Page 87, after line 27 by inserting:
 27 <Sec. __. Section 423.2, subsection 14, Code 2018, is
 28 amended to read as follows:
 29 14. The sales tax rate of six and one-half percent is
 30 reduced to five and one-half percent on January 1, 2030.>
 31 7. Page 88, line 18, by striking <461.31, if applicable> and
 32 inserting <461.31>
 33 8. Page 88, after line 18 by inserting:
 34 <0c. Transfer two and four hundred eight ten-thousandths
 35 percent of the remaining revenues to the mental health and

Page 4

1 disability services sales tax supplement fund created in
 2 section 423H.2.>

3 9. Page 98, after line 28 by inserting:
 4 <Sec. __. Section 423.5, subsection 1, unnumbered
 5 paragraph 1, Code 2018, is amended to read as follows:
 6 Except as provided in paragraph "c", an excise tax at the
 7 rate of six and one-half percent of the purchase price or
 8 installed purchase price is imposed on the following:>
 9 10. Page 100, after line 4 by inserting:
 10 <Sec. __. Section 423.5, subsection 5, Code 2018, is
 11 amended to read as follows:
 12 5. The use tax rate of six and one-half percent is reduced
 13 to five and one-half percent on January 1, 2030.>
 14 11. Page 121, after line 27 by inserting:
 15 <Sec. __. Section 423.43, subsection 1, paragraph b, Code
 16 2018, is amended to read as follows:
 17 b. Subsequent to the deposit into the general fund of the
 18 state ~~and after the transfer of such~~ pursuant to paragraph "a",
 19 the department shall do the following in the order prescribed:
 20 (1) Transfer the revenues collected under chapter 423B, ~~the~~
 21 ~~department shall transfer one sixth,~~

22 (2) Transfer fifteen and three thousand eight hundred
 23 forty-six ten-thousandths percent of such remaining revenues
 24 to the secure an advanced vision for education fund created in
 25 section 423F.2. This ~~paragraph~~ subparagraph (2) is repealed
 26 December 31, 2029.

27 (3) Transfer six and eight thousand eight hundred
 28 eighty-one ten-thousandths percent of the remaining revenues to
 29 the natural resources and outdoor recreation trust fund created
 30 in section 461.31.

31 (4) Transfer two and four thousand three hundred ninety
 32 ten-thousandths percent of the remaining revenues to the mental
 33 health and disability services sales tax supplement fund
 34 created in section 423H.2.

35 12. Page 125, after line 5 by inserting:

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1 <Sec. __. NEW SECTION. 423H.1 Mental health and disability
 2 services sales tax supplement — intent.

3 It is the intent of the general assembly that approximately
 4 twenty-five percent of the increase in the state sales,
 5 services, and use taxes under chapter 423, subchapters II and
 6 III, from six percent to six and one-half percent on January 1,
 7 2019, shall be used solely for purposes of providing revenues
 8 to counties for the payment of mental health and disability
 9 services provided under the regional service system.

10 Sec. __. NEW SECTION. 423H.2 Fund — remittances to
 11 counties.

12 1. A mental health and disability services sales tax
 13 supplement fund is created as a separate and distinct fund
 14 in the state treasury under the control of the department of
 15 revenue. Moneys in the fund include revenues credited to the
 16 fund pursuant to this chapter, appropriations made to the fund,
 17 and other moneys deposited in the fund. Any amounts disbursed
 18 from the fund shall be deposited in each county's mental health
 19 and disabilities services fund under section 331.424A and
 20 utilized by counties to provide mental health and disability
 21 services and expand core services that are in addition to
 22 the mental health and disability services required under the
 23 county's regional service system management plan approved
 24 pursuant to section 331.393.

25 2. The moneys available in a fiscal year in the mental
 26 health and disability services sales tax supplement fund shall
 27 be distributed by the department of revenue to each county
 28 beginning on or after January 1, 2019, in the proportion that
 29 the county's population bears to the total population. For
 30 purposes of this subsection, "*population*" means the same as
 31 defined in section 331.424A, subsection 1.

32 3. *a.* The director of revenue by August 15 of each fiscal
 33 year shall send to each county an estimate of the amount of
 34 tax moneys each county will receive for the year, and for each
 35 month of the year. At the end of each month, the director may

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- 1 revise the estimates for the year and remaining months.
 2 *b.* The director shall remit ninety-five percent of the
 3 estimated tax receipts for the county to the county on or
 4 before August 31 of the fiscal year and on or before the last
 5 day of each following month.
 6 *c.* The director shall remit a final payment of the remainder
 7 of tax moneys due for the fiscal year before November 10 of the
 8 next fiscal year. If an overpayment has resulted during the
 9 previous fiscal year, the November payment shall be adjusted to
 10 reflect any overpayment.>
 11 13. By renumbering as necessary.

DAVID JOHNSON

S-5315

- 1 Amend the amendment, S-5302, to Senate File 2417 as follows:
 2 1. Page 78, lines 7 and 8, by striking <or specified digital
 3 products>
 4 2. Page 78, lines 15 and 16, by striking <property,
 5 specified digital products,> and inserting <property>
 6 3. Page 78, by striking lines 25 through 33.
 7 4. Page 79, by striking lines 2 and 3 and inserting <in
 8 the business of selling tangible personal property or taxable
 9 services at retail, or>
 10 5. Page 79, by striking line 17 and inserting <property or
 11 services sold by>
 12 6. By striking page 80, line 33, through page 81, line 23.
 13 7. Page 81, line 29, by striking <property, specified
 14 digital products,> and inserting <property>
 15 8. Page 81, by striking line 33 and inserting <property or
 16 service.>
 17 9. Page 82, line 3, by striking <or a specified digital
 18 product>
 19 10. Page 83, by striking lines 31 through 33 and inserting:
 20 <ac. limousine Limousine service, including driver;
 21 machine.>
 22 11. Page 84, by striking lines 7 and 8 and inserting:
 23 <al. Pay television; pet.>
 24 12. By striking page 85, line 32, through page 86, line 4.
 25 13. Page 87, by striking lines 10 through 25.
 26 14. Page 90, line 8, by striking <subsections 1 and 17> and
 27 inserting <subsection 17>
 28 15. Page 90, line 9, by striking <are> and inserting <is>
 29 16. Page 90, by striking lines 10 through 13.
 30 17. Page 90, line 15, by striking <property, specified
 31 digital products,> and inserting <property>
 32 18. Page 90, by striking lines 26 through 30.
 33 19. Page 90, lines 31 and 32, by striking <20, 21, 22, 23,
 34 26, 27, 28, and 31,> and inserting <21, 22, and 31,>
 35 20. Page 90, by striking lines 33 through 35.

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- 1 21. Page 91, by striking line 2 and inserting <tangible
- 2 personal property>
- 3 22. Page 91, by striking lines 7 and 8 and inserting
- 4 <~~merchandise, tangible personal property~~ or from services
- 5 furnished, to a nonprofit private>
- 6 23. Page 91, by striking lines 10 through 25.
- 7 24. Page 91, line 27, by striking <or specified digital
- 8 products>
- 9 25. Page 92, line 6, by striking <or specified digital
- 10 products>
- 11 26. By striking page 92, line 21, through page 93, line 15.
- 12 27. Page 95, by striking line 1 and inserting <property
- 13 which will be>
- 14 28. Page 95, by striking lines 4 and 5.
- 15 29. Page 95, line 10, by striking <specified digital
- 16 products.>
- 17 30. Page 95, lines 12 and 13, by striking <specified digital
- 18 products.>
- 19 31. Page 95, line 23, by striking <or specified digital
- 20 products.>
- 21 32. By striking page 95, line 27, through page 96, line 20.
- 22 33. Page 96, line 26, by striking <or specified digital
- 23 products.>
- 24 34. Page 96, lines 34 and 25, by striking <or specified
- 25 digital products.>
- 26 35. By striking page 99, line 7, through page 100, line 31.
- 27 36. Page 100, line 32, by striking <paragraphs b and c> and
- 28 inserting <paragraph b>
- 29 37. Page 100, line 33, by striking <are> and inserting <is>
- 30 38. Page 100, line 35, by striking <and specified digital
- 31 products>
- 32 39. Page 101, by striking lines 9 through 13.
- 33 40. Page 101, line 19, by striking <specified>
- 34 41. Page 101, line 29, by striking <specified>
- 35 42. Page 101, line 35, by striking <specified>

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- 1 43. Page 102, line 9, by striking <specified>
- 2 44. Page 102, line 11, by striking <specified>
- 3 45. Page 102, line 13, by striking <specified>
- 4 46. Page 102, line 15, by striking <specified>
- 5 47. Page 102, line 26, by striking <specified>
- 6 48. Page 102, line 31, by striking <specified>
- 7 49. Page 103, line 3, by striking <specified>
- 8 50. Page 103, line 6, by striking <specified>
- 9 51. Page 103, line 11, by striking <specified>
- 10 52. Page 103, line 13, by striking <specified>
- 11 53. Page 103, line 15, by striking <specified>
- 12 54. Page 103, line 20, by striking <specified>

- 13 55. Page 103, line 27, by striking <specified>
 14 56. Page 106, line 10, by striking <specified>
 15 57. Page 113, by striking lines 10 and 11 and inserting:
 16 <All sales of products tangible personal property or
 17 services, except those sales enumerated>
 18 58. Page 113, by striking line 15 and inserting <tangible
 19 personal property, digital goods,>
 20 59. Page 113, line 35, by striking <specified>
 21 60. Page 114, by striking lines 6 through 22.
 22 61. Page 114, lines 26 and 27, by striking <or specified
 23 digital products>
 24 62. Page 114, line 32, by striking <or specified digital
 25 products>
 26 63. Page 115, by striking lines 2 through 20.
 27 64. Page 115, line 32, by striking <specified digital
 28 products,>
 29 65. Page 116, line 10, by striking <property, specified
 30 digital products,> and inserting <property>
 31 66. Page 116, line 29, by striking <property, specified
 32 digital products, and> and inserting <property>
 33 67. By striking page 116, line 34, through page 117, line
 34 19.
 35 68. Page 118, lines 13 and 14, by striking <property,

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- 1 specified digital products,> and inserting <property>
 2 69. By striking page 118, line 26, through page 122, line
 3 27.
 4 70. Page 125, by striking lines 12 and 13 and inserting
 5 <423.1, subsection 57A, are>
 6 71. Page 125, by striking lines 18 through 26.
 7 72. Page 126, by striking lines 3 through 7.
 8 73. Page 126, by striking lines 15 and 16 and inserting
 9 <subsection 55A.>
 10 74. By renumbering, redesignating, and correcting internal
 11 references as necessary.

MATT McCOY

S-5316

- 1 Amend the House amendment, S-5293, to Senate File 2316, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 13, by striking <required> and inserting
 4 <the only requirement>
 5 2. Page 1, line 15, by striking <person, other than a> and
 6 inserting <person>
 7 3. Page 1, by striking lines 16 and 17.
 8 4. Page 1, line 21, by striking <A> and inserting <If
 9 permitted by federal law, a>
 10 5. Page 1, line 25, by striking <“small”> and inserting <If

- 11 permitted by federal law, “small”
- 12 6. Page 2, after line 4 by inserting:
- 13 <__. Page 14, after line 18 by inserting:
- 14 <Sec. __. EFFECTIVE UPON ENACTMENT. The section of this
- 15 Act amending section 513B.2, subsections 10 and 18, being
- 16 deemed of immediate importance, takes effect upon enactment.
- 17 7. Page 2, line 7, after <insurance> by inserting <, and
- 18 including effective date provisions>
- 19 8. By renumbering, redesignating, and correcting internal
- 20 references as necessary.

AMY SINCLAIR

S-5317

- 1 Amend Senate File 2419 as follows:
- 2 1. Page 1, after line 30 by inserting:
- 3 <Sec. __. 2017 Iowa Acts, chapter 170, section 15, is
- 4 amended to read as follows:
- 5 SEC. 15. CASH RESERVE FUND APPROPRIATION — FY 2018–2019.
- 6 There is appropriated from the general fund of the state to the
- 7 cash reserve fund for the fiscal year beginning July 1, 2018,
- 8 and ending June 30, 2019, the following amount:
- 9 \$ 111,100,000
- 10 113,100,000>
- 11 2. Page 2, after line 6 by inserting:
- 12 <Sec. __. TAXPAYERS TRUST FUND. On July 1, 2018, any
- 13 unencumbered and unobligated moneys in the taxpayers trust fund
- 14 created in section 8.57E are transferred to the general fund
- 15 of the state.>
- 16 3. Page 13, after line 22 by inserting:
- 17 <DIVISION __
- 18 LAND ACQUISITION AND INVENTORY
- 19 Sec. __. LAND ACQUISITION AND INVENTORY.
- 20 1. By December 1, 2018, the department of natural resources
- 21 shall submit a report to the general assembly including all
- 22 financial assistance provided to private entities for the
- 23 acquisition of land and an inventory of all land managed or
- 24 owned on behalf of the state by the department.
- 25 2. The portion of the report regarding financial assistance
- 26 to private entities for land acquisition shall include the
- 27 name of the private entities, a description of the assistance
- 28 provided, the price of the tract, the date the assistance
- 29 was provided, the date of full loan repayment or cessation
- 30 of the linked deposit account, and the total amount of
- 31 outstanding loans and linked deposits associated with such land
- 32 acquisitions. This portion of the report shall also include
- 33 information regarding the land purchase including the location
- 34 and description of the land, a description of the conservation
- 35 benefits of the purchase, the name of the seller, the price

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1 paid, and the size of the tract. If the land was later
2 acquired by a governmental entity, the report shall include the
3 name of the governmental entity, the date of the subsequent
4 acquisition, the price paid, and the source of the funds.

5 3. The portion of the report regarding the land inventory
6 shall include a list of all properties owned by the state whose
7 purchase or donation was facilitated by the department and a
8 list of properties which are managed by the department, but
9 not owned by the state. For each owned tract of land, the
10 inventory shall include the location of the tract, the date
11 of acquisition or first management agreement, the name of the
12 seller or donor of the tract, the price paid for state-owned
13 land and the source of the funds; the owner of the tract if not
14 owned by the state, the size of the tract, the present use of
15 the tract including whether the property is open to the public,
16 and the identification of the government entity charged with
17 managing the tract. The inventory shall also identify the
18 location and size of all tracts which were conveyed to cities
19 or counties within the past twenty years after termination of
20 state ownership.

21 4. For the fiscal year beginning July 1, 2018, the
22 environmental protection commission shall not authorize a
23 contract or approve costs related to the purchase of land
24 which obligates moneys from the water pollution control works
25 revolving loan fund for financial assistance to acquire new
26 land under the general nonpoint source program set-aside.

27 DIVISION ____

28 IOWA GEOLOGICAL SURVEY

29 Sec. ____ 2018 Iowa Acts, House File 2491, section 21, if
30 enacted, is amended to read as follows:

31 SEC. 53A. STATE UNIVERSITY OF IOWA ~~GEOGRAPHICAL AND WATER~~
32 GEOLOGICAL SURVEY. There is appropriated from the environment
33 first fund created in section 8.57A to the state university of
34 Iowa for the fiscal year beginning July 1, 2018, and ending
35 June 30, 2019, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:

2 1. OPERATIONS

3 For purposes of supporting the operations of the Iowa
4 geological and water survey of the state as created within the
5 state university of Iowa pursuant to section 456.1 as amended
6 by 2018 Iowa Acts, House File 2303, section 12, including
7 but not limited to providing analysis; data maintenance,
8 collection, and compilation; investigative programs; and
9 information for water supply development and protection:

10 \$ 200,000

11 2. WATER RESOURCE MANAGEMENT

12 For purposes of supporting the geological and water survey

13 in measuring, assessing, and evaluating the quantity of water
14 sources in this state and assisting the department of natural
15 resources in regulating water quantity as provided in chapter
16 455B, division III, part 4, pursuant to sections 455B.262B and
17 456.14, as enacted by this Act:

18 \$ 495,000

19 DIVISION ____
20 PODIATRY

21 Sec. ____ Section 147.139, subsections 3 and 4, Code 2018,
22 are amended to read as follows:

23 3. If the defendant is board-certified in a specialty, the
24 person is certified in the same or a substantially similar
25 specialty by a board recognized by the American board of
26 medical specialties, ~~or~~ the American osteopathic association,
27 or the council on podiatric medical education.

28 4. a. If the defendant is a licensed physician or
29 osteopathic physician under chapter 148, the person is a
30 physician or osteopathic physician licensed in this state or
31 another state.

32 b. If the defendant is a licensed podiatric physician under
33 chapter 149, the person is a physician, osteopathic physician,
34 or a podiatric physician licensed in this state or another
35 state.

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1 DIVISION ____
2 CATTLE GUARDS

3 Sec. ____ Section 314.30, subsection 1, paragraph c, as
4 enacted by 2018 Iowa Acts, Senate File 449, section 1, is
5 amended to read as follows:

6 c. The landowner owns ~~the~~ property on both sides of the
7 street or highway and owns property on both sides of any access
8 to the street or highway.

9 Sec. ____ 2018 Iowa Acts, Senate File 449, is amended by
10 adding the following new section:

11 NEW SECTION. SEC. 4. INSTALLATION OF CATTLE GUARD —
12 SUBSEQUENT COUNTY ACTION. Any cattle guard installed pursuant
13 to this Act on or before April 25, 2018, that meets the
14 requirements of this Act at the time of installation shall not
15 be ordered uninstalled or found to be noncompliant with this
16 Act as a result of any action taken after April 25, 2018, by
17 the county with jurisdiction over the street or highway on
18 which the cattle guard is installed to alter the area service
19 classification of the street or highway or to otherwise alter
20 the street or highway in such a way that the installation of
21 the cattle guard no longer complies with this Act.

22 Sec. ____ EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

24 Sec. ____ RETROACTIVE APPLICABILITY. This division of this
25 Act applies retroactively to April 17, 2018.

26 DIVISION ____

27 DRAMSHOP

28 Sec. ____ Section 123.92, subsection 1, paragraph a, Code
 29 2018, as amended by 2018 Iowa Acts, Senate File 2169, section
 30 1, is amended to read as follows:

31 a. ~~Any~~ Subject to the limitation amount specified in
 32 paragraph "c", if applicable, any third party who is not the
 33 intoxicated person who caused the injury at issue and who
 34 is injured in person or property or means of support by an
 35 intoxicated person or resulting from the intoxication of a

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1 person, has a right of action for damages actually sustained,
 2 severally or jointly, ~~up to the amount specified in paragraph~~
 3 ~~"e"~~, against any licensee or permittee, whether or not the
 4 license or permit was issued by the division or by the
 5 licensing authority of any other state, who sold and served any
 6 beer, wine, or intoxicating liquor directly to the intoxicated
 7 person, provided that the person was visibly intoxicated at the
 8 time of the sale or service.

9 Sec. ____ NEW SECTION. 505.33 Dramshop liability insurance
 10 evaluation.

11 The division shall biennially conduct an evaluation
 12 concerning minimum coverage requirements of dramshop liability
 13 insurance. In conducting the evaluation, the division
 14 shall include a comparison of other states' minimum dramshop
 15 liability insurance coverage and any other relevant issues
 16 the division identifies. By January 31, 2019, and every two
 17 years thereafter, the division shall submit a report, including
 18 any findings and recommendations, to the general assembly as
 19 provided in chapter 7A.

20 Sec. ____ REPEAL. 2018 Iowa Acts, Senate File 2169, section
 21 2, is repealed.

22 DIVISION ____
 23 ALCOHOL

24 Sec. ____ Section 123.30, subsection 3, paragraphs a and
 25 b, Code 2018, as amended by 2018 Iowa Acts, Senate File 2310,
 26 section 12, are amended to read as follows:

27 a. *Class "A"*. A class "A" liquor control license may be
 28 issued to a club and shall authorize the holder to purchase
 29 alcoholic liquors in original unopened containers from class
 30 "E" liquor control licensees only, wine from class "A" wine
 31 permittees or class "B" wine permittees who also hold class "E"
 32 liquor control licenses only as provided in section 123.173
 33 and section 123.177, and to sell alcoholic beverages to bona
 34 fide members and their guests by the individual drink for
 35 consumption on the premises only.

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1 *b. Class "B".* A class "B" liquor control license may be
2 issued to a hotel or motel and shall authorize the holder to
3 purchase alcoholic liquors in original unopened containers from
4 class "E" liquor control licensees only, wine from class "A"
5 wine permittees or class "B" wine permittees who also hold
6 class "E" liquor control licenses only as provided in section
7 123.173 and section 123.177, and to sell alcoholic beverages to
8 patrons by the individual drink for consumption on the premises
9 only. However, beer may also be sold for consumption off the
10 premises. Each license shall be effective throughout the
11 premises described in the application.

12 Sec. ____. Section 123.30, subsection 3, paragraph c,
13 subparagraph (1), Code 2018, as amended by 2018 Iowa Acts,
14 Senate File 2310, section 12, is amended to read as follows:

15 (1) A class "C" liquor control license may be issued to
16 a commercial establishment but must be issued in the name of
17 the individuals who actually own the entire business and shall
18 authorize the holder to purchase alcoholic liquors in original
19 unopened containers from class "E" liquor control licensees
20 only, wine from class "A" wine permittees or class "B" wine
21 permittees who also hold class "E" liquor control licenses only
22 as provided in section 123.173 and section 123.177, and to sell
23 alcoholic beverages to patrons by the individual drink for
24 consumption on the premises only. However, beer may also be
25 sold for consumption off the premises. The holder of a class
26 "C" liquor control license may also hold a special class "A"
27 beer permit for the premises licensed under a class "C" liquor
28 control license for the purpose of operating a brewpub pursuant
29 to this chapter.

30 Sec. ____. Section 123.30, subsection 3, paragraph c,
31 subparagraph (3), Code 2018, is amended to read as follows:

32 (3) A class "C" native distilled spirits liquor control
33 license may be issued to a native distillery but shall be
34 issued in the name of the individuals who actually own the
35 business and shall only be issued to a native distillery

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1 which, combining all production facilities of the business,
2 produces and manufactures not more than one hundred thousand
3 proof gallons of distilled spirits on an annual basis. The
4 license shall authorize the holder to sell native distilled
5 spirits manufactured on the premises of the native distillery
6 to patrons by the individual drink for consumption on the
7 premises. All native distilled spirits sold by a native
8 distillery for on-premises consumption shall be purchased
9 from a class "E" liquor control licensee in original unopened
10 containers.

11 Sec. ____. Section 123.30, subsection 3, paragraph d,
12 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,

13 Senate File 2310, section 12, is amended to read as follows:

14 (2) A class "D" liquor control licensee who operates a
 15 train or a watercraft intrastate only, or an excursion gambling
 16 boat licensed under chapter 99F, shall purchase alcoholic
 17 liquor in original unopened containers from a class "E" liquor
 18 control licensee only, wine from a class "A" wine permittee or
 19 a class "B" wine permittee who also holds a class "E" liquor
 20 control license only as provided in section 123.173 and section
 21 123.177, and beer from a class "A" beer permittee only.

22 Sec. __. Section 123.30, subsection 3, paragraph e, Code
 23 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
 24 12, is amended to read as follows:

25 *e. Class "E".*

26 (1) A class "E" liquor control license may be issued and
 27 shall authorize the holder to purchase alcoholic liquor in
 28 original unopened containers from the division only and high
 29 alcoholic content beer from a class "A" beer permittee only and
 30 to sell the alcoholic liquor in original unopened containers
 31 and high alcoholic content beer at retail to patrons for
 32 consumption off the licensed premises and at wholesale to other
 33 liquor control licensees, provided the holder has filed with
 34 the division a basic permit issued by the alcohol and tobacco
 35 tax and trade bureau of the United States department of the

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1 treasury. A holder of a class "E" liquor control license
 2 may hold other retail liquor control licenses or retail wine
 3 or beer permits, but the premises licensed under a class "E"
 4 liquor control license shall be separate from other licensed
 5 premises, though the separate premises may have a common
 6 entrance. However, the holder of a class "E" liquor control
 7 license may also hold a class "B" wine or class "C" beer permit
 8 or both for the premises licensed under a class "E" liquor
 9 control license.

10 (2) The division may issue a class "E" liquor control
 11 license for premises covered by a liquor control license or
 12 wine or beer permit for on-premises consumption, if under any
 13 of the following circumstances:

14 (a) If the premises are in a county having a population
 15 under nine thousand five hundred in which no other class "E"
 16 liquor control license has been issued by the division, and no
 17 other application for a class "E" liquor control license has
 18 been made within the previous twelve consecutive months.

19 (b) If, notwithstanding any provision of this chapter to the
 20 contrary, the premises covered by a liquor control license is a
 21 grocery store that is at least five thousand square feet.

22 Sec. __. Section 123.30, subsection 4, Code 2018, is
 23 amended to read as follows:

24 4. Notwithstanding any provision of this chapter to the
 25 contrary, a person holding a liquor control license to sell
 26 alcoholic beverages for consumption on the licensed premises

27 may permit a customer to remove one unsealed bottle of wine
 28 for consumption off the premises if the customer has purchased
 29 and consumed a portion of the bottle of wine on the licensed
 30 premises. The licensee or the licensee's agent shall securely
 31 reseal such bottle in a bag designed so that it is visibly
 32 apparent that the resealed bottle of wine has not been tampered
 33 with and provide a dated receipt for the resealed bottle of
 34 wine to the customer. A wine bottle resealed pursuant to the
 35 requirements of this subsection is subject to the requirements

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1 of sections 321.284 and 321.284A. A person holding a liquor
 2 control license to sell alcoholic beverages for consumption on
 3 the licensed premises may permit a customer to carry an open
 4 container of wine from their licensed premises into another
 5 immediately adjacent licensed premises, temporary closed public
 6 right-of-way, or private property.

7 Sec. ____ Section 123.30, Code 2018, is amended by adding
 8 the following new subsection:

9 NEW SUBSECTION. 5. Notwithstanding any provision of this
 10 chapter to the contrary, a person holding a liquor control
 11 license to sell alcoholic beverages for consumption on the
 12 licensed premises may permit a customer to carry an open
 13 container of alcoholic liquor from their licensed premises
 14 to another immediately adjacent licensed premises, temporary
 15 closed public right-of-way, or private property.

16 Sec. ____ Section 123.131, subsection 2, unnumbered
 17 paragraph 1, Code 2018, is amended to read as follows:

18 Subject to the rules of the division, sales of beer for
 19 consumption off the premises made pursuant to this section
 20 may be made in a container other than the original container
 21 only if the container is carried into an immediately adjacent
 22 licensed or permitted premises, temporary closed public
 23 right-of-way, or private property, or if all of the following
 24 requirements are met:

25 DIVISION ____

26 SEXUALLY VIOLENT PREDATORS

27 Sec. ____ Section 229A.8, subsection 5, paragraph e,
 28 subparagraph (2), Code 2018, is amended to read as follows:

29 (2) (a) If the committed person shows by a preponderance
 30 of the evidence that a final hearing should be held on either
 31 determination under subparagraph (1), subparagraph division (a)
 32 or (b), or both, the court shall set a final hearing within
 33 sixty days of the determination that a final hearing be held.

34 (b) The committed person may waive the sixty-day final
 35 hearing requirement under subparagraph subdivision (a):

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1 however, the committed person or the attorney for the committed
 2 person may reassert a demand that the final hearing be held
 3 within sixty days from the date of filing the demand with the
 4 clerk of court.

5 (c) The final hearing may be continued upon request of
 6 either party and a showing of good cause, or by the court
 7 on its own motion in the due administration of justice, and
 8 if the committed person is not substantially prejudiced. In
 9 determining what constitutes good cause, the court shall
 10 consider the length of the pretrial detention of the committed
 11 person.

12 Sec. ____ Section 229A.15, Code 2018, is amended to read as
 13 follows:

14 **229A.15 Court records — sealed and opened by court order.**

15 1. ~~Any~~ Except as otherwise provided in this section, any
 16 psychological reports, drug and alcohol reports, treatment
 17 records, reports of any diagnostic center, medical records, or
 18 victim impact statements which have been submitted to the court
 19 or admitted into evidence under this chapter shall be part of
 20 the record but shall be sealed and opened only on order of the
 21 court.

22 2. The documents described in subsection 1 shall be
 23 available to the prosecuting attorney or attorney general, the
 24 committed person, and the attorney for the committed person
 25 without an order of the court.

26 DIVISION ____
 27 EARNED TIME

28 Sec. ____ Section 903A.2, subsection 1, paragraph a,
 29 subparagraph (2), Code 2018, is amended to read as follows:

30 (2) However, an inmate required to participate in a sex
 31 offender treatment program shall not be eligible for ~~a~~ any
 32 reduction of sentence unless until the inmate participates in
 33 and completes a sex offender treatment program established by
 34 the director.

35 Sec. ____ Section 903A.2, subsection 1, paragraph b,

Page 11

1 subparagraph (2), Code 2018, is amended to read as follows:

2 (2) An inmate required to participate in a domestic abuse
 3 treatment program shall not be eligible for ~~a~~ any reduction of
 4 sentence ~~unless until~~ the inmate participates in and completes
 5 a domestic abuse treatment program established by the director.

6 Sec. ____ Section 903A.3, subsection 1, Code 2018, is
 7 amended to read as follows:

8 1. Upon finding that an inmate has violated an institutional
 9 rule, has failed to complete a sex offender or domestic abuse
 10 treatment program as specified in section 903A.2, or has
 11 had an action or appeal dismissed under section 610A.2, the
 12 independent administrative law judge may order forfeiture of

13 any or all earned time accrued and not forfeited up to the
 14 date of the violation by the inmate and may order forfeiture
 15 of any or all earned time accrued and not forfeited up to
 16 the date the action or appeal is dismissed, unless the court
 17 entered such an order under section 610A.3. The independent
 18 administrative law judge has discretion within the guidelines
 19 established pursuant to section 903A.4, to determine the amount
 20 of time that should be forfeited based upon the severity of the
 21 violation. Prior violations by the inmate may be considered by
 22 the administrative law judge in the decision.

23 DIVISION ____

24 MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

25 Sec. ____ Section 507A.4, subsection 9, paragraph c,
 26 unnumbered paragraph 1, Code 2018, is amended to read as
 27 follows:

28 A multiple employer welfare arrangement that is recognized
 29 as tax-exempt under Internal Revenue Code section 501(c)(9)
 30 that meets all of the conditions of paragraph "a" shall not be
 31 considered any of the following:

32 Sec. ____ Section 513D.1, as enacted by 2018 Iowa Acts,
 33 Senate File 2349, section 5, is amended to read as follows:

34 **513D.1 Association health plans.**

35 The commissioner shall adopt rules that allow for the

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1 creation of association health plans that are consistent with
 2 the United States department of labor's regulations in 29
 3 C.F.R. pt. 2510. A multiple employer welfare arrangement that
 4 is recognized as tax-exempt under Internal Revenue Code section
 5 501(c)(9) and that is registered with the commissioner prior
 6 to January 1, 2018, shall not be considered an association
 7 health plan unless the multiple employer welfare arrangement
 8 affirmatively elects to be treated as an association health
 9 plan.

10 Sec. ____ REPEAL. 2018 Iowa Acts, Senate File 2349, section
 11 7, is repealed.

12 DIVISION ____

13 SELF-PROMOTION — PUBLIC FUNDS

14 Sec. ____ **NEW SECTION. 68A.405A Self-promotion with**
 15 **taxpayer funds prohibited.**

16 1. a. Except as provided in sections 29C.3 and 29C.6, a
 17 statewide elected official or member of the general assembly
 18 shall not permit the expenditure of public moneys under the
 19 control of the statewide elected official or member of the
 20 general assembly, including but not limited to moneys held in a
 21 private trust fund as defined by section 8.2, for the purpose
 22 of any paid advertisement or promotion bearing the written
 23 name, likeness, or voice of the statewide elected official or
 24 member of the general assembly distributed through any of the
 25 following means:

26 (1) A paid direct mass mailing.

- 27 (2) A paid radio advertisement or promotion.
- 28 (3) A paid newspaper advertisement or promotion.
- 29 (4) A paid television advertisement or promotion.
- 30 (5) A paid internet advertisement or promotion.
- 31 (6) A paid exhibit display at the Iowa state fair or a
- 32 fairground or grounds as defined in section 174.1.
- 33 b. Except as otherwise provided by law, paragraph "a"
- 34 shall not apply to bona fide ministerial or ceremonial records
- 35 or ordinary, common, and frequent constituent correspondence

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1 containing the name of the statewide elected official or member
 2 of the general assembly.
 3 2. A person who willfully violates this section shall be
 4 subject to a civil penalty of an amount up to the amount of
 5 moneys withdrawn from a public account or private trust fund
 6 as defined in section 8.2 used to fund the communication found
 7 to be in violation of this section by the board or, for members
 8 of the general assembly, by an appropriate legislative ethics
 9 committee. A penalty imposed pursuant to this section shall
 10 be paid by the candidate's committee. Such penalty shall be
 11 determined and assessed by the board or, for a member of the
 12 general assembly, the appropriate legislative ethics committee,
 13 and paid into the account from which such moneys were
 14 withdrawn. Additional criminal or civil penalties available
 15 under section 68A.701 or established by the board pursuant to
 16 section 68B.32A may also be determined and assessed by the
 17 board for violations of this section. Nothing in this section
 18 shall prevent the imposition of any penalty or sanction for a
 19 violation of this section by a legislative ethics committee.

20 DIVISION ____

21 LEASE-PURCHASE CONTRACTS

22 Sec. ____ 2018 Iowa Acts, House File 2253, section 13, is
 23 amended to read as follows:

24 SEC. 13. APPLICABILITY. This Act applies to lease-purchase
 25 contracts entered into on or after the effective date of this
 26 Act. This Act does not apply to any lease-purchase contract
 27 that results from a request for proposals or request for
 28 qualifications issued by a city with a population of less
 29 than 21,000 according to the 2016 special census prior to the
 30 effective date of this Act.

31 Sec. ____ RETROACTIVE APPLICABILITY. The following applies
 32 retroactively to April 4, 2018:

33 The section of this division of this Act amending 2018 Iowa
 34 Acts, House File 2253, section 13.

35 DIVISION ____

Page 14

1 CONSTRUCTION VEHICLES

2 Sec. ____ Section 321.463, subsection 9, Code 2018, is
3 amended to read as follows:

4 9. A vehicle or combination of vehicles transporting
5 materials or equipment on nonprimary highways to or from a
6 construction project or commercial plant site may operate
7 under the maximum gross weight table for primary highways in
8 subsection 6, paragraph "a", ~~if the route is approved by the~~
9 ~~appropriate local authority. Route approval is not required if~~
10 ~~the vehicle or combination of vehicles transporting materials~~
11 ~~or equipment to or from a construction project or commercial~~
12 ~~plant site complies with~~ or the maximum gross weight table for
13 noninterstate highways in subsection 6, paragraph "c". When
14 crossing a bridge, such a vehicle or combination of vehicles
15 shall comply with any weight restriction imposed for the
16 bridge pursuant to section 321.471 or 321.474, provided signs
17 that conform to the manual of uniform traffic-control devices
18 adopted by the department that give notice of the restriction
19 are posted as required under section 321.472 or 321.474, as
20 applicable.

21 DIVISION ____
22 LOCAL ORDINANCES

23 Sec. ____ Section 331.301, subsection 6, paragraph c,
24 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
25 to read as follows:

26 A county shall not adopt an ordinance, motion, resolution,
27 or amendment that sets standards or requirements regarding the
28 sale or marketing of consumer merchandise that are different
29 from, or in addition to, any ~~requirement established by state~~
30 law. For purposes of this paragraph:

31 Sec. ____ Section 364.3, subsection 3, paragraph c,
32 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
33 to read as follows:

34 A city shall not adopt an ordinance, motion, resolution, or
35 amendment that sets standards or requirements regarding the

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1 sale or marketing of consumer merchandise that are different
2 from, or in addition to, any ~~requirement established by state~~
3 law. For purposes of this paragraph:

4 DIVISION ____
5 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN
6 Sec. ____ NEW SECTION. 509A.13C Health care coverage for
7 surviving spouse and children of fire fighters and peace officers
8 killed in the line of duty.

9 1. For the purposes of this section, "*eligible peace officer*
10 *or fire fighter*" means a peace officer as defined in section
11 801.4, or a fire fighter, to which a line of duty death benefit
12 is payable pursuant to section 97A.6, subsection 16, section

13 97B.52, subsection 2, or section 411.6, subsection 15.

14 2. *a.* If a governing body, a county board of supervisors,
15 or a city council has procured accident or health care coverage
16 for its employees under this chapter, such coverage shall
17 permit continuation of existing coverage or reenrollment in
18 previously existing coverage for the surviving spouse and each
19 surviving child of an eligible peace officer or fire fighter.

20 *b.* A governing body, a county board of supervisors, or
21 a city council shall also permit continuation of existing
22 coverage for the surviving spouse and each surviving child
23 of a peace officer as defined in section 801.4, or a fire
24 fighter who dies and to which a line of duty death benefit is
25 reasonably expected to be payable pursuant to section 97A.6,
26 subsection 16, section 97B.52, subsection 2, or section 411.6,
27 subsection 15, until such time as the determination of whether
28 to provide a line of duty death benefit is made.

29 3. A governing body, a county board of supervisors, or
30 a city council providing accident or health care coverage
31 under this section shall not be required to pay for the cost
32 of the coverage. However, a governing body, a county board
33 of supervisors, or a city council may pay the full cost or a
34 portion of the cost of the coverage. If the full cost of the
35 coverage is not paid, a surviving spouse and each surviving

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1 child eligible for coverage under this section may elect to
2 continue accident or health care coverage by paying that
3 portion of the cost of the coverage not paid by the governing
4 body, county board of supervisors, or city council.

5 4. A governing body, a county board of supervisors, or a
6 city council shall notify the provider of accident or health
7 care coverage for its employees of a surviving spouse and
8 each surviving child to be provided coverage pursuant to the
9 requirements of this section.

10 5. This section shall not require continuation of coverage
11 if the surviving spouse or surviving child who would otherwise
12 be entitled to continuation of coverage under this section was,
13 through the surviving spouse's or surviving child's actions, a
14 substantial contributing factor to the death of the eligible
15 peace officer or fire fighter.

16 Sec. __. APPLICABILITY — HEALTH CARE COVERAGE FOR PRIOR
17 DEATHS. The surviving spouse and each surviving child of a
18 peace officer as defined in section 801.4, or a fire fighter
19 who died on or after January 1, 1985, but before July 1, 2000,
20 to which the requirements for providing a line of duty death
21 pursuant to section 97A.6, subsection 16, section 97B.52,
22 subsection 2, or section 411.6, subsection 15, would otherwise
23 have been established, and the surviving spouse and each
24 surviving child of an eligible peace officer or fire fighter
25 as defined in section 509A.13C, as enacted in this Act, may
26 be entitled to coverage as provided in section 509A.13C upon

27 written notification of the applicable governing body, county
28 board of supervisors, or city council. Coverage provided under
29 section 509A.13C pursuant to this section shall be for claims
30 for services incurred on or after the date of reenrollment.
31 Sec. ____ EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.
33 Sec. ____ RETROACTIVE APPLICABILITY. This division of this
34 Act applies retroactively to a death occurring on or after
35 January 1, 1985.

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1 DIVISION ____
2 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED
3 IN THE LINE OF DUTY
4 Sec. ____ Section 261.87, subsection 1, Code 2018, is
5 amended by adding the following new paragraph:
6 NEW PARAGRAPH. *Od. "Eligible surviving-child student"* means
7 a qualified student who is under the age of twenty-six, or
8 under the age of thirty if the student is a veteran who is
9 eligible for benefits, or has exhausted the benefits, under the
10 federal Post-9/11 Veterans Educational Assistance Act of 2008;
11 who is not a convicted felon as defined in section 910.15; and
12 who meets any of the following criteria:
13 (1) Is the child of a peace officer, as defined in section
14 97A.1, who was killed in the line of duty as determined by
15 the board of trustees of the Iowa department of public safety
16 peace officers' retirement, accident, and disability system in
17 accordance with section 97A.6, subsection 16.
18 (2) Is the child of a police officer or a fire fighter, as
19 each is defined in section 411.1, who was killed in the line of
20 duty as determined by the statewide fire and police retirement
21 system in accordance with section 411.6, subsection 15.
22 (3) Is the child of a sheriff or deputy sheriff as each is
23 defined in section 97B.49C, who was killed in the line of duty
24 as determined by the Iowa public employees' retirement system
25 in accordance with section 97B.52, subsection 2.
26 (4) Is the child of a fire fighter or police officer
27 included under section 97B.49B, who was killed in the line of
28 duty as determined by the Iowa public employees' retirement
29 system in accordance with section 97B.52, subsection 2.
30 Sec. ____ Section 261.87, subsection 3, Code 2018, is
31 amended to read as follows:
32 3. *Priority for scholarship awards.* Priority for
33 scholarships under this section shall be given to eligible
34 foster care students, then to eligible surviving-child
35 students, who meet the eligibility criteria under subsection

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1 2. Following distribution to students who meet the eligibility
 2 criteria under subsection 2, the commission may establish
 3 priority for awarding scholarships using any moneys that remain
 4 in the all Iowa opportunity scholarship fund.

5 DIVISION ____
 6 CREDIT UNIONS

7 Sec. ____ Section 533.212, Code 2018, is amended by adding
 8 the following new subsection:
 9 NEW SUBSECTION. 4. A credit union organized in accordance
 10 with this chapter shall not include the name of any public
 11 university located in the state in its name. For purposes of
 12 this subsection, “*public university located in the state*” shall
 13 mean the state university of Iowa, the Iowa state university of
 14 science and technology, and the university of northern Iowa.

15 Sec. ____ Section 533.329, subsection 2, paragraph b, Code
 16 2018, is amended to read as follows:

17 b. The amount collected in each taxing district within
 18 a city. The moneys and credits tax shall be collected by the
 19 department of revenue and shall be apportioned twenty percent
 20 to the county, thirty percent to the city general fund, and
 21 fifty percent to the general fund of the state, and the amount
 22 collected in each taxing district outside of cities shall be
 23 apportioned fifty percent to the county and fifty percent to
 24 the general fund of the state.

25 Sec. ____ Section 533.329, subsection 2, paragraph c, Code
 26 2018, is amended by striking the paragraph.

27 Sec. ____ Section 533.329, Code 2018, is amended by adding
 28 the following new subsection:

29 NEW SUBSECTION. 3. The department of revenue shall
 30 administer and enforce the provisions of this section.

31 Sec. ____ EFFECTIVE DATE. The following takes effect April
 32 30, 2019:

33 The section of this division of this Act amending section
 34 533.212.

35 DIVISION ____

Page 19

1 MILITARY INSTALLATION — SCHOOL ENROLLMENT

2 Sec. ____ Section 257.6, subsection 1, paragraph a, Code
 3 2018, is amended by adding the following new subparagraph:
 4 NEW SUBPARAGRAPH. (8) Pupils who are enrolled in public
 5 schools within the district under section 282.1, subsection
 6 3, in grades kindergarten through twelve and including
 7 prekindergarten pupils enrolled in special education programs.

8 Sec. ____ Section 282.1, subsection 2, Code 2018, is amended
 9 to read as follows:

10 2. For purposes of this section, “*resident*” means a child
 11 who ~~is~~ meets either of the following requirements:
 12 a. Is physically present in a district, whose residence has

13 not been established in another district by operation of law,
 14 and who meets any of the following conditions:

15 ~~or~~ (1) Is in the district for the purpose of making a home
 16 and not solely for school purposes.

17 ~~or~~ (2) Meets the definitional requirements of the term
 18 “homeless individual” under 42 U.S.C. §11302(a) and (c).

19 ~~or~~ (3) Lives in a juvenile detention center or residential
 20 facility in the district.

21 b. Is domiciled with the child’s parent or guardian who is
 22 on active duty in the military service of the United States and
 23 is stationed at and resides or is domiciled within a federal
 24 military installation located contiguous to a county in this
 25 state.

26 Sec. ____ Section 282.1, Code 2018, is amended by adding the
 27 following new subsections:

28 NEW SUBSECTION. 3. The parent or guardian of a child
 29 who meets the requirements of subsection 2, paragraph “b”,
 30 paragraph may enroll the child in a school district in a county
 31 in this state that is located contiguous to the out-of-state
 32 federal military installation. Notwithstanding section 285.1
 33 relating to transportation of resident pupils, the parent or
 34 guardian is responsible for transporting the child without
 35 reimbursement to and from a point on a regular school bus route

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1 of the district of enrollment.

2 NEW SUBSECTION. 4. Notwithstanding section 282.6, if a
 3 parent or guardian enrolls a child in a school district in
 4 accordance with subsection 3, the school district shall be free
 5 of tuition for such child.

6 DIVISION ____

7 CRIMINALISTICS LABORATORY FUND

8 Sec. ____ Section 691.9, Code 2018, is amended to read as
 9 follows:

10 **691.9 Criminalistics laboratory fund.**

11 A criminalistics laboratory fund is created as a separate
 12 fund in the state treasury under the control of the department
 13 of public safety. The fund shall consist of appropriations
 14 made to the fund and transfers of interest, and earnings. All
 15 moneys in the fund are appropriated to the department of public
 16 safety for use by the department in criminalistics laboratory
 17 equipment and supply purchasing, maintenance, depreciation, and
 18 training. Any balance in the fund on June 30 of any fiscal
 19 year shall not revert to any other fund of the state but shall
 20 remain available for the purposes described in this section.

21 DIVISION ____

22 IOWA ENERGY CENTER

23 Sec. ____ Section 476.10A, subsection 1, paragraph c,
 24 subparagraph (1), Code 2018, is amended to read as follows:

25 (1) ~~Eighty-five~~ Of eighty-five percent of the remittances
 26 collected pursuant to this section ~~is~~, the following shall

27 occur:

28 (a) For the fiscal year beginning July 1, 2018, such
29 remittances are appropriated to the Iowa energy center created
30 in section 15.120.

31 (b) For the fiscal year beginning July 1, 2019, the first
32 one million two hundred eighty-thousand dollars of such
33 remittances shall be transferred to the general fund of the
34 state, and the remaining amount is appropriated to the Iowa
35 energy center created in section 15.120.

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1 (c) For the fiscal year beginning July 1, 2020, the
2 first two million nine hundred ten thousand dollars of such
3 remittances shall be transferred to the general fund of the
4 state, and the remaining amount is appropriated to the Iowa
5 energy center created in section 15.120.

6 (d) For the fiscal year beginning July 1, 2021, the first
7 three million five hundred thirty thousand dollars of such
8 remittances shall be transferred to the general fund of the
9 state, and the remaining amount is appropriated to the Iowa
10 energy center created in section 15.120.

11 DIVISION __

12 TRIBAL IDENTIFICATION CARD

13 Sec. __. Section 48A.7A, subsection 1, paragraph b,
14 subparagraph (1), Code 2018, is amended by adding the following
15 new subparagraph division:

16 NEW SUBPARAGRAPH DIVISION. (f) A tribal identification
17 card or other tribal enrollment document issued by a federally
18 recognized Indian tribe or nation, if the tribal identification
19 card or other tribal enrollment document is signed before the
20 card or document is presented to the election official.

21 Sec. __. Section 49.78, subsection 2, paragraph a, Code
22 2018, is amended by adding the following new subparagraph:

23 NEW SUBPARAGRAPH. (5) A current, valid tribal
24 identification card or other tribal enrollment document
25 issued by a federally recognized Indian tribe or nation, which
26 includes a photograph, signature, and valid expiration date.

27 DIVISION __

28 WIND ENERGY CONVERSION PROPERTY

29 Sec. __. Section 441.21, subsection 5, Code 2018, is
30 amended by adding the following new paragraph:

31 NEW PARAGRAPH. d. For valuations established for the
32 assessment year beginning January 1, 2019, and each assessment
33 year thereafter, the percentages of actual value at which
34 property is assessed, as determined under this subsection,
35 shall not be applied to the value of wind energy conversion

1 property valued under section 427B.26 the construction of which
 2 is approved by the Iowa utilities board on or after July 1,
 3 2018.>
 4 4. By renumbering, redesignating, and correcting internal
 5 references as necessary.

MICHAEL BREITBACH

S-5318

1 Amend Senate File 2419 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <DIVISION I
 5 STANDING APPROPRIATIONS AND RELATED MATTERS
 6 Section 1. 2017 Iowa Acts, chapter 170, is amended by adding
 7 the following new section:

8 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY — FY 2018–2019.

9 1. The appropriations made pursuant to section 2.12 for the
 10 expenses of the general assembly and legislative agencies for
 11 the fiscal year beginning July 1, 2018, and ending June 30,
 12 2019, are reduced by the following amount:

13 \$ 1,417,318

14 2. The budgeted amounts for the general assembly and
 15 legislative agencies for the fiscal year beginning July 1,
 16 2018, may be adjusted to reflect the unexpended budgeted
 17 amounts from the previous fiscal year.

18 3. Annual membership dues for organizations, associations,
 19 and conferences shall not be paid from moneys appropriated
 20 pursuant to section 2.12, except reimbursement for travel
 21 expenses may be paid to commissioners serving on the commission
 22 of uniform state laws.

23 4. Costs for out-of-state travel and per diems for
 24 out-of-state travel shall not be paid from moneys appropriated
 25 pursuant to section 2.12.

26 Sec. 2. 2017 Iowa Acts, chapter 170, is amended by adding
 27 the following new section:

28 NEW SECTION. SEC. 6A. INSTRUCTIONAL SUPPORT STATE AID — FY
 29 2018–2019. In lieu of the appropriation provided in section
 30 257.20, subsection 2, the appropriation for the fiscal year
 31 beginning July 1, 2018, and ending June 30, 2019, for paying
 32 instructional support state aid under section 257.20 for such
 33 fiscal years is zero.

34 Sec. 3. 2017 Iowa Acts, chapter 170, section 15, is amended
 35 to read as follows:

Page 2

1 SEC. 15. CASH RESERVE FUND APPROPRIATION — FY 2018–2019.

2 There is appropriated from the general fund of the state to the
3 cash reserve fund for the fiscal year beginning July 1, 2018,
4 and ending June 30, 2019, the following amount:

5 \$ 111,100,000
6 113,100,000

7 Sec. 4. Section 257.35, Code 2018, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 12A. Notwithstanding subsection 1, and in
10 addition to the reduction applicable pursuant to subsection
11 2, the state aid for area education agencies and the portion
12 of the combined district cost calculated for these agencies
13 for the fiscal year beginning July 1, 2018, and ending June
14 30, 2019, shall be reduced by the department of management by
15 fifteen million dollars. The reduction for each area education
16 agency shall be prorated based on the reduction that the agency
17 received in the fiscal year beginning July 1, 2003.

18 Sec. 5. TAXPAYERS TRUST FUND. On July 1, 2018, any
19 unencumbered and unobligated moneys in the taxpayers trust fund
20 created in section 8.57E are transferred to the general fund
21 of the state.

22 Sec. 6. SALARY MODEL ADMINISTRATOR. The salary model
23 administrator shall work in conjunction with the legislative
24 services agency to maintain the state’s salary model used for
25 analyzing, comparing, and projecting state employee salary
26 and benefit information, including information relating to
27 employees of the state board of regents. The department of
28 revenue, the department of administrative services, the five
29 institutions under the jurisdiction of the state board of
30 regents, the judicial district departments of correctional
31 services, and the state department of transportation shall
32 provide salary data to the department of management and the
33 legislative services agency to operate the state’s salary
34 model. The format and frequency of provision of the salary
35 data shall be determined by the department of management and

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1 the legislative services agency. The information shall be
2 used in collective bargaining processes under chapter 20 and
3 in calculating the funding needs contained within the annual
4 salary adjustment legislation. A state employee organization
5 as defined in section 20.3, subsection 4, may request
6 information produced by the model, but the information provided
7 shall not contain information attributable to individual
8 employees.

9 DIVISION II

10 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

11 Sec. 7. Section 331.424A, subsection 9, Code 2018, as
12 amended by 2018 Iowa Acts, House File 2456, section 14, is

13 amended to read as follows:

14 a. For the fiscal year beginning July 1, 2017, and each
15 subsequent fiscal year, the county budgeted amount determined
16 for each county shall be the amount necessary to meet the
17 county’s financial obligations for the payment of services
18 provided under the regional service system management plan
19 approved pursuant to section 331.393, not to exceed an amount
20 equal to the product of the regional per capita expenditure
21 target amount multiplied by the county’s population, and, for
22 fiscal years beginning on or after July 1, 2021, reduced by
23 the amount of the county’s cash flow reduction amount for the
24 fiscal year calculated under subsection 4, if applicable.

25 b. If a county officially joins a different region, the
26 county’s budgeted amount shall be the amount necessary to meet
27 the county’s financial obligations for payment of services
28 provided under the new region’s regional service system
29 management plan approved pursuant to section 331.393, not to
30 exceed an amount equal to the product of the new region’s
31 regional per capita expenditure target amount multiplied by
32 the county’s population, and, for fiscal years beginning on
33 or after July 1, 2021, reduced by the amount of the county’s
34 cash flow reduction amount for the fiscal year calculated under
35 subsection 4, if applicable.

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1 Sec. 8. 2017 Iowa Acts, chapter 170, section 13, is amended
2 to read as follows:

3 SEC. 13. TRANSFER FROM CASH RESERVE FUND. Notwithstanding
4 section 8.56, subsection 3 and subsection 4, paragraph “a” and
5 section 8.57, subsection 1, paragraph “a”, there is transferred
6 from the cash reserve fund created in section 8.56 to the
7 general fund of the state for the fiscal year beginning July 1,
8 2016, and ending June 30, 2017, the following amount:

9 \$ 131,100,000

10 Sec. 9. 2018 Iowa Acts, House File 2441, section 17,
11 subsection 1, is amended by striking the subsection.

12 Sec. 10. 2018 Iowa Acts, Senate File 2117, section 11,
13 subsection 1, is amended to read as follows:

14 1. There is appropriated from the Iowa economic emergency
15 fund created in section 8.55 to the general fund of the state
16 for the fiscal year beginning July 1, ~~2017~~ 2016, and ending
17 June 30, ~~2018~~ 2017, the following amount:

18 \$ 13,000,000

19 Sec. 11. 2018 Iowa Acts, Senate File 2117, section 12, is
20 amended to read as follows:

21 SEC. 12. RETROACTIVE APPLICABILITY. The following
22 provision or provisions of this division of this Act apply
23 retroactively to ~~September 28, 2017~~ June 30, 2017:

24 The section of this division of this Act appropriating
25 moneys from the Iowa economic emergency fund to the general
26 fund in lieu of a prior standing appropriation.

27 Sec. 12. RETROACTIVE APPLICABILITY. The following applies
28 retroactively to May 12, 2017:

29 The section of this division of this Act amending 2017 Iowa
30 Acts, chapter 170, section 13.

31 Sec. 13. RETROACTIVE APPLICABILITY. The following applies
32 retroactively to the effective date of section 256.9A, as

33 enacted by 2018 Iowa Acts, House File 2441, section 1:

34 The section of this division of this Act amending 2018 Iowa
35 Acts, House File 2441, section 17, subsection 1.

Page 5

1 Sec. 14. EFFECTIVE DATE. This division of this Act, being
2 deemed of immediate importance, takes effect upon enactment.

3 DIVISION III

4 CORRECTIVE PROVISIONS

5 Sec. 15. Section 9A.102, subsection 1, Code 2017, as amended
6 by 2018 Iowa Acts, Senate File 385, section 2, is amended to
7 read as follows:

8 1. “*Agency contract*” means an agreement in which a student
9 athlete authorizes a person to negotiate or solicit on behalf
10 of the athlete a professional sports services contract or an
11 endorsement contract.

12 Sec. 16. Section 68B.2C, as enacted by 2018 Iowa Acts,
13 Senate File 2323, section 7, is amended to read as follows:

14 **68B.2C Prohibited outside employment and activities — agents**
15 **of foreign principals.**

16 Officials and state employees shall not engage in any
17 outside employment or activity that requires the person to
18 register under the federal Foreign Agents Registration Act of
19 1938, as amended, 22 U.S.C. §611 et seq., ~~as amended~~.

20 Sec. 17. Section 84A.4, subsection 4, paragraph f, Code
21 2018, if enacted by 2018 Iowa Acts, Senate File 2353, section
22 6, is amended to read as follows:

23 *f. Proven and promising practices.* The local workforce
24 development board shall lead efforts in the local workforce
25 development area to ~~do all of the following:~~

26 ~~(1) Identify~~ identify and promote proven and promising
27 strategies and initiatives for meeting the needs of employers,
28 workers, and jobseekers, including individuals with a barrier
29 to employment, in the local workforce development system,
30 including providing physical and programmatic accessibility,
31 in accordance with 29 U.S.C. §3248, if applicable, applicable
32 provisions of chapter 216, and applicable provisions of the
33 Americans with Disabilities Act of 1990, codified at 42 U.S.C.
34 §12101 et seq., to the one-stop delivery system.

35 Sec. 18. Section 123.92, subsection 3, paragraph a, Code

Page 6

1 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
2 47, is amended to read as follows:

3 a. Notwithstanding section 123.49, subsection 1, any
4 person who is injured in person or property or means of
5 support by an intoxicated person who is under legal age or
6 resulting from the intoxication of a person who is under
7 legal age, has a right of action for all damages actually
8 sustained, severally or jointly, against a person who is
9 not a licensee or permittee and who dispensed or gave any
10 alcoholic beverage to the intoxicated underage person when the
11 nonlicensee or nonpermittee who dispensed or gave the alcoholic
12 beverage to the underage person knew or should have known the
13 underage person was intoxicated, or who dispensed or gave any
14 alcoholic beverage to the underage person to a point where the
15 nonlicensee or nonpermittee knew or should have known that the
16 underage person would become intoxicated.

17 Sec. 19. Section 135.16A, subsection 1, paragraph a, as
18 enacted by 2018 Iowa Acts, House File 2408, section 1, is
19 amended to read as follows:

20 a. "*Conventional eggs*" means eggs ~~others~~ other than
21 specialty eggs.

22 Sec. 20. Section 147C.1, subsection 7, paragraph e,
23 subparagraph (2), subparagraph division (h), as enacted by 2018
24 Iowa Acts, House File 2425, section 1, is amended to read as
25 follows:

26 (h) Disclosure of investigative records compiled for law
27 enforcement purposes ~~of any of the following~~.

28 Sec. 21. Section 148H.1, subsection 4, as enacted by 2018
29 Iowa Acts, Senate File 2228, section 5, is amended to read as
30 follows:

31 4. "*Genetic counseling intern*" means a student enrolled in
32 a genetic counseling program accredited by the accreditation
33 council for genetic counseling or its equivalent or successor
34 organization, or the American board of medical genetics and
35 genomics or its equivalent or successor organization.

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1 Sec. 22. Section 256.7, subsection 21, paragraph b,
2 subparagraph (2), subparagraph division (d), as enacted by 2018
3 Iowa Acts, House File 2235, section 1, is amended to read as
4 follows:

5 (d) That the assessment be peer-reviewed by an independent,
6 third-party evaluator to determine that the assessment is
7 aligned with the Iowa core academic standards, provides
8 a measurement of student growth and student proficiency,
9 and meets the summative assessment requirements of the
10 federal Every Student Succeeds Act, Pub. L. No. 114-95. The
11 assessment developed by the Iowa testing ~~service~~ program
12 within the university of Iowa college of education shall ~~make~~

13 ~~any necessary adjustments as determined by the peer review~~
 14 ~~be adjusted as necessary~~ to meet the requirements of this
 15 subparagraph (2) ~~as determined by the peer review.~~
 16 Sec. 23. Section 256.42, subsection 5, Code 2018, as amended
 17 by 2018 Iowa Acts, Senate File 2131, section 1, is amended to
 18 read as follows:

19 5. Under the initiative, a student must be enrolled in
 20 a participating school district or accredited nonpublic
 21 school or be receiving private instruction under chapter 299A
 22 as described in subsection 1. For a student enrolled in a
 23 participating school district or accredited nonpublic school,
 24 the school district or school is responsible for recording
 25 grades received for initiative coursework in a student's
 26 permanent record, awarding high school credit for initiative
 27 coursework, and issuing ~~a high school diploma~~ diploma to a
 28 student enrolled in the district or school who participates and
 29 completes coursework under the initiative. Each participating
 30 school shall identify a site coordinator to serve as a student
 31 advocate and as a liaison between the initiative staff and
 32 teachers and the school district or accredited nonpublic
 33 school. The individual providing instruction to a student
 34 under chapter 299A as described in subsection 1 shall receive
 35 the student's score for completed initiative coursework.

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1 Sec. 24. Section 261.131, subsection 1, paragraph d, Code
 2 2018, as enacted by 2018 Iowa Acts, House File 2458, section
 3 12, is amended to read as follows:
 4 *d. "Eligible program"* means a program of study or an
 5 academic major jointly approved by the commission and the
 6 department of workforce development, in consultation with an
 7 eligible institution, that leads to a credential aligned with a
 8 high-demand job designated by the workforce development board
 9 or ~~a~~ community college pursuant to section 84A.1B, subsection
 10 13A. If the board or a community college removes a high-demand
 11 job from a list created under section 84A.1B, subsection 13A,
 12 an eligible student who received a scholarship for a program
 13 based on that high-demand job shall continue to receive the
 14 scholarship until achieving a postsecondary credential, up to
 15 an associate degree, as long as the student continues to meet
 16 all other eligibility requirements.

17 Sec. 25. Section 280.13C, subsection 4, paragraph a, Code
 18 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
 19 is amended to read as follows:

20 *a.* The department of public health, Iowa high school
 21 athletic association, and the Iowa girls high school athletic
 22 union shall work together to distribute the guidelines of the
 23 United States department of health and human services and other
 24 pertinent information to inform and educate coaches, students,
 25 and the parents and guardians of students of the risks, signs,

27 symptoms, and behaviors consistent with a concussion or brain
28 injury, including the danger of continuing to participate in
29 extracurricular interscholastic activities after suffering a
30 concussion or brain injury and their responsibility to report
31 such signs, symptoms, and behaviors if they occur.

32 Sec. 26. Section 280.13C, subsection 8, paragraph a, Code
33 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
34 is amended to read as follows:

35 a. A school district or accredited nonpublic school that

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1 adopts and follows the protocol required by this section and
2 provides an emergency medical care provider or a licensed
3 health care provider at a contest that is a contact or limited
4 contact activity as identified by the American academy of
5 pediatrics shall not be liable for any claim for injuries or
6 damages based upon the actions or inactions of the emergency
7 medical care provider or the licensed health care provider
8 present at the contest at the request of the school district
9 or accredited nonpublic school so long as the emergency
10 medical care provider or the licensed health care provider
11 acts reasonably and in good faith and in the best interest of
12 the student athlete and without undue influence of the school
13 district or accredited nonpublic school or coaching staff
14 employed by the school district or accredited nonpublic school.
15 A school district or accredited nonpublic school shall not be
16 liable for any claim for injuries or damages if an emergency
17 medical care provider or a licensed health care provider who
18 was scheduled in accordance with a prearranged agreement with
19 the school district or accredited nonpublic school to be
20 present and available at a contest is not able to be present
21 and available due to documentable, unforeseen circumstances and
22 the school district or accredited nonpublic school otherwise
23 followed the protocol.

24 Sec. 27. Section 298.3, subsection 1, paragraph j, Code
25 2018, as amended by 2018 Iowa Acts, House File 2253, section 9,
26 is amended to read as follows:

27 j. The purchase of buildings or lease-purchase option
28 agreements for school buildings. However, a contract
29 for construction by a private party of property to be
30 lease-purchased by a public school corporation is a contract
31 for a public improvement as defined in section 26.2. If the
32 estimated cost of the property to be lease-purchased that is
33 renovated, repaired, or involves new construction ~~in excess~~
34 ~~of exceeds~~ the competitive bid threshold in section 26.3, the
35 board of directors shall comply with the competitive bidding

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1 requirements of section 26.3.

2 Sec. 28. Section 321G.13, subsection 2, paragraph b,
3 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
4 Senate File 2231, section 1, is amended to read as follows:

5 (2) A person may operate or ride ~~on~~ a snowmobile with a
6 loaded pistol or revolver, whether concealed or not, if ~~a~~ the
7 person is operating or riding the snowmobile on land that is
8 not owned, possessed, or rented by the person, and the person's
9 conduct is otherwise lawful.

10 Sec. 29. Section 321I.14, subsection 2, paragraph b,
11 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
12 Senate File 2231, section 3, is amended to read as follows:

13 (2) A person may operate or ride ~~on all an~~ all-terrain
14 vehicle with a loaded pistol or revolver, whether concealed or
15 not, if ~~a~~ the person is operating or riding the all-terrain
16 vehicle on land that is not owned, possessed, or rented by the
17 person, and the person's conduct is otherwise lawful.

18 Sec. 30. Section 321I.14, subsection 6, as enacted by 2018
19 Iowa Acts, Senate File 2231, section 4, is amended to read as
20 follows:

21 6. As used in this section, "*rented by the person*" includes
22 a person who does not necessarily rent the land but who
23 principally provides labor for the production of crops located
24 on agricultural land or for the production of livestock
25 principally located on agricultural land. The person must
26 personally provide such labor on a regular, continuous, and
27 substantial basis.

28 Sec. 31. Section 364.4, subsection 4, paragraph i, Code
29 2018, as amended by 2018 Iowa Acts, House File 2253, section
30 11, is amended to read as follows:

31 *i.* A contract for construction by a private party of
32 property to be lease-purchased by a city is a contract for a
33 public improvement under section 26.2, subsection 3. If the
34 estimated cost of the property to be lease-purchased that is
35 renovated, repaired, or involves new construction exceeds the

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1 competitive bid threshold set in section 26.3, the city shall
2 comply with the competitive bidding requirements of section
3 26.3.

4 Sec. 32. Section 633.42, subsection 1, Code 2018, as amended
5 by 2018 Iowa Acts, Senate File 2098, section 3, is amended to
6 read as follows:

7 1. At any time after the issuance of letters of appointment,
8 any interested person in the proceeding may file with the
9 clerk a written request for notice of the time and place of
10 all hearings in such proceeding for which notice is required
11 by law, by rule of court, or by an order in such proceeding.
12 The request for notice shall state the name of the requester,

13 the name of the requester's attorney, if any, and the reason
14 the requester is an interested person in the proceeding. The
15 request for notice shall provide the requester's post office
16 address; and, if available, the requester's electronic mail
17 address and telephone number. The request for notice shall
18 also provide the requester's attorney's post office address,
19 electronic mail address, and telephone number. The clerk shall
20 docket the request. Thereafter, unless otherwise ordered by
21 the court, the fiduciary shall serve by ordinary or electronic
22 mail a notice of each hearing upon such requester and the
23 requester's attorney, if any.

24 Sec. 33. Section 633.418, Code 2018, as amended by 2018
25 Iowa Acts, Senate File 2098, section 6, is amended to read as
26 follows:

27 **633.418 Form and verification of claims — general**
28 **requirements.**

29 No claim shall be allowed against an estate on application
30 of the claimant unless it shall be in writing, filed with
31 the clerk, stating the claimant's name, and address, and,
32 if available, telephone number and electronic mail address,
33 describing the nature and the amount thereof, if ascertainable,
34 and accompanied by the affidavit of the claimant, or someone
35 for the claimant, that the amount is justly due, or if not yet

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1 due, when it will or may become due, that no payments have been
2 made thereon which are not credited, and that there are no
3 offsets to the same, to the knowledge of the affiant, except as
4 therein stated. If the claim is contingent, the nature of the
5 contingency shall also be stated.

6 Sec. 34. Section 651.29, subsection 5, paragraphs b and c,
7 as enacted by 2018 Iowa Acts, Senate File 2175, section 29, are
8 amended to read as follows:

9 b. If none of the cotenants ~~has~~ have paid the entire price
10 for the remaining interest in the heirs property, the court
11 shall resolve the partition action under section 651.30 as if
12 the interest of the cotenant that had requested partition by
13 sale of the heirs property has not been purchased.

14 c. If more than one cotenant ~~have~~ has paid the entire price
15 for the remaining interest in the heirs property, the court
16 shall reapportion the remaining interest among such cotenants
17 based on each cotenant's original fractional ownership of the
18 entire heirs property divided by the total original fractional
19 ownership of all cotenants that paid the entire price for
20 the remaining interest. The court shall promptly issue an
21 order reallocating all cotenants' interests, disburse the
22 amounts held by the court to the persons entitled to such
23 disbursements, and promptly refund any excess payments held by
24 the court to the appropriate persons.

25 Sec. 35. Section 655.6, subsection 1, as enacted by 2018
26 Iowa Acts, House File 2232, section 5, is amended to read as

27 follows:

28 1. The mortgagee established reasonable procedures to
29 achieve compliance with its obligations under section 655.3.

30 Sec. 36. Section 716.11, subsection 1, paragraph b, as
31 enacted by 2018 Iowa Acts, Senate File 2235, section 1, is
32 amended to read as follows:

33 b. A gas, oil, petroleum, refined petroleum product,
34 renewable fuel, or chemical critical generation, storage,
35 transportation, or delivery system.

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1 Sec. 37. 2018 Iowa Acts, Senate File 2117, section 1,
2 paragraphs p and s, are amended to read as follows:

3 p. Department of economic <u>Economic</u> development <u>authority</u>	
4	\$ 157,960
5 s. College <u>student</u> aid commission	
6	\$ 94,172

7 Sec. 38. 2018 Iowa Acts, House File 2442, section 4, is
8 amended to read as follows:

9 SEC. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
10 with section 25B.2, subsection 3, the state cost of requiring
11 compliance with any state mandate included in ~~this division~~
12 of this Act shall be paid by a school district from state
13 school foundation aid received by the school district under
14 section 257.16. This specification of the payment of the state
15 cost shall be deemed to meet all of the state funding-related
16 requirements of section 25B.2, subsection 3, and no additional
17 state funding shall be necessary for the full implementation of
18 this Act by and enforcement of this Act against all affected
19 school districts.

20 Sec. 39. REPEAL. 2018 Iowa Acts, House File 2348, section
21 9, is repealed.

22 Sec. 40. REPEAL. 2018 Iowa Acts, House File 2457, sections
23 115 and 116 are repealed.

24 Sec. 41. EFFECTIVE DATE. The following, being deemed of
25 immediate importance, takes effect upon enactment:

26 The section of this division of this Act amending 2018 Iowa
27 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

28 Sec. 42. RETROACTIVE APPLICABILITY. The following applies
29 retroactively to March 28, 2018:

30 The section of this division of this Act amending 2018 Iowa
31 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

32 Sec. 43. APPLICABILITY. The following apply July 1, 2018,
33 to probate filings made on or after that date:

34 1. The section of this division of this Act amending section
35 633.42.

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1 2. The section of this division of this Act amending section
2 633.418.

3 DIVISION IV

4 LAND ACQUISITION AND INVENTORY

5 Sec. 44. LAND ACQUISITION AND INVENTORY.

6 1. By December 1, 2018, the department of natural resources
7 shall submit a report to the general assembly including all
8 financial assistance provided to private entities for the
9 acquisition of land and an inventory of all land managed or
10 owned on behalf of the state by the department.

11 2. The portion of the report regarding financial assistance
12 to private entities for land acquisition shall include the
13 name of the private entities, a description of the assistance
14 provided, the price of the tract, the date the assistance
15 was provided, the date of full loan repayment or cessation
16 of the linked deposit account, and the total amount of
17 outstanding loans and linked deposits associated with such land
18 acquisitions. This portion of the report shall also include
19 information regarding the land purchase including the location
20 and description of the land, a description of the conservation
21 benefits of the purchase, the name of the seller, the price
22 paid, and the size of the tract. If the land was later
23 acquired by a governmental entity, the report shall include the
24 name of the governmental entity, the date of the subsequent
25 acquisition, the price paid, and the source of the funds.

26 3. The portion of the report regarding the land inventory
27 shall include a list of all properties owned by the state whose
28 purchase or donation was facilitated by the department and a
29 list of properties which are managed by the department, but
30 not owned by the state. For each owned tract of land, the
31 inventory shall include the location of the tract, the date
32 of acquisition or first management agreement, the name of the
33 seller or donor of the tract, the price paid for state-owned
34 land and the source of the funds; the owner of the tract if not
35 owned by the state, the size of the tract, the present use of

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1 the tract including whether the property is open to the public,
2 and the identification of the government entity charged with
3 managing the tract. The inventory shall also identify the
4 location and size of all tracts which were conveyed to cities
5 or counties within the past twenty years after termination of
6 state ownership.

7 4. For the fiscal year beginning July 1, 2018, the
8 environmental protection commission shall not authorize a
9 contract or approve costs related to the purchase of land
10 which obligates moneys from the water pollution control works
11 revolving loan fund for financial assistance to acquire new
12 land under the general nonpoint source program set-aside.

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DIVISION V
IOWA GEOLOGICAL SURVEY

Sec. 45. 2018 Iowa Acts, House File 2491, section 21, if enacted, is amended to read as follows:

~~SEC. 53A. STATE UNIVERSITY OF IOWA GEOGRAPHICAL AND WATER GEOLOGICAL SURVEY.~~ There is appropriated from the environment first fund created in section 8.57A to the state university of Iowa for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. OPERATIONS

For purposes of supporting the operations of the Iowa geological ~~and water~~ survey of the state as created within the state university of Iowa pursuant to section 456.1 as amended by 2018 Iowa Acts, House File 2303, section 12, including but not limited to providing analysis; data maintenance, collection, and compilation; investigative programs; and information for water supply development and protection:

	\$ 200,000
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2. WATER RESOURCE MANAGEMENT

For purposes of supporting the Iowa geological ~~and water~~ survey in measuring, assessing, and evaluating the quantity of water sources in this state and assisting the department

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1 of natural resources in regulating water quantity as provided
 2 in chapter 455B, division III, part 4, pursuant to sections
 3 455B.262B and 456.14, as enacted by this Act:

	\$ 495,000
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DIVISION VI
PODIATRY

Sec. 46. Section 147.139, subsections 3 and 4, Code 2018, are amended to read as follows:

3. If the defendant is board-certified in a specialty, the person is certified in the same or a substantially similar specialty by a board recognized by the American board of medical specialties, ~~or the American osteopathic association,~~ or the council on podiatric medical education.

4. a. If the defendant is a licensed physician or osteopathic physician under chapter 148, the person is a physician or osteopathic physician licensed in this state or another state.

b. If the defendant is a licensed podiatric physician under chapter 149, the person is a physician, osteopathic physician, or a podiatric physician licensed in this state or another state.

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DIVISION VII
CATTLE GUARDS

Sec. 47. Section 314.30, subsection 1, paragraph c, as enacted by 2018 Iowa Acts, Senate File 449, section 1, is amended to read as follows:

27 c. The landowner owns ~~the~~ property on both sides of the
 28 street or highway and owns property on both sides of any access
 29 to the street or highway.
 30 Sec. 48. 2018 Iowa Acts, Senate File 449, is amended by
 31 adding the following new section:
 32 NEW SECTION. SEC. 4. INSTALLATION OF CATTLE GUARD —
 33 SUBSEQUENT COUNTY ACTION. Any cattle guard installed pursuant
 34 to this Act on or before April 25, 2018, that meets the
 35 requirements of this Act at the time of installation shall not

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1 be ordered uninstalled or found to be noncompliant with this
 2 Act as a result of any action taken after April 25, 2018, by
 3 the county with jurisdiction over the street or highway on
 4 which the cattle guard is installed to alter the area service
 5 classification of the street or highway or to otherwise alter
 6 the street or highway in such a way that the installation of
 7 the cattle guard no longer complies with this Act.
 8 Sec. 49. EFFECTIVE DATE. This division of this Act, being
 9 deemed of immediate importance, takes effect upon enactment.
 10 Sec. 50. RETROACTIVE APPLICABILITY. This division of this
 11 Act applies retroactively to April 17, 2018.

12 DIVISION VIII
 13 DRAMSHOP

14 Sec. 51. Section 123.92, subsection 1, paragraph a, Code
 15 2018, as amended by 2018 Iowa Acts, Senate File 2169, section
 16 1, is amended to read as follows:

17 a. Any Subject to the limitation amount specified in
 18 paragraph “c,” if applicable, any third party who is not the
 19 intoxicated person who caused the injury at issue and who
 20 is injured in person or property or means of support by an
 21 intoxicated person or resulting from the intoxication of a
 22 person, has a right of action for damages actually sustained,
 23 severally or jointly, ~~up to the amount specified in paragraph~~
 24 ~~“c,”~~ against any licensee or permittee, whether or not the
 25 license or permit was issued by the division or by the
 26 licensing authority of any other state, who sold and served any
 27 beer, wine, or intoxicating liquor directly to the intoxicated
 28 person, provided that the person was visibly intoxicated at the
 29 time of the sale or service.

30 Sec. 52. NEW SECTION. 505.33 Dramshop liability insurance
 31 evaluation.

32 The division shall biennially conduct an evaluation
 33 concerning minimum coverage requirements of dramshop liability
 34 insurance. In conducting the evaluation, the division
 35 shall include a comparison of other states' minimum dramshop

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1 liability insurance coverage and any other relevant issues
 2 the division identifies. By January 31, 2019, and every two
 3 years thereafter, the division shall submit a report, including
 4 any findings and recommendations, to the general assembly as
 5 provided in chapter 7A.

6 Sec. 53. REPEAL. 2018 Iowa Acts, Senate File 2169, section
 7 2, is repealed.

8 DIVISION IX
 9 ALCOHOL

10 Sec. 54. Section 123.30, subsection 3, paragraphs a and
 11 b, Code 2018, as amended by 2018 Iowa Acts, Senate File 2310,
 12 section 12, are amended to read as follows:

13 a. *Class "A"*. A class "A" liquor control license may be
 14 issued to a club and shall authorize the holder to purchase
 15 alcoholic liquors in original unopened containers from class
 16 "E" liquor control licensees only, wine from class "A" wine
 17 permittees or class "B" wine permittees who also hold class "E"
 18 liquor control licenses only as provided in section 123.173
 19 and section 123.177, and to sell alcoholic beverages to bona
 20 fide members and their guests by the individual drink for
 21 consumption on the premises only.

22 b. *Class "B"*. A class "B" liquor control license may be
 23 issued to a hotel or motel and shall authorize the holder to
 24 purchase alcoholic liquors in original unopened containers from
 25 class "E" liquor control licensees only, wine from class "A"
 26 wine permittees or class "B" wine permittees who also hold
 27 class "E" liquor control licenses only as provided in section
 28 123.173 and section 123.177, and to sell alcoholic beverages to
 29 patrons by the individual drink for consumption on the premises
 30 only. However, beer may also be sold for consumption off the
 31 premises. Each license shall be effective throughout the
 32 premises described in the application.

33 Sec. 55. Section 123.30, subsection 3, paragraph c,
 34 subparagraph (1), Code 2018, as amended by 2018 Iowa Acts,
 35 Senate File 2310, section 12, is amended to read as follows:

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1 (1) A class "C" liquor control license may be issued to
 2 a commercial establishment but must be issued in the name of
 3 the individuals who actually own the entire business and shall
 4 authorize the holder to purchase alcoholic liquors in original
 5 unopened containers from class "E" liquor control licensees
 6 only, wine from class "A" wine permittees or class "B" wine
 7 permittees who also hold class "E" liquor control licenses only
 8 as provided in section 123.173 and section 123.177, and to sell
 9 alcoholic beverages to patrons by the individual drink for
 10 consumption on the premises only. However, beer may also be
 11 sold for consumption off the premises. The holder of a class
 12 "C" liquor control license may also hold a special class "A"

13 beer permit for the premises licensed under a class “C” liquor
14 control license for the purpose of operating a brewpub pursuant
15 to this chapter.

16 Sec. 56. Section 123.30, subsection 3, paragraph c,
17 subparagraph (3), Code 2018, is amended to read as follows:

18 (3) A class “C” native distilled spirits liquor control
19 license may be issued to a native distillery but shall be
20 issued in the name of the individuals who actually own the
21 business and shall only be issued to a native distillery
22 which, combining all production facilities of the business,
23 produces and manufactures not more than one hundred thousand
24 proof gallons of distilled spirits on an annual basis. The
25 license shall authorize the holder to sell native distilled
26 spirits manufactured on the premises of the native distillery
27 to patrons by the individual drink for consumption on the
28 premises. All native distilled spirits sold by a native
29 distillery for on-premises consumption shall be purchased
30 from a class “E” liquor control licensee in original unopened
31 containers.

32 Sec. 57. Section 123.30, subsection 3, paragraph d,
33 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
34 Senate File 2310, section 12, is amended to read as follows:

35 (2) A class “D” liquor control licensee who operates a

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1 train or a watercraft intrastate only, or an excursion gambling
2 boat licensed under chapter 99F, shall purchase alcoholic
3 liquor in original unopened containers from a class “E” liquor
4 control licensee only, wine from a class “A” wine permittee or
5 a class “B” wine permittee who also holds a class “E” liquor
6 control license only as provided in section 123.173 and section
7 123.177, and beer from a class “A” beer permittee only.

8 Sec. 58. Section 123.30, subsection 3, paragraph e, Code
9 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
10 12, is amended to read as follows:

11 *e. Class “E”.*

12 (1) A class “E” liquor control license may be issued and
13 shall authorize the holder to purchase alcoholic liquor in
14 original unopened containers from the division only and high
15 alcoholic content beer from a class “A” beer permittee only and
16 to sell the alcoholic liquor in original unopened containers
17 and high alcoholic content beer at retail to patrons for
18 consumption off the licensed premises and at wholesale to other
19 liquor control licensees, provided the holder has filed with
20 the division a basic permit issued by the alcohol and tobacco
21 tax and trade bureau of the United States department of the
22 treasury. A holder of a class “E” liquor control license
23 may hold other retail liquor control licenses or retail wine
24 or beer permits, but the premises licensed under a class “E”
25 liquor control license shall be separate from other licensed
26 premises, though the separate premises may have a common

27 entrance. However, the holder of a class “E” liquor control
28 license may also hold a class “B” wine or class “C” beer permit
29 or both for the premises licensed under a class “E” liquor
30 control license.

31 (2) The division may issue a class “E” liquor control
32 license for premises covered by a liquor control license or
33 wine or beer permit for on-premises consumption, ~~if~~ under any
34 of the following circumstances:

35 (a) If the premises are in a county having a population

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1 under nine thousand five hundred in which no other class “E”
2 liquor control license has been issued by the division, and no
3 other application for a class “E” liquor control license has
4 been made within the previous twelve consecutive months.

5 (b) If, notwithstanding any provision of this chapter to the
6 contrary, the premises covered by a liquor control license is a
7 grocery store that is at least five thousand square feet.

8 Sec. 59. Section 123.30, subsection 4, Code 2018, is amended
9 to read as follows:

10 4. Notwithstanding any provision of this chapter to the
11 contrary, a person holding a liquor control license to sell
12 alcoholic beverages for consumption on the licensed premises
13 may permit a customer to remove one unsealed bottle of wine
14 for consumption off the premises if the customer has purchased
15 and consumed a portion of the bottle of wine on the licensed
16 premises. The licensee or the licensee’s agent shall securely
17 reseal such bottle in a bag designed so that it is visibly
18 apparent that the resealed bottle of wine has not been tampered
19 with and provide a dated receipt for the resealed bottle of
20 wine to the customer. A wine bottle resealed pursuant to the
21 requirements of this subsection is subject to the requirements
22 of sections 321.284 and 321.284A. A person holding a liquor
23 control license to sell alcoholic beverages for consumption on
24 the licensed premises may permit a customer to carry an open
25 container of wine from their licensed premises into another
26 immediately adjacent licensed premises, temporary closed public
27 right-of-way, or private property.

28 Sec. 60. Section 123.30, Code 2018, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 5. Notwithstanding any provision of this
31 chapter to the contrary, a person holding a liquor control
32 license to sell alcoholic beverages for consumption on the
33 licensed premises may permit a customer to carry an open
34 container of alcoholic liquor from their licensed premises
35 to another immediately adjacent licensed premises, temporary

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1 closed public right-of-way, or private property.

2 Sec. 61. Section 123.131, subsection 2, unnumbered
3 paragraph 1, Code 2018, is amended to read as follows:

4 Subject to the rules of the division, sales of beer for
5 consumption off the premises made pursuant to this section
6 may be made in a container other than the original container
7 only if the container is carried into an immediately adjacent
8 licensed or permitted premises, temporary closed public
9 right-of-way, or private property, or if all of the following
10 requirements are met:

11 DIVISION X

12 SEXUALLY VIOLENT PREDATORS

13 Sec. 62. Section 229A.8, subsection 5, paragraph e,
14 subparagraph (2), Code 2018, is amended to read as follows:

15 (2) (a) If the committed person shows by a preponderance
16 of the evidence that a final hearing should be held on either
17 determination under subparagraph (1), subparagraph division (a)
18 or (b), or both, the court shall set a final hearing within
19 sixty days of the determination that a final hearing be held.

20 (b) The committed person may waive the sixty-day final
21 hearing requirement under subparagraph subdivision (a):
22 however, the committed person or the attorney for the committed
23 person may reassert a demand that the final hearing be held
24 within sixty days from the date of filing the demand with the
25 clerk of court.

26 (c) The final hearing may be continued upon request of
27 either party and a showing of good cause, or by the court
28 on its own motion in the due administration of justice, and
29 if the committed person is not substantially prejudiced. In
30 determining what constitutes good cause, the court shall
31 consider the length of the pretrial detention of the committed
32 person.

33 Sec. 63. Section 229A.15, Code 2018, is amended to read as
34 follows:

35 **229A.15 Court records — sealed and opened by court order.**

Page 23

1 1. ~~Any~~ Except as otherwise provided in this section, any
2 psychological reports, drug and alcohol reports, treatment
3 records, reports of any diagnostic center, medical records, or
4 victim impact statements which have been submitted to the court
5 or admitted into evidence under this chapter shall be part of
6 the record but shall be sealed and opened only on order of the
7 court.

8 2. The documents described in subsection 1 shall be
9 available to the prosecuting attorney or attorney general, the
10 committed person, and the attorney for the committed person
11 without an order of the court.

12 DIVISION XI

13 EARNED TIME

14 Sec. 64. Section 903A.2, subsection 1, paragraph a,
15 subparagraph (2), Code 2018, is amended to read as follows:
16 (2) However, an inmate required to participate in a sex
17 offender treatment program shall not be eligible for ~~a~~ any
18 reduction of sentence ~~unless~~ until the inmate participates in
19 and completes a sex offender treatment program established by
20 the director.

21 Sec. 65. Section 903A.2, subsection 1, paragraph b,
22 subparagraph (2), Code 2018, is amended to read as follows:
23 (2) An inmate required to participate in a domestic abuse
24 treatment program shall not be eligible for ~~a~~ any reduction of
25 sentence ~~unless~~ until the inmate participates in and completes
26 a domestic abuse treatment program established by the director.

27 Sec. 66. Section 903A.3, subsection 1, Code 2018, is amended
28 to read as follows:
29 1. Upon finding that an inmate has violated an institutional
30 rule, has failed to complete a sex offender or domestic abuse
31 treatment program as specified in section 903A.2, or has
32 had an action or appeal dismissed under section 610A.2, the
33 independent administrative law judge may order forfeiture of
34 any or all earned time accrued and not forfeited up to the
35 date of the violation by the inmate and may order forfeiture

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1 of any or all earned time accrued and not forfeited up to
2 the date the action or appeal is dismissed, unless the court
3 entered such an order under section 610A.3. The independent
4 administrative law judge has discretion within the guidelines
5 established pursuant to section 903A.4, to determine the amount
6 of time that should be forfeited based upon the severity of the
7 violation. Prior violations by the inmate may be considered by
8 the administrative law judge in the decision.

9 DIVISION XII
10 MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

11 Sec. 67. Section 507A.4, subsection 9, paragraph c,
12 unnumbered paragraph 1, Code 2018, is amended to read as
13 follows:

14 A multiple employer welfare arrangement that is recognized
15 as tax-exempt under Internal Revenue Code section 501(c)(9)
16 that meets all of the conditions of paragraph "a" shall not be
17 considered any of the following:

18 Sec. 68. Section 513D.1, as enacted by 2018 Iowa Acts,
19 Senate File 2349, section 5, is amended to read as follows:

20 **513D.1 Association health plans.**
21 The commissioner shall adopt rules that allow for the
22 creation of association health plans that are consistent with
23 the United States department of labor's regulations in 29
24 C.F.R. pt. 2510. A multiple employer welfare arrangement that
25 is recognized as tax-exempt under Internal Revenue Code section
26 501(c)(9) and that is registered with the commissioner prior

27 to January 1, 2018, shall not be considered an association
28 health plan unless the multiple employer welfare arrangement
29 affirmatively elects to be treated as an association health
30 plan.

31 Sec. 69. REPEAL. 2018 Iowa Acts, Senate File 2349, section
32 7, is repealed.

33 DIVISION XIII

34 SELF-PROMOTION — PUBLIC FUNDS

35 Sec. 70. NEW SECTION. **68A.405A Self-promotion with taxpayer**

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1 **funds prohibited.**

2 1. *a.* Except as provided in sections 29C.3 and 29C.6, a
3 statewide elected official or member of the general assembly
4 shall not permit the expenditure of public moneys under the
5 control of the statewide elected official or member of the
6 general assembly, including but not limited to moneys held in a
7 private trust fund as defined by section 8.2, for the purpose
8 of any paid advertisement or promotion bearing the written
9 name, likeness, or voice of the statewide elected official or
10 member of the general assembly distributed through any of the
11 following means:

- 12 (1) A paid direct mass mailing.
13 (2) A paid radio advertisement or promotion.
14 (3) A paid newspaper advertisement or promotion.
15 (4) A paid television advertisement or promotion.
16 (5) A paid internet advertisement or promotion.
17 (6) A paid exhibit display at the Iowa state fair or a
18 fairground or grounds as defined in section 174.1.

19 *b.* Except as otherwise provided by law, paragraph “*a*”
20 shall not apply to bona fide ministerial or ceremonial records
21 or ordinary, common, and frequent constituent correspondence
22 containing the name of the statewide elected official or member
23 of the general assembly.

24 2. A person who willfully violates this section shall be
25 subject to a civil penalty of an amount up to the amount of
26 moneys withdrawn from a public account or private trust fund
27 as defined in section 8.2 used to fund the communication found
28 to be in violation of this section by the board or, for members
29 of the general assembly, by an appropriate legislative ethics
30 committee. A penalty imposed pursuant to this section shall
31 be paid by the candidate’s committee. Such penalty shall be
32 determined and assessed by the board or, for a member of the
33 general assembly, the appropriate legislative ethics committee,
34 and paid into the account from which such moneys were
35 withdrawn. Additional criminal or civil penalties available

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1 under section 68A.701 or established by the board pursuant to
 2 section 68B.32A may also be determined and assessed by the
 3 board for violations of this section. Nothing in this section
 4 shall prevent the imposition of any penalty or sanction for a
 5 violation of this section by a legislative ethics committee.

6 DIVISION XIV

7 LEASE-PURCHASE CONTRACTS

8 Sec. 71. 2018 Iowa Acts, House File 2253, section 13, is
 9 amended to read as follows:

10 SEC. 13. APPLICABILITY. This Act applies to lease-purchase
 11 contracts entered into on or after the effective date of this
 12 Act. This Act does not apply to any lease-purchase contract
 13 that results from a request for proposals or request for
 14 qualifications issued by a city with a population of less
 15 than 21,000 according to the 2016 special census prior to the
 16 effective date of this Act.

17 Sec. 72. RETROACTIVE APPLICABILITY. The following applies
 18 retroactively to April 4, 2018:

19 The section of this division of this Act amending 2018 Iowa
 20 Acts, House File 2253, section 13.

21 DIVISION XV

22 CONSTRUCTION VEHICLES

23 Sec. 73. Section 321.463, subsection 9, Code 2018, is
 24 amended to read as follows:

25 9. A vehicle or combination of vehicles transporting
 26 materials or equipment on nonprimary highways to or from a
 27 construction project or commercial plant site may operate
 28 under the maximum gross weight table for primary highways in
 29 subsection 6, paragraph "a", ~~if the route is approved by the~~
 30 ~~appropriate local authority. Route approval is not required if~~
 31 ~~the vehicle or combination of vehicles transporting materials~~
 32 ~~or equipment to or from a construction project or commercial~~
 33 ~~plant site complies with~~ or the maximum gross weight table for
 34 noninterstate highways in subsection 6, paragraph "c". When
 35 crossing a bridge, such a vehicle or combination of vehicles

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1 shall comply with any weight restriction imposed for the
 2 bridge pursuant to section 321.471 or 321.474, provided signs
 3 that conform to the manual of uniform traffic-control devices
 4 adopted by the department that give notice of the restriction
 5 are posted as required under section 321.472 or 321.474, as
 6 applicable.

7 DIVISION XVI

8 LOCAL ORDINANCES

9 Sec. 74. Section 331.301, subsection 6, paragraph c,
 10 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 11 to read as follows:

12 A county shall not adopt an ordinance, motion, resolution,

13 or amendment that sets standards or requirements regarding the
 14 sale or marketing of consumer merchandise that are different
 15 from, or in addition to, any ~~requirement established by state~~
 16 law. For purposes of this paragraph:

17 Sec. 75. Section 364.3, subsection 3, paragraph c,
 18 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 19 to read as follows:

20 A city shall not adopt an ordinance, motion, resolution, or
 21 amendment that sets standards or requirements regarding the
 22 sale or marketing of consumer merchandise that are different
 23 from, or in addition to, any ~~requirement established by state~~
 24 law. For purposes of this paragraph:

25 DIVISION XVII

26 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN

27 Sec. 76. **NEW SECTION. 509A.13C Health care coverage for**
 28 **surviving spouse and children of fire fighters and peace officers**
 29 **killed in the line of duty.**

30 1. For the purposes of this section, “*eligible peace officer*”
 31 *or fire fighter*” means a peace officer as defined in section
 32 801.4, or a fire fighter, to which a line of duty death benefit
 33 is payable pursuant to section 97A.6, subsection 16, section
 34 97B.52, subsection 2, or section 411.6, subsection 15.

35 2. *a.* If a governing body, a county board of supervisors,

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1 or a city council has procured accident or health care coverage
 2 for its employees under this chapter, such coverage shall
 3 permit continuation of existing coverage or reenrollment in
 4 previously existing coverage for the surviving spouse and each
 5 surviving child of an eligible peace officer or fire fighter.

6 *b.* A governing body, a county board of supervisors, or
 7 a city council shall also permit continuation of existing
 8 coverage for the surviving spouse and each surviving child
 9 of a peace officer as defined in section 801.4, or a fire
 10 fighter who dies and to which a line of duty death benefit is
 11 reasonably expected to be payable pursuant to section 97A.6,
 12 subsection 16, section 97B.52, subsection 2, or section 411.6,
 13 subsection 15, until such time as the determination of whether
 14 to provide a line of duty death benefit is made.

15 3. A governing body, a county board of supervisors, or
 16 a city council providing accident or health care coverage
 17 under this section shall not be required to pay for the cost
 18 of the coverage. However, a governing body, a county board
 19 of supervisors, or a city council may pay the full cost or a
 20 portion of the cost of the coverage. If the full cost of the
 21 coverage is not paid, a surviving spouse and each surviving
 22 child eligible for coverage under this section may elect to
 23 continue accident or health care coverage by paying that
 24 portion of the cost of the coverage not paid by the governing
 25 body, county board of supervisors, or city council.

26 4. A governing body, a county board of supervisors, or a

27 city council shall notify the provider of accident or health
 28 care coverage for its employees of a surviving spouse and
 29 each surviving child to be provided coverage pursuant to the
 30 requirements of this section.

31 5. This section shall not require continuation of coverage
 32 if the surviving spouse or surviving child who would otherwise
 33 be entitled to continuation of coverage under this section was,
 34 through the surviving spouse's or surviving child's actions, a
 35 substantial contributing factor to the death of the eligible

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1 peace officer or fire fighter.

2 Sec. 77. APPLICABILITY — HEALTH CARE COVERAGE FOR PRIOR
 3 DEATHS. The surviving spouse and each surviving child of a
 4 peace officer as defined in section 801.4, or a fire fighter
 5 who died on or after January 1, 1985, but before July 1, 2000,
 6 to which the requirements for providing a line of duty death
 7 pursuant to section 97A.6, subsection 16, section 97B.52,
 8 subsection 2, or section 411.6, subsection 15, would otherwise
 9 have been established, and the surviving spouse and each
 10 surviving child of an eligible peace officer or fire fighter
 11 as defined in section 509A.13C, as enacted in this Act, may
 12 be entitled to coverage as provided in section 509A.13C upon
 13 written notification of the applicable governing body, county
 14 board of supervisors, or city council. Coverage provided under
 15 section 509A.13C pursuant to this section shall be for claims
 16 for services incurred on or after the date of reenrollment.

17 Sec. 78. EFFECTIVE DATE. This division of this Act, being
 18 deemed of immediate importance, takes effect upon enactment.

19 Sec. 79. RETROACTIVE APPLICABILITY. This division of this
 20 Act applies retroactively to a death occurring on or after
 21 January 1, 1985.

22 DIVISION XVIII

23 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED 24 IN THE LINE OF DUTY

25 Sec. 80. Section 261.87, subsection 1, Code 2018, is amended
 26 by adding the following new paragraph:

27 NEW PARAGRAPH. *Od.* "Eligible surviving-child student" means
 28 a qualified student who is under the age of twenty-six, or
 29 under the age of thirty if the student is a veteran who is
 30 eligible for benefits, or has exhausted the benefits, under the
 31 federal Post-9/11 Veterans Educational Assistance Act of 2008;
 32 who is not a convicted felon as defined in section 910.15; and
 33 who meets any of the following criteria:

34 (1) Is the child of a peace officer, as defined in section
 35 97A.1, who was killed in the line of duty as determined by

Page 30

1 the board of trustees of the Iowa department of public safety
 2 peace officers' retirement, accident, and disability system in
 3 accordance with section 97A.6, subsection 16.

4 (2) Is the child of a police officer or a fire fighter, as
 5 each is defined in section 411.1, who was killed in the line of
 6 duty as determined by the statewide fire and police retirement
 7 system in accordance with section 411.6, subsection 15.

8 (3) Is the child of a sheriff or deputy sheriff as each is
 9 defined in section 97B.49C, who was killed in the line of duty
 10 as determined by the Iowa public employees' retirement system
 11 in accordance with section 97B.52, subsection 2.

12 (4) Is the child of a fire fighter or police officer
 13 included under section 97B.49B, who was killed in the line of
 14 duty as determined by the Iowa public employees' retirement
 15 system in accordance with section 97B.52, subsection 2.

16 Sec. 81. Section 261.87, subsection 3, Code 2018, is amended
 17 to read as follows:

18 3. *Priority for scholarship awards.* Priority for
 19 scholarships under this section shall be given to eligible
 20 foster care students, ~~then to eligible surviving-child~~
 21 ~~students~~, who meet the eligibility criteria under subsection
 22 2. Following distribution to students who meet the eligibility
 23 criteria under subsection 2, the commission may establish
 24 priority for awarding scholarships using any moneys that remain
 25 in the all Iowa opportunity scholarship fund.

26 DIVISION XIX
 27 CREDIT UNIONS

28 Sec. 82. Section 533.212, Code 2018, is amended by adding
 29 the following new subsection:

30 NEW SUBSECTION. 4. A credit union organized in accordance
 31 with this chapter shall not include the name of any public
 32 university located in the state in its name. For purposes of
 33 this subsection, "*public university located in the state*" shall
 34 mean the state university of Iowa, the Iowa state university of
 35 science and technology, and the university of northern Iowa.

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1 Sec. 83. Section 533.329, subsection 2, paragraph b, Code
 2 2018, is amended to read as follows:

3 b. ~~The amount collected in each taxing district within~~
 4 ~~a city. The moneys and credits tax shall be collected by the~~
 5 ~~department of revenue and~~ shall be apportioned twenty percent
 6 to the county, thirty percent to the city general fund, and
 7 fifty percent to the general fund of the state, and the amount
 8 collected in each taxing district outside of cities shall be
 9 apportioned fifty percent to the county and fifty percent to
 10 the general fund of the state.

11 Sec. 84. Section 533.329, subsection 2, paragraph c, Code
 12 2018, is amended by striking the paragraph.

13 Sec. 85. Section 533.329, Code 2018, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 3. The department of revenue shall
16 administer and enforce the provisions of this section.

17 Sec. 86. EFFECTIVE DATE. The following takes effect April
18 30, 2019:

19 The section of this division of this Act amending section
20 533.212.

21 DIVISION XX

22 MILITARY INSTALLATION — SCHOOL ENROLLMENT

23 Sec. 87. Section 257.6, subsection 1, paragraph a, Code
24 2018, is amended by adding the following new subparagraph:

25 NEW SUBPARAGRAPH. (8) Pupils who are enrolled in public
26 schools within the district under section 282.1, subsection
27 3, in grades kindergarten through twelve and including
28 prekindergarten pupils enrolled in special education programs.

29 Sec. 88. Section 282.1, subsection 2, Code 2018, is amended
30 to read as follows:

31 2. For purposes of this section, “*resident*” means a child
32 who ~~is~~ meets either of the following requirements:

33 a. Is physically present in a district, whose residence has
34 not been established in another district by operation of law,
35 and who meets any of the following conditions:

Page 32

1 ~~a.~~ (1) Is in the district for the purpose of making a home
2 and not solely for school purposes.

3 ~~b.~~ (2) Meets the definitional requirements of the term
4 “*homeless individual*” under 42 U.S.C. §11302(a) and (c).

5 ~~c.~~ (3) Lives in a juvenile detention center or residential
6 facility in the district.

7 b. Is domiciled with the child’s parent or guardian who is
8 on active duty in the military service of the United States and
9 is stationed at and resides or is domiciled within a federal
10 military installation located contiguous to a county in this
11 state.

12 Sec. 89. Section 282.1, Code 2018, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 3. The parent or guardian of a child
15 who meets the requirements of subsection 2, paragraph “b”,
16 paragraph may enroll the child in a school district in a county
17 in this state that is located contiguous to the out-of-state
18 federal military installation. Notwithstanding section 285.1
19 relating to transportation of resident pupils, the parent or
20 guardian is responsible for transporting the child without
21 reimbursement to and from a point on a regular school bus route
22 of the district of enrollment.

23 NEW SUBSECTION. 4. Notwithstanding section 282.6, if a
24 parent or guardian enrolls a child in a school district in
25 accordance with subsection 3, the school district shall be free
26 of tuition for such child.

27 DIVISION XXI
28 CRIMINALISTICS LABORATORY FUND
29 Sec. 90. Section 691.9, Code 2018, is amended to read as
30 follows:
31 **691.9 Criminalistics laboratory fund.**
32 A criminalistics laboratory fund is created as a separate
33 fund in the state treasury under the control of the department
34 of public safety. The fund shall consist of appropriations
35 made to the fund and transfers of interest, and earnings. All

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1 moneys in the fund are appropriated to the department of public
2 safety for use by the department in criminalistics laboratory
3 equipment and supply purchasing, maintenance, depreciation, and
4 training. Any balance in the fund on June 30 of any fiscal
5 year shall not revert to any other fund of the state but shall
6 remain available for the purposes described in this section.

7 DIVISION XXII
8 IOWA ENERGY CENTER
9 Sec. 91. Section 476.10A, subsection 1, paragraph c,
10 subparagraph (1), Code 2018, is amended to read as follows:
11 (1) ~~Eighty-five~~ Of eighty-five percent of the remittances
12 collected pursuant to this section ~~is~~, the following shall
13 occur:

14 (a) For the fiscal year beginning July 1, 2018, such
15 remittances are appropriated to the Iowa energy center created
16 in section 15.120.

17 (b) For the fiscal year beginning July 1, 2019, the first
18 one million two hundred eighty-thousand dollars of such
19 remittances shall be transferred to the general fund of the
20 state, and the remaining amount is appropriated to the Iowa
21 energy center created in section 15.120.

22 (c) For the fiscal year beginning July 1, 2020, the
23 first two million nine hundred ten thousand dollars of such
24 remittances shall be transferred to the general fund of the
25 state, and the remaining amount is appropriated to the Iowa
26 energy center created in section 15.120.

27 (d) For the fiscal year beginning July 1, 2021, the first
28 three million five hundred thirty thousand dollars of such
29 remittances shall be transferred to the general fund of the
30 state, and the remaining amount is appropriated to the Iowa
31 energy center created in section 15.120.

32 DIVISION XXIII
33 TRIBAL IDENTIFICATION CARD
34 Sec. 92. Section 48A.7A, subsection 1, paragraph b,
35 subparagraph (1), Code 2018, is amended by adding the following

Page 34

1 new subparagraph division:
 2 NEW SUBPARAGRAPH DIVISION. (f) A tribal identification
 3 card or other tribal enrollment document issued by a federally
 4 recognized Indian tribe or nation, if the tribal identification
 5 card or other tribal enrollment document is signed before the
 6 card or document is presented to the election official.

7 Sec. 93. Section 49.78, subsection 2, paragraph a, Code
 8 2018, is amended by adding the following new subparagraph:
 9 NEW SUBPARAGRAPH. (5) A current, valid tribal
 10 identification card or other tribal enrollment document
 11 issued by a federally recognized Indian tribe or nation, which
 12 includes a photograph, signature, and valid expiration date.

13 DIVISION XXIV

14 WIND ENERGY CONVERSION PROPERTY

15 Sec. 94. Section 441.21, subsection 5, Code 2018, is amended
 16 by adding the following new paragraph:

17 NEW PARAGRAPH. *d.* For valuations established for the
 18 assessment year beginning January 1, 2019, and each assessment
 19 year thereafter, the percentages of actual value at which
 20 property is assessed, as determined under this subsection,
 21 shall not be applied to the value of wind energy conversion
 22 property valued under section 427B.26 the construction of which
 23 is approved by the Iowa utilities board on or after July 1,
 24 2018.

25 DIVISION XXV

26 REVOCATION OF DRIVER'S LICENSE FOR DRUG-RELATED CONVICTIONS

27 Sec. 95. Section 124.412, Code 2018, is amended to read as
 28 follows:

29 **124.412 Notice of conviction.**

30 If a person enters a plea of guilty to, or forfeits bail
 31 or collateral deposited to secure the person's appearance in
 32 court, and such forfeiture is not vacated, or if a person
 33 is found guilty upon an indictment or information alleging a
 34 violation of this chapter, a copy of the minutes attached to
 35 the indictment returned by the grand jury, or to the county

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1 attorney's information, a copy of the judgment and sentence,
 2 and a copy of the opinion of the judge if one is filed, shall
 3 be sent by the clerk of the district court or the judge to
 4 ~~the state department of transportation and to any state board~~
 5 or officer by whom the convicted person has been licensed or
 6 registered to practice the person's profession or carry on
 7 the person's business. On the conviction of a person, the
 8 court may suspend or revoke the license or registration of the
 9 convicted defendant to practice the defendant's profession
 10 or carry on the defendant's business. On the application of
 11 a person whose license or registration has been suspended or
 12 revoked, and upon proper showing and for good cause, the board

13 or officer may reinstate the license or registration.

14 Sec. 96. Section 321.212, subsection 1, paragraph d, Code
15 2018, is amended by striking the paragraph.

16 Sec. 97. Section 321.215, subsection 1, paragraph b, Code
17 2018, is amended to read as follows:

18 b. However, a temporary restricted license shall not be
19 issued to a person whose license is revoked pursuant to a court
20 order issued ~~under section 901.5, subsection 10, or under~~
21 section 321.209, subsections 1 through 5 or subsection 7; to a
22 juvenile whose license has been suspended or revoked pursuant
23 to a dispositional order under section 232.52, subsection
24 2, paragraph "a", for a violation of chapter 124 or 453B or
25 section 126.3; to a juvenile whose license has been suspended
26 under section 321.213B; or to a person whose license has been
27 suspended pursuant to a court order under section 714.7D. A
28 temporary restricted license may be issued to a person whose
29 license is revoked under section 321.209, subsection 6, only
30 if the person has no previous drag racing convictions. A
31 person holding a temporary restricted license issued by the
32 department under this section shall not operate a motor vehicle
33 for pleasure.

34 Sec. 98. Section 321.215, subsection 2, unnumbered
35 paragraph 1, Code 2018, is amended to read as follows:

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1 Upon conviction and the suspension or revocation of a
2 person's noncommercial driver's license under section 321.209,
3 subsection 5 or 6, or section 321.210, 321.210A, or 321.513;
4 ~~or upon revocation pursuant to a court order issued under~~
5 ~~section 901.5, subsection 10;~~ or upon the denial of issuance
6 of a noncommercial driver's license under section 321.560,
7 based solely on offenses enumerated in section 321.555,
8 subsection 1, paragraph "c", or section 321.555, subsection
9 2; or upon suspension or revocation of a juvenile's driver's
10 license pursuant to a dispositional order under section 232.52,
11 subsection 2, paragraph "a", for a violation of chapter 124
12 or 453B, or section 126.3; or upon suspension of a driver's
13 license pursuant to a court order under section 714.7D, the
14 person may apply to the department for a temporary restricted
15 license to operate a motor vehicle for the limited purpose or
16 purposes specified in subsection 1. The application may be
17 granted only if all of the following criteria are satisfied:

18 Sec. 99. Section 321.215, subsection 2, paragraph c, Code
19 2018, is amended to read as follows:

20 c. Proof of financial responsibility is established as
21 defined in chapter 321A. However, such proof is not required
22 if the driver's license was suspended under section 321.210A
23 or 321.513 ~~or revoked pursuant to a court order issued under~~
24 ~~section 901.5, subsection 10.~~

25 Sec. 100. Section 321.218, subsection 1, Code 2018, is
26 amended to read as follows:

27 1. A person whose driver's license or operating privilege
 28 has been denied, canceled, suspended, or revoked as provided
 29 in this chapter or as provided in section 252J.8 or section
 30 ~~901.5, subsection 10~~, and who operates a motor vehicle upon
 31 the highways of this state while the license or privilege
 32 is denied, canceled, suspended, or revoked, commits a
 33 simple misdemeanor. In addition to any other penalties, the
 34 punishment imposed for a violation of this subsection shall
 35 include assessment of a fine of not less than two hundred fifty

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1 dollars nor more than one thousand five hundred dollars.
 2 Sec. 101. Section 321A.17, subsection 4, Code 2018, is
 3 amended to read as follows:
 4 4. An individual applying for a driver's license following a
 5 period of suspension or revocation pursuant to a dispositional
 6 order issued under section 232.52, subsection 2, paragraph
 7 "a", or under section 321.180B, section 321.210, subsection
 8 1, paragraph "a", subparagraph (4), or section 321.210A,
 9 321.213A, 321.213B, 321.216B, or 321.513, following a period
 10 of suspension or revocation under section 321.178 or 321.194,
 11 or following a period of revocation pursuant to a court order
 12 issued ~~under section 901.5, subsection 10~~, or under section
 13 321J.2A, is not required to maintain proof of financial
 14 responsibility under this section.
 15 Sec. 102. Section 901.5, subsection 10, Code 2018, is
 16 amended by striking the subsection.
 17 Sec. 103. REINSTATEMENT OF DRIVER'S LICENSE. A defendant's
 18 driver's license suspended or revoked pursuant to section
 19 901.5, subsection 10, prior to the effective date of this
 20 division of this Act, shall be reinstated, if the defendant is
 21 otherwise eligible for a driver's license.
 22 Sec. 104. CONTINGENT EFFECTIVE DATE. This division of this
 23 Act takes effect on the date the governor submits to the United
 24 States secretary of transportation a written certification
 25 that the governor is opposed to the enforcement in this state
 26 of a law described in 23 U.S.C. §159(a)(3)(A) and a written
 27 certification that the general assembly has adopted a joint
 28 resolution expressing its opposition to the same, in accordance
 29 with 23 U.S.C. §159(a)(3)(B). The office of the governor shall
 30 notify the Code editor upon submission of the certifications
 31 described in this section.>

MICHAEL BREITBACH

S-5319

1 Amend House File 2502, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 37, after line 28 by inserting:
 4 <DIVISION ____

5 UNFAIR OR DISCRIMINATORY EMPLOYMENT PRACTICES

6 Sec. _____. Section 669.21, subsection 2, Code 2018, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. c. The duty to indemnify and hold harmless
9 shall not apply if the employee is accused of committing an
10 unfair or discriminatory employment practice in violation of
11 state or federal law. If the employee is accused of committing
12 an unfair or discriminatory employment practice in violation of
13 state or federal law and the accusation results in an award by
14 a court, the duty to compensate the plaintiff shall apply, but
15 the state shall seek restitution from the employee.

16 Sec. _____. Section 669.22, Code 2018, is amended to read as
17 follows:

18 **669.22 Actions in federal court.**

19 1. The state shall defend any employee, and shall indemnify
20 and hold harmless an employee of the state in any action
21 commenced in federal court under 42 U.S.C. §1983 against the
22 employee for acts of the employee while acting in the scope
23 of employment. The duty to indemnify and hold harmless shall
24 not apply and the state shall be entitled to restitution
25 from an employee if the employee fails to cooperate in the
26 investigation or defense of the claim or demand, or if, in
27 an action commenced by the state against the employee, it is
28 determined that the conduct of the employee upon which the
29 claim or demand was based constituted a willful and wanton act
30 or omission or malfeasance in office.

31 2. The duty to indemnify and hold harmless shall not
32 apply if the employee is accused of committing an unfair or
33 discriminatory employment practice in violation of federal
34 law. If the employee is accused of committing an unfair or
35 discriminatory employment practice in violation of federal law

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1 and the accusation results in an award by a court, the duty to
2 compensate the plaintiff shall apply, but the state shall seek
3 restitution from the employee.>

4 2. By renumbering as necessary.

LIZ MATHIS

S-5320

1 Amend House File 2500, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 15.352, subsection 10, Code 2018, is
4 amended to read as follows:

5 10. "*Small city*" means any city or township located in this
6 state, except those located wholly within one or more of the
7 eleven most populous counties in the state, as determined by
8 the most recent federal decennial census. ~~For the purposes of~~
9 ~~this part, a small city that is located in more than one county~~

- 10 ~~shall be considered to be located in the county having the~~
 11 ~~greatest taxable base within the small city.->~~
- 12 2. Page 1, before line 27 by inserting:
 13 <Sec. __. EFFECTIVE DATE. This Act, being deemed of
 14 immediate importance, takes effect upon enactment.
 15 Sec. __. APPLICABILITY. The following applies to housing
 16 projects registered by the economic development authority under
 17 the workforce housing tax incentives program on or after the
 18 effective date of this Act:
 19 The section of this Act amending section 15.352, subsection
 20 10.>
- 21 3. Page 1, line 27, by striking <This Act applies> and
 22 inserting <The following apply>
- 23 4. Page 1, line 30, by striking <2018.> and inserting
 24 <2018:>
- 25 5. Page 1, after line 30 by inserting:
 26 <1. The section of this Act amending section 15.354,
 27 subsection 3, paragraph “c”.
 28 2. The section of this Act relating to extension
 29 applications made prior to August 1, 2018.>
- 30 6. Title page, line 3, before <and> by inserting <amending
 31 the definition of small city,>
- 32 7. Title page, line 3, after <including> by inserting
 33 <effective date and>
- 34 8. By renumbering as necessary.

TOD R. BOWMAN

S-5321

- 1 Amend House File 2502, as amended, passed, and reprinted by
 2 the House, as follows:
- 3 1. Page 37, after line 28 by inserting:
 4 <DIVISION __
 5 INVESTMENT TAX CREDITS
 6 Sec. __. 2014 Iowa Acts, chapter 1130, section 27, is
 7 amended to read as follows:
 8 SEC. 27. INVESTMENT TAX CREDITS ISSUED TO ELIGIBLE
 9 HOUSING BUSINESSES UNDER THE ENTERPRISE ZONE PROGRAM —
 10 TRANSFERABILITY. Notwithstanding the requirement in section
 11 15E.193B, subsection 8, Code 2014, that not more than three
 12 million dollars worth of tax credits for housing developments
 13 located in a brownfield site or a blighted area shall be
 14 eligible for transfer in a calendar year unless the eligible
 15 housing business is also eligible for low-income housing tax
 16 credits authorized under section 42 of the Internal Revenue
 17 Code, and notwithstanding the requirement in section 15E.193B,
 18 subsection 8, Code 2014, that the economic development
 19 authority shall not approve more than one million five hundred
 20 thousand dollars in tax credit certificates for transfer to
 21 any one eligible housing business located on a brownfield
 22 site or in a blighted area in a calendar year, all investment

23 tax credits determined under section 15E.193B, subsection 6,
 24 paragraph “a”, Code 2014, for housing developments located on
 25 a brownfield site or in a blighted area may be approved by the
 26 economic development authority for transfer in calendar year
 27 2014, or any subsequent calendar year, provided the eligible
 28 housing business was awarded the investment tax credit before
 29 the effective date of this section of this division of this Act
 30 and notifies the economic development authority, in writing,
 31 before July 1, 2014, of its intent to transfer such tax
 32 credits, or provided the eligible housing business was awarded
 33 the investment tax credit before July 1, 2015, for a housing
 34 development located in a blighted area and in a county with
 35 a total population of less than fifty thousand as determined

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1 by the most recent federal decennial census, and submits a
 2 written request for approval to transfer such tax credits to
 3 the economic development authority before October 31, 2017,
 4 and provided the eligible housing business and the related
 5 housing development meet all other applicable requirements
 6 under section 15E.193B, Code 2014. Notwithstanding any other
 7 provision of law to the contrary, a tax credit transferred
 8 pursuant to this section shall not be claimed by a transferee
 9 prior to January 1, 2016.

10 Sec. ____ EFFECTIVE DATE. This division of this Act, being
 11 deemed of immediate importance, takes effect upon enactment.

12 Sec. ____ RETROACTIVE APPLICABILITY. This division of this
 13 Act applies retroactively to May 30, 2014.>

14 2. By renumbering as necessary.

THOMAS A. GREENE

S-5322

1 Amend House File 2502, as amended, passed, and reprinted by
 2 the House, as follows:

3 1. Page 37, after line 28 by inserting:

4 <DIVISION ____
 5 MANUFACTURER SALES TAX EXEMPTION

6 Sec. ____ Section 423.3, subsection 47, paragraph d,
 7 subparagraph (4), Code 2018, as amended by 2018 Iowa Acts,
 8 Senate File 2417, section 183, is amended to read as follows:

9 (4) (a) “*Manufacturer*” means a any of the following:

10 (1) A business that primarily purchases, receives, or holds
 11 personal property of any description for the purpose of adding
 12 to its value by a process of manufacturing with a view to
 13 selling the property for gain or profit.

14 (b) “*Manufacturer*” ~~includes~~

15 (2) A contract ~~manufacturers~~ manufacturer. A contract
 16 manufacturer is a manufacturer that otherwise falls within the
 17 definition of manufacturer, except that a contract manufacturer

18 does not sell the tangible personal property the contract
 19 manufacturer processes on behalf of other manufacturers.
 20 (3) A nonprofit blood center.
 21 ~~(e)~~ (b) “*Manufacturer*” does not include persons who are not
 22 commonly understood as manufacturers, including but not limited
 23 to persons engaged in any of the following activities:
 24 (i) Construction contracting.
 25 (ii) Repairing tangible personal property or real property.
 26 (iii) Providing health care.
 27 (iv) Farming, including cultivating agricultural products
 28 and raising livestock.
 29 (v) Transporting for hire.
 30 ~~(d)~~ (c) For purposes of this subparagraph:
 31 (i) “*Business*” means those businesses conducted for
 32 profit, but excludes professions and occupations, and excludes
 33 nonprofit organizations that are not a nonprofit blood center.
 34 (ii) “*Manufacturing*” means those activities commonly
 35 understood within the ordinary meaning of the term, and shall

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1 include:
 2 (A) Refining.
 3 (B) Purifying.
 4 (C) Combining of different materials.
 5 (D) Packing of meats.
 6 (E) Activities subsequent to the extractive process of
 7 quarrying or mining, such as crushing, washing, sizing, or
 8 blending of aggregate materials.
 9 (iii) “*Manufacturing*” does not include activities occurring
 10 on premises primarily used to make retail sales.
 11 Sec. __. EFFECTIVE DATE. This division of this Act, being
 12 deemed of immediate importance, takes effect upon enactment.>
 13 2. By renumbering as necessary.

JIM LYKAM

RESOLUTIONS ADOPTED

EIGHTY-SEVENTH GENERAL ASSEMBLY 2018 REGULAR SESSION

SENATE JOINT RESOLUTIONS

Senate Joint Resolution 2006: filed February 8, 2018; adopted by the Senate on March 7, 2018; printed on Senate Journal page 587; adopted by the House on April 11, 2018; printed on House Journal page 778.

Senate Joint Resolution 2007: filed February 13, 2018; adopted by the Senate on February 27, 2018; printed on Senate Journal page 465; adopted by the House on March 13, 2018; printed on House Journal page 572.

Senate Joint Resolution 2011: filed April 5, 2018; adopted by the Senate on April 12, 2018; printed on Senate Journal page 926; adopted by the House on April 18, 2018; printed on House Journal page 810.

SENATE RESOLUTIONS

Senate Resolution 105: filed January 29, 2018; adopted by the Senate on January 30, 2018.

SENATE RESOLUTION 105 By Garrett

1 A Resolution recognizing Chronic Traumatic
2 Encephalopathy Awareness Day.
3 WHEREAS, Chronic Traumatic Encephalopathy (CTE) is
4 a progressive, degenerative brain disease that appears
5 in persons with a history of repetitive brain trauma
6 sustained over a period of years; and
7 WHEREAS, CTE was first described in 1928 by Dr.
8 Harrison Martland in a study published in the Journal
9 of the American Medical Association linking brain
10 injury and boxing; and
11 WHEREAS, it was not until 2002 that Dr. Bennet Omalu
12 discovered the first pathological evidence of CTE in
13 a professional football player and, together with his
14 colleagues at the University of Pittsburgh, published
15 the details of his groundbreaking findings in 2005; and

16 WHEREAS, CTE is caused by a buildup of an abnormal
17 protein called tau in the brain leading to brain cell
18 death; and
19 WHEREAS, the risk of developing CTE is greatest with
20 athletes, military veterans, and domestic violence
21 survivors, who frequently endure repeated subconcussive
22 blows to the head from playing contact sports or suffer
23 traumatic injury from military training or blasting or
24 hits sustained by partners or caretakers; and it also
25 appears in those with epilepsy; and
26 WHEREAS, symptoms associated with CTE, such as
27 sleep disturbances, memory loss, tremors, addictions,
28 progressive dementia, depression, suicidal thoughts,

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1 impaired judgment, and paranoia, most often present
2 years or decades after the brain trauma or hits cease,
3 but have been found in a patient as young as 17 years
4 old; and
5 WHEREAS, currently, CTE can only be definitively
6 diagnosed after death through postmortem
7 neuropathological analysis; and
8 WHEREAS, advocacy organizations, health care
9 providers, and institutional researchers are dedicated
10 to studying the cause and symptoms of CTE in order to
11 enable parents and families to make informed decisions
12 regarding the best interests of their children in
13 youth sports and to develop an earlier diagnostic tool
14 so patients may address these symptoms as early as
15 possible; and
16 WHEREAS, one such advocacy organization is CTE Hope,
17 founded as a statewide advocacy and education support
18 group by family and friends of Zac Easter of Indianola,
19 Iowa, who suffered from CTE after multiple concussions
20 and subconcussive hits playing youth and high school
21 football from age 6 to 18, served our country in the
22 Iowa Army National Guard, and was a victim of a car
23 accident; and
24 WHEREAS, the mission of CTE Hope is to put a face on
25 this mind-robbing disease, and to educate the public
26 that it does not only impact professional athletes, but
27 children and nonathletes as well; and
28 WHEREAS, CTE Hope also endeavors to further research
29 on this devastating brain disease, with CTE Hope's
30 initial research in Iowa confirming that saliva testing

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1 provides real-time indicators of inflammatory proteins
2 in the brain that cause CTE; and
3 WHEREAS, CTE Hope founded CTE Awareness Day and

4 now along with other organizations will celebrate CTE
 5 Awareness Day across the United States on January 30,
 6 2018, in order to reflect on those lost to CTE, to help
 7 those suffering with the disease, and most importantly
 8 to stop the disease; NOW THEREFORE,
 9 BE IT RESOLVED BY THE SENATE, That the Senate
 10 recognizes January 30, 2018, as CTE Awareness Day in
 11 Iowa.

Senate Resolution 109: filed February 21, 2018; adopted by the
 Senate on March 14, 2018.

SENATE RESOLUTION 109

By Schneider

1 A Resolution honoring the Iowa Resource for
 2 International Service.
 3 WHEREAS, the mission of the Iowa Resource for
 4 International Service is to promote international
 5 understanding, development, and peace by connecting
 6 Iowans to communities worldwide; and
 7 WHEREAS, the Iowa Resource for International Service
 8 has operated for twenty-five years; and
 9 WHEREAS, the Iowa Resource for International
 10 Service brings students from across the world to visit
 11 communities throughout Iowa, where the international
 12 students attend school, live with Iowa host families,
 13 and learn about the Midwest; and
 14 WHEREAS, the Iowa Resource for International Service
 15 hosts entrepreneurs, local government officials,
 16 legal professionals, nongovernmental organization
 17 leaders, and other professionals from around the world
 18 to participate in a three-week program in Iowa that
 19 covers a diverse range of topics and themes focusing
 20 on public diplomacy and professional training and
 21 development; and
 22 WHEREAS, the Iowa Resource for International
 23 Service has made important contributions to Iowa and
 24 the international community that have strengthened
 25 relationships between the State of Iowa, Iowans, and
 26 communities around the world; and
 27 WHEREAS, the Iowa Resource for International Service
 28 has played an integral role in international citizen

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1 diplomacy; NOW THEREFORE;
 2 BE IT RESOLVED BY THE SENATE, That the Senate
 3 congratulates the men and women of Iowa who have
 4 bettered the world through their work with the Iowa
 5 Resource for International Service; and

6 BE IT FURTHER RESOLVED, That the Senate recognizes
 7 March 14, 2018, as Iowa Resource for International
 8 Service Day; and
 9 BE IT FURTHER RESOLVED, That, upon passage, enrolled
 10 copies of this resolution be sent to the Iowa Resource
 11 for International Service.

Senate Resolution 111: filed March 6, 2018; adopted by the
 Senate on March 7, 2018.

SENATE RESOLUTION 111

By Schneider, Behn, Dotzler, Garrett, Hart, and Kapucian

1 A Resolution in support of strengthening and deepening
 2 the relationship between Taiwan and the State of
 3 Iowa.
 4 WHEREAS, the State of Iowa is proud of the
 5 sister-state relationship it has enjoyed with Taiwan
 6 since 1989, which is marked by strong bilateral trade,
 7 educational and cultural exchanges, and tourism; and
 8 WHEREAS, Taiwan shares with the United States
 9 and the State of Iowa the common values of freedom,
 10 democracy, and human rights, and a commitment to the
 11 rule of law; and
 12 WHEREAS, the United States ranks as Taiwan's
 13 second-largest trading partner, and Taiwan is the
 14 United States' 10th largest trading partner, with total
 15 bilateral trade reaching \$68.2 billion in 2017; and
 16 WHEREAS, Taiwan and the State of Iowa have enjoyed
 17 a long and mutually beneficial relationship and
 18 anticipate continuing growth, with Taiwan ranking
 19 as Iowa's 5th largest export destination in Asia
 20 in 2017, with \$171 million worth of Iowa goods
 21 shipped to Taiwan, including food, machinery,
 22 chemicals, miscellaneous manufactured commodities, and
 23 agricultural products; and
 24 WHEREAS, negotiations for a bilateral trade
 25 agreement between Taiwan and the United States are an
 26 important step toward further strengthening bilateral
 27 trade between the State of Iowa and Taiwan, thereby

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1 increasing Iowa's exports to Taiwan and creating
 2 bilateral investment and technical collaboration
 3 through tariff reduction and other trade facilitation
 4 measures; and
 5 WHEREAS, Taiwan has undertaken a policy of
 6 "steadfast diplomacy" regarding international
 7 relations and is capable of and willing to fulfill its
 8 responsibilities and to collaborate with the world to

9 deal with the challenges of humanitarian aid, disease
 10 control, and other important issues; NOW THEREFORE,
 11 BE IT RESOLVED BY THE SENATE, That the Senate
 12 reaffirms its commitment to strengthening the
 13 sister-state relationship between Taiwan and the
 14 State of Iowa; endorses Taiwan's efforts to secure the
 15 signing of a bilateral trade agreement with the United
 16 States; and reaffirms support for increasing Taiwan's
 17 international profile; and
 18 BE IT FURTHER RESOLVED, That the Secretary of
 19 the Senate is hereby directed to send copies of this
 20 Resolution to the members of Iowa's congressional
 21 delegation and to the Taipei Economic and Cultural
 22 Office in Chicago, Illinois.

Senate Resolution 113: filed March 26, 2018; adopted by the
 Senate on March 26, 2018.

SENATE RESOLUTION 113
 By Dotzler

1 A Resolution recognizing the life and work of musician
 2 and radio broadcaster Bob Dorr.
 3 WHEREAS, Bob Dorr is a renowned Iowa bandleader,
 4 musician, and public radio show host whose career spans
 5 over 40 years; and
 6 WHEREAS, Bob Dorr began his career in music
 7 broadcasting on October 2, 1972, as an undergraduate
 8 student at the University of Northern Iowa and student
 9 broadcaster for the KUNI radio station; and
 10 WHEREAS, Bob Dorr has been a bandleader for over
 11 40 years, with 36 years leading, singing, and playing
 12 multiple instruments in Iowa's beloved Blue Band,
 13 which has traversed the nation and recorded over 25
 14 albums and has performed for 34 years at the Iowa State
 15 Fair; and
 16 WHEREAS, Bob Dorr has hosted radio shows on Iowa
 17 Public Radio spanning every genre from classical
 18 to rock and blues to folk, including shows such as
 19 Progression, Folkways 1, Folkways 2, and Collage, and
 20 is currently in his 8th year of hosting "Blue Avenue",
 21 in his 40th year of hosting "Beatles Medley", and in
 22 his 38th year of hosting the iconic "Backtracks"; and
 23 WHEREAS, Bob Dorr was twice inducted into the Iowa
 24 Rock 'n Roll Hall of Fame, first for his radio career
 25 in 2000, and then for his role as leader of the Blue
 26 Band in 2007, and was also inducted into the Iowa Blues
 27 Hall of Fame in 2005 and the Quad Cities Blues Hall of
 28 Fame on March 11, 2018; NOW THEREFORE,

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1 BE IT RESOLVED BY THE SENATE, That the Senate
 2 hereby recognizes musician and radio broadcaster Bob
 3 Dorr as an Iowa icon, extends its profound gratitude
 4 for his lifelong dedication to, and uncommon impact
 5 on, the cultural landscape and history of the State
 6 of Iowa, and exhorts the people of Iowa to always
 7 remember and appreciate his generous and prodigious
 8 contribution in the form of musical composition, live
 9 music performance, artistic entrepreneurship, and radio
 10 broadcasting.

Senate Resolution 114: filed March 28, 2018; adopted by the
 Senate on March 29, 2018.

SENATE RESOLUTION 114
 By Sinclair

1 A Resolution designating March 2018 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 continue to
 9 play critical economic, cultural, and social roles by
 10 constituting a significant portion of the labor force
 11 working inside and outside of the home; and
 12 WHEREAS, Iowa women were particularly important in
 13 the establishment of early charitable, philanthropic,
 14 and cultural institutions in our State and nation; and
 15 WHEREAS, Iowa women and men amended the Iowa
 16 Constitution to read that "All men and women are, by
 17 nature, free and equal, and have certain inalienable
 18 rights"; and
 19 WHEREAS, Iowa women have been leaders in business,
 20 industry, and academia as well as the abolitionist
 21 movement, the emancipation movement, the industrial
 22 labor movement, the civil rights movement, the peace
 23 movement, and the women's suffrage movement, which
 24 have created a more fair and just society for all
 25 people; NOW THEREFORE,
 26 BE IT RESOLVED BY THE SENATE, That the Senate
 27 designates March 2018 as Iowa Women's History Month and
 28 invites the citizens of Iowa to continue to uncover,

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- 1 recognize, and honor the roles women have played
- 2 throughout history.

Senate Resolution 115: filed March 28, 2018; adopted by the Senate on April 11, 2018.

SENATE RESOLUTION 115

By Bowman, Bolkcom, Dvorsky, Kraayenbrink, Zaun, Horn,
Boulton, Kinney, Brown, Breitbach, Whitver, Schneider, Hogg, Danielson,
Allen, and Dotzler

- 1 A Resolution recognizing and congratulating University
- 2 of Iowa Hawkeye wrestler Spencer Lee on his
- 3 outstanding achievements in college wrestling.
- 4 WHEREAS, Spencer Lee won the 2018 National
- 5 Collegiate Athletic Association (NCAA) wrestling
- 6 championship in the 125-pound weight class as a true
- 7 freshman; and
- 8 WHEREAS, Mr. Lee is the 55th Hawkeye wrestler in
- 9 program history to win an NCAA title and the first true
- 10 freshman from the University of Iowa to win an NCAA
- 11 title in 25 years; and
- 12 WHEREAS, Mr. Lee entered the NCAA tournament as the
- 13 number three seed, won five matches, and outscored his
- 14 opponents 60-4 to win the NCAA title; and
- 15 WHEREAS, Mr. Lee was awarded the 2018 Hammer Award,
- 16 which is presented to the champion of the toughest
- 17 bracket in the NCAA Championship; and
- 18 WHEREAS, Mr. Lee joined the University of Iowa
- 19 Varsity Wrestling Team on January 5, 2018, established
- 20 a 22-2 overall record and a 6-0 record in the Big Ten,
- 21 and was awarded the 2018 Big Ten Freshman of the Year
- 22 Award; NOW THEREFORE,
- 23 BE IT RESOLVED BY THE SENATE, That the Senate
- 24 recognizes and congratulates Spencer Lee on his
- 25 outstanding achievement during his freshman year as a
- 26 college wrestler at the University of Iowa; and

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- 1 BE IT FURTHER RESOLVED, That, upon adoption, the
- 2 Secretary of the Senate shall prepare an official copy
- 3 of this Resolution for presentation to Spencer Lee.

Senate Resolution 116: filed March 29, 2018; adopted by the Senate on April 11, 2018.

SENATE RESOLUTION 114

By Sinclair

1 A Resolution recognizing Graceland University
2 and congratulating its men's basketball team
3 for its outstanding 2017-2018 season, which it
4 finished dramatically by winning the 2018 National
5 Association of Intercollegiate Athletics 81st Annual
6 Division I Men's Basketball Championship.
7 WHEREAS, Graceland University, founded in 1895, and
8 having its main campus in Lamoni, offers more than 50
9 academic programs with a mission to create learning
10 communities where students develop their potential for
11 meaningful and productive lives; and
12 WHEREAS, under the leadership of coach Craig Doty,
13 in his second season at Graceland, the Yellowjackets
14 men's basketball team finished with an overall record
15 of 29 wins and 10 losses; and
16 WHEREAS, the prestigious National Association of
17 Intercollegiate Athletics Men's Basketball National
18 Championship, established by James Naismith, has held
19 an annual men's basketball championship since 1937; and
20 WHEREAS, the 2018 National Association of
21 Intercollegiate Athletics 81st Annual Division I Men's
22 Basketball Championship was held in Kansas City; and
23 WHEREAS, on Tuesday night, March 20, 2018, the
24 Yellowjackets' historic season came to a dramatic
25 conclusion when the final shot as time expired ended in
26 the team's 83-80 overtime victory over Louisiana State
27 University-Alexandria in the championship game; NOW
28 THEREFORE,

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1 BE IT RESOLVED BY THE SENATE, That the Senate
2 recognizes Graceland University and congratulates its
3 men's basketball team, including players and staff, for
4 the outstanding 2017-2018 season finished by winning
5 the 2018 National Association of Intercollegiate
6 Athletics 81st Annual Division I Men's Basketball
7 Championship; and
8 BE IT FURTHER RESOLVED, That, upon adoption, the
9 Secretary of the Senate shall prepare an official copy
10 of this Resolution for presentation to coach Craig
11 Doty.

Senate Resolution 117: filed April 11, 2018; adopted by the Senate on April 12, 2018.

SENATE RESOLUTION 117

By Costello

1 A Resolution celebrating and recognizing the many
2 accomplishments of Dr. Peggy Whitson.
3 WHEREAS, Peggy Annette Whitson, who was born in
4 Mount Ayr, Iowa, and grew up on a family farm near
5 Beaconsfield, was initially inspired to be a space
6 explorer at the age of nine watching Neil Armstrong and
7 Buzz Aldrin take their first steps on the moon; and
8 WHEREAS, after raising and selling chickens as
9 a young girl to afford flying lessons and obtain
10 her private pilot's license, she became even more
11 resolute in her determination to be an astronaut
12 when, in the same year she graduated from Mount Ayr
13 Community High School, the National Aeronautics and
14 Space Administration (NASA) accepted its first class
15 of female astronauts including Sally Ride, the first
16 American woman in space; and
17 WHEREAS, following high school, Dr. Whitson designed
18 her education goals to be consistent with working at
19 NASA, by receiving her bachelor of science degree
20 in biology and chemistry from Iowa Wesleyan College
21 in 1981, and, declining advice to attend medical
22 school rather than follow her dream, by receiving her
23 doctorate in biochemistry from Rice University in
24 1985; and
25 WHEREAS, after receiving her PhD and completing a
26 fellowship, Dr. Whitson soon joined the NASA Johnson
27 Space Center as a National Research Council Resident
28 Research Associate, then as a Research Biochemist

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1 in the Biomedical Operations and Research Branch,
2 and subsequently held a number of senior positions,
3 concurrently, including Project Scientist of the
4 Shuttle-Mir Program, Deputy Division Chief of the
5 Medical Sciences Division, and Co-Chair of the
6 U.S.-Russian Mission Science Working Group; and
7 WHEREAS, after applying for the astronaut program
8 five times over the course of 10 years, she was
9 selected as an astronaut candidate in 1996 attributing
10 her selection, in part, to both an extensive background
11 in science and cooperative work with Russian and other
12 international space colleagues; and
13 WHEREAS, Dr. Whitson first flew into space on June
14 5, 2002, as a flight engineer for Expedition 5, docking

15 at the International Space Station on June 7, 2002; and
16 WHEREAS, during her over 184 days in space with that
17 mission, she was named the first NASA Science Officer,
18 conducted 21 investigations in human life sciences and
19 microgravity sciences as well as commercial payloads,
20 grew the first crop of soybeans in space, and performed
21 a more-than four-hour spacewalk, before returning to
22 Earth with her two Russian cosmonaut colleagues on
23 December 7, 2002; and
24 WHEREAS, Dr. Whitson subsequently was a member of
25 the Expedition 16 crew that launched from Kazakhstan
26 on October 10, 2007, and included a Russian cosmonaut
27 and a Malaysian spaceflight participant, docked at the
28 International Space Station on October 12, 2007, and
29 returned to Earth after 192 days in space on April 19,
30 2008; and

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1 WHEREAS, during that mission, Dr. Whitson was
2 Station Commander, supervised the most complex
3 expansion of the station's living and working space
4 in more than six years, performed five spacewalks
5 to conduct assembly and maintenance tasks, and
6 welcomed rotating crew members through several shuttle
7 flights; and
8 WHEREAS, Dr. Whitson most recently launched on
9 November 17, 2016, as part of Expedition 50/51/52
10 and returned safely to Earth on September 3, 2017,
11 during which mission Dr. Whitson contributed to
12 hundreds of experiments in biology, biotechnology,
13 physical science, and Earth science, welcomed
14 several cargo spacecraft, grew and harvested Chinese
15 cabbage, and conducted six, and participated in four,
16 spacewalks; and
17 WHEREAS, when Dr. Whitson's most recent mission
18 ended in September 2017, she had spent over 289 days in
19 orbit, more than any other female astronaut in a single
20 space flight; and
21 WHEREAS, Dr. Whitson has spent more time living and
22 working in space cumulatively than any other American
23 or any woman worldwide, spending over 665 days over
24 three different missions aboard the International Space
25 Station earning her the nickname "Space Ninja" and the
26 Twitter handle "@AstroPeggy"; and
27 WHEREAS, Dr. Whitson has broken many other barriers
28 and set many other records including completing 10
29 spacewalks and logging 60 hours and 21 minutes walking
30 in space, more than any other woman in the world;

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1 being the first woman and nonmilitary Chief of the
2 Astronaut Office; being the first woman to command the
3 International Space Station, and the only woman to do
4 so twice; and being the oldest woman in space and the
5 oldest woman spacewalker (not a goal she was shooting
6 for, she says); and
7 WHEREAS, even though Dr. Whitson has been a leader
8 and a trailblazer and has earned accolades throughout
9 her lifetime too numerous to mention, she remains true
10 to her Iowa roots, having taken her Mount Ayr Community
11 High School t-shirt with her on her first space flight
12 and having acknowledged that “My work ethic is, I
13 think, from my farm life. My parents are the hardest
14 working people I ever knew, they always worked every
15 day, all day, they had to come up with the solutions
16 to make things work. And I think that work ethic,
17 maybe stubbornness, single-mindedness, definitely
18 played a role for me. I’m definitely thankful for my
19 roots.”; and
20 WHEREAS, those Iowa roots, Iowa stubbornness, and
21 the things her parents, Keith and Beth Whitson, taught
22 her, that you can do whatever you set your mind to and
23 that there is nothing No. 2 wire, pliers, and a healthy
24 attitude cannot repair — especially when a solar array
25 rips on the International Space Station and all you
26 have on hand is a makeshift bit of sheet metal — have
27 served her well; and
28 WHEREAS, for all of her time in space, Dr. Whitson
29 remains down-to-earth and reluctant to be called a role
30 model, describing her bio simply as: Peggy Whitson:

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1 Astronaut; and
2 WHEREAS, this ability to stay grounded and to
3 appreciate the important things in life is evidenced by
4 the fact that, being married since 1989 to her husband
5 Dr. Clarence F. Sams, a NASA biochemist and director
6 of the Cell and Molecular Research Laboratory, she has
7 chosen always to take into space her most important
8 personal possession, her wedding ring, and by her
9 acknowledgment that the two things that beckon her back
10 to earth are real (not freeze-dried) pizza and her
11 husband (in that order); and
12 WHEREAS, whether Dr. Whitson participates in another
13 space flight in the future, her enduring legacy,
14 especially for women, is best described by other
15 female astronauts as one of having removed gender from
16 the conversation so that female astronauts are just
17 expected to perform like everyone else and as having

18 opened the door for people to realize that women can
 19 lead, make critical decisions, and take command; and
 20 WHEREAS, when named one of Glamour's Women of the
 21 Year in 2017, Dr. Whitson encouraged the girls and
 22 young women in the audience from the Lower East Side
 23 Girls Club and other nonprofit groups to achieve their
 24 dreams with these words: "...number one, find your
 25 passion, because with that passion you can do anything.
 26 And number two, work for it. Make it happen. It's not
 27 going to get handed to you... And number three, you
 28 need to live a little bit outside your comfort zone,
 29 because you can be even more than you dream of."; and
 30 WHEREAS, Dr. Whitson was featured on the March 2018

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1 cover of National Geographic magazine and will be
 2 presented with the Robert D. Ray Pillar of Character
 3 Award on April 13, 2018, an award recognizing a person
 4 who demonstrates good character as a role model and
 5 commitment to civility and character development; NOW
 6 THEREFORE,
 7 BE IT RESOLVED BY THE SENATE, That the Senate
 8 congratulates Dr. Peggy Whitson on her remarkable
 9 lifetime of accomplishments; commends Dr. Whitson for
 10 her outstanding contributions to the development of
 11 international cooperation and for exemplifying that
 12 successful endeavors require the teamwork of those
 13 with diverse skills and backgrounds and relationships
 14 built on mutual trust and respect, whether on the
 15 International Space Station or on Earth; and thanks Dr.
 16 Whitson for steadfastly promoting interest in STEM and
 17 inspiring both girls and boys, no matter the size of
 18 their hometown, to dream big, work hard, and reach for
 19 the (moon and) stars.

Senate Resolution 118: filed April 11, 2018; adopted by the
 Senate on April 12, 2018.

SENATE RESOLUTION 118
 By Whitver

1 A Resolution deferring action on the confirmation of
 2 certain appointments submitted by the Governor.
 3 BE IT RESOLVED BY THE SENATE, That the Senate,
 4 under the provisions of section 2.32, subsection 7,
 5 defers the consideration of the confirmation of all
 6 appointments that have been or are submitted by the
 7 Governor by, on, or after April 15, 2018, and that have
 8 not yet been confirmed by the Senate by April 15, 2018.

Senate Resolution 119: filed April 16, 2018; adopted by the Senate on April 17, 2018.

SENATE RESOLUTION 119

By Committee on Rules and Administration

1 A Resolution honoring Senator Rick Bertrand for his
2 years of service in the Iowa Senate.
3 WHEREAS, Rick Bertrand was first elected to the
4 Senate in 2010, and has represented District 7, which
5 serves the Sioux City area in northwestern Iowa; and
6 WHEREAS, Senator Bertrand was born and raised on a
7 farm on the northeast edge of Sioux City, graduated
8 from the University of Northern Iowa in 1993 after
9 studying economics and political science, and earned
10 a master's degree in organizational leadership from
11 Bellevue University in 2016; and
12 WHEREAS, Senator Bertrand's professional career has
13 emphasized commercial development and entrepreneurial
14 experience; and
15 WHEREAS, during his Senate tenure, Senator Bertrand
16 has served on a variety of committees, including
17 the Appropriations, Commerce, Natural Resources
18 and Environment, State Government (Ranking Member),
19 Transportation, and Veterans Affairs standing
20 committees, the Transportation, Infrastructure, and
21 Capitals Appropriations Subcommittee (Chair), and the
22 Capitol Planning Commission; and
23 WHEREAS, Senator Bertrand's career in the Senate
24 has been exemplified by his commitment to liberty,
25 integrity, and public service; NOW THEREFORE,
26 BE IT RESOLVED BY THE SENATE, That the Senate honors
27 and thanks Senator Rick Bertrand for his years of
28 service in the Senate, and wishes him and his family

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1 the very best in the years to come.

Senate Resolution 120: filed April 16, 2018; adopted by the Senate on April 17, 2018.

SENATE RESOLUTION 120

By Committee on Rules and Administration

1 A Resolution honoring Senator Robert (Bob) E. Dvorsky
 2 for his 32 years of service in the General Assembly.
 3 WHEREAS, Senator Bob Dvorsky was born in Burlington,
 4 and has resided in Coralville and served the area most
 5 of his adult life; and
 6 WHEREAS, employment as a job developer and an
 7 executive officer for the 6th Judicial District
 8 Department of Correctional Services gave Senator
 9 Dvorsky insight on matters relating to public and
 10 private employment needs in the state; and
 11 WHEREAS, Senator Dvorsky has devoted nearly 40 years
 12 of his life to public service, serving seven years on
 13 the Coralville City Council beginning in 1980; seven
 14 years in the Iowa House of Representatives beginning
 15 in 1987; and, beginning in 1994, 25 years in the Iowa
 16 Senate; and
 17 WHEREAS, never one to waste a minute, Senator
 18 Dvorsky has served as chairperson for the Local
 19 Government and Communications and Information Policy
 20 Committees, and chaired the Senate Appropriations
 21 Committee from 2005 through 2016; served 14 years on
 22 the Legislative Council; served on the Criminal Justice
 23 Information System Advisory Committee, the Medical
 24 Assistance Projections and Assessment Council, the
 25 School Finance Formula Review Committee, the Iowa
 26 Accountability and Transparency Board, the State
 27 Government Efficiency Review Committee, and the Sex
 28 Offender Research Council; and served on numerous

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1 interim study committees; and
 2 WHEREAS, praised for his ability to work across
 3 the aisle, Senator Dvorsky has promoted school aid
 4 and postsecondary education funding; prioritized
 5 infrastructure needs at the University of Iowa; worked
 6 to make the Iowa Communications Network operational
 7 statewide; and supported efforts to improve conditions
 8 for Iowa's workforce; and
 9 WHEREAS, Senator Dvorsky received the Arthur Neu
 10 Award for Exceptional Policy Development from the
 11 American Parole & Probation Association in 2007; in
 12 2011 he received the Hoover Uncommon Public Service
 13 Award from the Herbert Hoover Presidential Library
 14 Association; and in 2013 he received the Legislative

15 Friend of Housing Award from the Iowa Finance
16 Authority; NOW THEREFORE,
17 BE IT RESOLVED BY THE SENATE, That the Senate honors
18 and thanks Senator Robert E. Dvorsky for his many years
19 of service to the state and to his community and, in
20 his well-earned retirement, wishes him many happy,
21 healthy years to come.

Senate Resolution 121: filed April 16, 2018; adopted by the
Senate on April 17, 2018.

SENATE RESOLUTION 121
By Committee on Rules and Administration

1 A Resolution honoring Senator Mark Chelgren for his
2 years of service to the people of Iowa.
3 WHEREAS, the Honorable Mark Chelgren was born and
4 raised in California but settled in Iowa to start a
5 business and raise a family; and
6 WHEREAS, Senator Chelgren was first elected to the
7 Senate in 2010; and
8 WHEREAS, whether filing bills or amendments or
9 rising to make a point of personal privilege, Senator
10 Chelgren passionately strove to make his fellow
11 Senators and the legislative process more accountable
12 to the public from his first days as a Senator; and
13 WHEREAS, over the past eight years Senator Chelgren
14 has faced many difficult issues with an entrepreneurial
15 drive and spirit that will greatly be missed; and
16 WHEREAS, Senator Chelgren has served on a wide
17 array of legislative committees, previously serving on
18 Economic Growth (Ranking Member), and currently serving
19 on the Administrative Rules Review Committee (Chair),
20 Justice System Appropriations Subcommittee (Chair),
21 Appropriations, Education, Human Services, and Local
22 Government standing committees, and the Health Policy
23 Oversight Committee of the Legislative Council; and
24 WHEREAS, Senator Chelgren will be remembered for
25 his tireless effort on behalf of his constituents in
26 Davis, Jefferson, Van Buren, and Wapello counties; NOW
27 THEREFORE,
28 BE IT RESOLVED BY THE SENATE, That the members of

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1 the Senate honor Senator Mark Chelgren for his eight
2 years of dedication and service to the people of Iowa
3 and wish him the best in the years to come.

Senate Resolution 122: filed April 16, 2018; adopted by the Senate on April 16, 2018.

SENATE RESOLUTION 122

By Committee on Rules and Administration

1 A Resolution honoring Senator Wally E. Horn for
 2 over four decades of service in the Iowa General
 3 Assembly.
 4 WHEREAS, Wally E. Horn was first elected to the
 5 House of Representatives in 1972, and after five terms
 6 he was elected to the Senate in 1982; and
 7 WHEREAS, after serving in the United States Army
 8 and working for over 30 years as a teacher, coach,
 9 and facilitator in Cedar Rapids schools, Senator
 10 Horn has been a champion for educational and veterans
 11 issues; and
 12 WHEREAS, over four decades, Senator Horn, with the
 13 capable assistance of his wife, Phyllis Peterson,
 14 served as Majority Leader of the Senate; as chair
 15 of the Legislative Council and of the Rules and
 16 Administration, Ethics, Veterans Affairs, Labor and
 17 Business Relations, and Administrative Rules Review
 18 committees and on a wide array of other committees,
 19 currently serving on the Ethics (ranking member), State
 20 Government, Transportation, Veterans Affairs (ranking
 21 member), and Administrative Rules Review committees;
 22 and as keeper of the candy desk; and
 23 WHEREAS, Senator Horn has demonstrated a dedication
 24 to civic engagement through membership and service
 25 in numerous organizations including the National
 26 Conference of State Legislatures Executive Committee,
 27 Council of State Governments, Midwest Legislators
 28 Executive Committee, Executive Board of the Democratic

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1 Legislative Campaign Committee, Veterans of Foreign
 2 Wars, American Legion, and numerous other community
 3 groups in Cedar Rapids, and as president of the Cedar
 4 Rapids Teachers Association; and
 5 WHEREAS, Senator Horn received the Hoover Uncommon
 6 Public Service Award in 2015, which is awarded to
 7 legislators who exemplify President Herbert Hoover's
 8 humanitarian efforts and have gone above and beyond
 9 the call of duty to demonstrate uncommon service and
 10 commitment to the people of Iowa; and
 11 WHEREAS, with 46 years of service, Senator Horn is
 12 the longest serving legislator in Iowa history, earning
 13 the title of Dean of the Senate; NOW THEREFORE,
 14 BE IT RESOLVED BY THE SENATE, That the Senate honors

15 Senator Wally E. Horn for his four decades of service
 16 to the people of Iowa and wishes him all the best in
 17 the years to come.

Senate Resolution 123: filed April 17, 2018; adopted by the
 Senate on May 1, 2018.

SENATE RESOLUTION 123
 By Committee on Rules and Administration

1 A Resolution honoring Senator Matt McCoy for his years
 2 of service in the Iowa General Assembly.
 3 WHEREAS, Matt McCoy, born and raised in Des Moines,
 4 Eagle Scout, and father to Jack, has been involved in
 5 public service at the local and state level for much of
 6 his adult life; and
 7 WHEREAS, Matt McCoy was first elected to the House
 8 of Representatives in 1992, and after two terms he was
 9 elected to the Senate in 1996; and
 10 WHEREAS, over two decades, Senator McCoy has
 11 served on a wide array of legislative committees,
 12 including serving as chair of the Commerce Committee
 13 and the Transportation, Infrastructure, and Capitals
 14 Appropriations Subcommittee; and
 15 WHEREAS, Senator McCoy currently serves on the
 16 Appropriations, Commerce, Government Oversight
 17 (Ranking Member), Local Government, and Ways and Means
 18 Committees, and on the Transportation, Infrastructure,
 19 and Capitals Appropriations Subcommittee (Ranking
 20 Member), and the Capital Projects Committee of the
 21 Legislative Council; and
 22 WHEREAS, Senator McCoy has also served on numerous
 23 boards and commissions in his capacity as Senator,
 24 including the Capitol Planning Commission, Investment
 25 Board of the Iowa Public Employees' Retirement System,
 26 and the Iowa Comprehensive Health Insurance Association
 27 Board; and
 28 WHEREAS, Senator McCoy, the first openly gay person

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1 elected State Senator, has long championed the civil
 2 and human rights of all Iowans, as evidenced by his
 3 efforts working for passage of additional protections
 4 under the Iowa Civil Rights Act in 2007 and for HIV
 5 transmission decriminalization in 2014, as well as his
 6 advocacy for antibullying legislation, inclusion of
 7 transgender Iowans in the state's hate crimes statute,
 8 and a ban on conversion therapy; and
 9 WHEREAS, Senator McCoy's years of public service
 10 have earned him numerous honors and awards, including

11 the 2014 Des Moines Convention & Visitors Bureau Civic
12 Champion Award, the 2014 Community HIV/Hepatitis
13 Advocates of Iowa Award, the Ducks Unlimited Public
14 Policy Award for 2013-14, the Iowa Corn Growers
15 Association 2014 Award, the Autism Society of Iowa's
16 Hometown Hero Award, and the Outstanding Service Award
17 by the Iowa Health Care Association & Iowa Center for
18 Assisted Living; NOW THEREFORE,
19 BE IT RESOLVED BY THE SENATE, That the Senate honors
20 Senator Matt McCoy for his years of public service in
21 the Iowa General Assembly and wishes him all the best
22 in the years to come.

Senate Resolution 124: filed April 17, 2018; adopted by the
Senate on April 17, 2018.

SENATE RESOLUTION 124
By Committee on Rules and Administration

1 A Resolution amending the Senate Code of Ethics
2 relating to harassment.
3 BE IT RESOLVED BY THE SENATE, That the Senate Code
4 of Ethics, as adopted by the Senate during the 2017
5 Session in Senate Resolution 2, is amended by adding
6 the following new rule:
7 12A. HARASSMENT — RETALIATION. Senators,
8 lobbyists, and clients of lobbyists shall not engage
9 in conduct that constitutes harassment or retaliation
10 as provided in the personnel guidelines for the Iowa
11 Senate.

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